

# BOARD MEETINGS

OCTOBER 27 - 28, 2016

Austin, Texas

*Draft Audit Reports are not included.*



TEXAS  
JUVENILE  JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES





TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

**Board Meeting**

11209 Metric Boulevard, Building H, Ste. A  
Lone Star Conference Room  
Austin, TX 78758  
Friday, October 28, 2016 – 9:00 a.m.

1. Call to order  
**Chairman Fisher**
2. Prayer  
**Granyon Perry-Wooden**
3. Pledge  
**Chairman Fisher**
4. Discussion, consideration, and possible approval regarding excused absences (Action)  
**Chairman Fisher**
5. Discussion, consideration, and possible approval regarding the August 5, 2016 Board Meeting minutes (Action)  
**Chairman Fisher | Page 13**
6. Report from the Chairman  
**Chairman Fisher**
7. Public comments  
**Chairman Fisher**
8. Report from the Executive Director  
**David Reilly | Page 29**
  - a. Agency Report Card
9. Guadalupe County Juvenile Probation Department program overview  
**Chief Ron Quiros**
10. Report from the Advisory Council  
**Doug Vance | Page 35**

11. Report from the Inspector General  
***Roland Luna | Page 43***
12. Report from the Administrative Investigations Division  
***Kevin DuBose | Page 45***
13. Report on Trust Fund Activities  
***Karen Kennedy***
14. Status and update on the activities of the H.B. 431 Juvenile Records Advisory Committee and notice of continuing authority to meet through December 2018  
***Nydia Thomas***
15. Status and update on the activities of H.B. 1144 Task Force on Improving Outcomes of Juveniles Adjudicated of Sexual Offenses (IJSXO) and notice of continuing authority to meet through September 2017  
***Nydia Thomas***
16. Report from the Safety and Security Committee  
***Riley Shaw***
17. Review, Discussion, and Possible Action Regarding the Travis County Juvenile Board Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.656 Related to Spatial Requirements in Multiple Occupancy Housing Units (Action)  
***Scott Friedman | Page 49***
18. Review, Discussion, and Possible Action Regarding the Grayson County Juvenile Board Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.644 Related to Spatial Requirements for Single Occupancy Housing Units (Action)  
***Scott Friedman | Page 61***
19. Review, Discussion, and Possible Action Regarding the Grayson County Juvenile Board Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.634 Related to Level of Supervision in Multiple Occupancy Housing Units (Action)  
***Scott Friedman | Page 71***
20. Review, Discussion, and Possible Action Regarding the Brown County Juvenile Board (G4S/The Oaks) Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.230 Related to Specialized Housing (Action)  
***Scott Friedman | Page 87***

21. Discussion, consideration, and possible approval regarding the discipline of certified officers- Agreed Order (Action)  
**Kaci Singer | Page 103**
  - a. Julian Saldana; Certification No. 28605; 16-28605-160118 (Harris)
  
22. Discussion, consideration, and possible approval regarding the discipline of certified officers- Default Orders (Action)  
**Kaci Singer | Page 111**
  - a. Lisa Baugh, Certification No. 27865, 16-27865-150292 (Randall)
  - b. Daniel Burch, Certification No. 28918, 16-28918-160166 (Hood)
  - c. Chakel Charles, Certification No. 29995, 16-29995-160219 (Bexar)
  - d. Gabriel A. Chavez, Certification No. 28481, 16-28481-16065 (Bexar)
  - e. Chrystal Hilburn, Certification No. 21245, 16-21245-160112 (Collin)
  - f. Rebecca Lehew, Certification No. 28919, 16-28919-150276 (Hood)
  - g. Michael L. Richards, Certification No. 28151, 16-28151-160038 (Dallas)
  - h. Rudy Robles, Certification No. 17282, 16-17282-160027 (Bexar)
  - i. Karen Tuggle, Certification No. 24351, 16-24351-150276 (Hood)
  
23. Report from the Finance and Audit Committee  
**Jane King**
  
24. Discussion, consideration, and possible approval regarding Board authorization to designate a housing allowance for Chaplains for tax year 2017 (Action)  
**Teresa Stroud | Page 169**
  
25. Discussion, consideration, and possible approval of the recommendations made in the TJJD salary study and to support efforts to obtain additional funding to achieve the goals of attracting and retaining qualified juvenile justice employees and reducing turnover (Action)  
**Royce Myers & James Williams | Page 177**
  
26. Discussion, consideration, and possible approval regarding a construction contract for paving and drainage improvements at McLennan County State Juvenile Correctional Facility (Action)  
**Steven Vargas | Page 243**
  
27. Discussion and possible action regarding a contract with Conference of Urban Counties for the maintenance and support of county Juvenile Case Management Systems (JCMS) (Action)  
**Kenneth Ming & Jill Mata | handout**
  
28. Discussion, consideration, and possible approval regarding the acknowledgement of gifts (Action)  
**Mike Meyer | Page 247**
  
29. Discussion, consideration, and possible final adoption of revisions and rule review for 37 TAC §§385.8153, relating to Research Projects, 385.9967, relating to Court-Ordered Child Support, and 385.9993, relating to Canteen Operations (Action)  
**Mike Meyer | Page 251**

30. Discussion, consideration, and possible approval to adopt revisions to the Board Governance and Policy Manual and to repeal GAP.09.01, relating to Budget Administration and Process, GAP.09.35, relating to Signatory Authority, GAP.09.45, relating to Vending Machines and Pay Telephones, and GAP.09.63, relating to Claim Settlements (Action)

**Mike Meyer | Page 261**

31. Discussion, consideration, and possible approval regarding the Title IV-E Audit Report (Action Item)

**Eleazar Garcia | Page 291**

32. Discussion, consideration, and possible approval regarding the FY 2016 Internal Audit Annual Report (Action Item)

**Eleazar Garcia | Page 313**

33. Discussion, consideration, and possible approval regarding the FY 2017 Internal Audit Charter (Action Item)

**Eleazar Garcia | Page 333**

34. Discussion, consideration, and possible approval regarding the FY 2017 Internal Audit Plan (Action Item)

**Eleazar Garcia | Page 339**

35. Report from the Programs Committee

**Riley Shaw**

36. Closed Session – Executive Session

**Chairman Fisher**

- a. §551.071 Consultation with attorney (see footnote)
- b. §551.072 Deliberation regarding real property (John C. Wende and Parrie Haynes trusts)
- c. §551.074 Discussion regarding personnel matters

37. Reconvene in open session, discussion, consideration, and possible approval regarding matters deliberated in closed executive session, if applicable (Action)

**Chairman Fisher**

38. Adjourn

**Chairman Fisher**

- The Texas Juvenile Justice Department Board reserves the right to limit the time and scope of public comments as deemed appropriate by the Board.
- The Board of the Texas Juvenile Justice Department reserves the right to take formal board action on any posted agenda item if necessary.
- Items may not necessarily be considered in the order in which they appear on the agenda.
- The Board of the Texas Juvenile Justice Department may go into closed session as authorized by the Texas Open Meetings Act as codified in Texas Government Code Section 551.071 with respect to any item.
- If ADA accommodations are needed, please contact Jeannette Cantu at 512.490.7004 or [Jeannette.Cantu@tjtd.texas.gov](mailto:Jeannette.Cantu@tjtd.texas.gov)



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TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

**Finance and Audit Committee Meeting**

11209 Metric Boulevard, Building H, Ste. A  
Lone Star Conference Room  
Austin, TX 78758  
Thursday, October 27, 2016 – 11:00 a.m.

1. Call to order  
**Jane King**
2. Discussion, consideration, and possible approval regarding excused absences (Action)  
**Jane King**
3. Discussion, consideration, and possible approval regarding the August 4, 2016 meeting minutes (Action)  
**Jane King | Page 349**
4. Updates from the Chief Information Officer  
**Jim Southwell | Page 363**
5. Updates from the Chief Financial Officer  
**Mike Meyer | Page 367**
6. Discussion regarding the TJJD population and commitment trends  
**Rebecca Walters | Page 389**
7. Discussion regarding Agency hiring practice  
**Royce Myers & David Reilly**
8. Discussion, consideration, and possible approval regarding Board authorization to designate a housing allowance for Chaplains for tax year 2017 (Action)  
**Teresa Stroud | Page 169**
9. Discussion, consideration, and possible approval of the recommendations made in the TJJD salary study and to support efforts to obtain additional funding to achieve the goals of attracting and retaining qualified juvenile justice employees and reducing turnover (Action)  
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**Eleazar Garcia | Page 291**
16. Discussion, consideration, and possible approval regarding the FY 2016 Internal Audit Annual Report (Action Item)  
**Eleazar Garcia | Page 313**
17. Discussion, consideration, and possible approval regarding the FY 2017 Internal Audit Charter (Action Item)  
**Eleazar Garcia | Page 333**
18. Discussion, consideration, and possible approval regarding the FY 2017 Internal Audit Plan (Action Item)  
**Eleazar Garcia | Page 339**
19. FY 2016 Annual Internal Quality Assessment  
**Eleazar Garcia | Page 401**
20. Adjourn  
**Jane King**

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**Safety and Security Committee Meeting**  
11209 Metric Boulevard, Building H, Ste. A  
Lone Star Conference Room  
Austin, TX 78758  
Thursday, October 27, 2016 – 1:30 p.m.

1. Call to order  
**Riley Shaw**
2. Discussion, consideration, and possible approval regarding the August 4, 2016 meeting minutes (Action)  
**Riley Shaw | Page 411**
3. Report from the office of the Inspector General  
**Roland Luna | Page 43**
4. Report from the Administrative Investigations Division  
**Kevin DuBose | Page 45**
5. Report from the State Programs and Facilities Division  
**Teresa Stroud | Page 421**
6. Discussion regarding Agency practice and policies regarding reassignment of employees with open investigations  
**David Reilly & Teresa Stroud**
7. Review, Discussion, and Possible Action Regarding the Travis County Juvenile Board Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.656 Related to Spatial Requirements in Multiple Occupancy Housing Units (Action)  
**Scott Friedman | Page 49**
8. Review, Discussion, and Possible Action Regarding the Grayson County Juvenile Board Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.644 Related to Spatial Requirements for Single Occupancy Housing Units (Action)  
**Scott Friedman | Page 61**

9. Review, Discussion, and Possible Action Regarding the Grayson County Juvenile Board Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.634 Related to Level of Supervision in Multiple Occupancy Housing Units (Action)

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10. Review, Discussion, and Possible Action Regarding the Brown County Juvenile Board (G4S/The Oaks) Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.230 Related to Specialized Housing (Action)

**Scott Friedman | Page 87**

11. Discussion, consideration, and possible approval regarding the discipline of certified officers- Agreed Order (Action)

**Kaci Singer | Page 103**

- a. Julian Saldana; Certification No. 28605; 16-28605-160118 (Harris)

12. Discussion, consideration, and possible approval regarding the discipline of certified officers- Default Orders (Action)

**Kaci Singer | Page 111**

- a. Lisa Baugh, Certification No. 27865, 16-27865-150292 (Randall)  
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c. Chakel Charles, Certification No. 29995, 16-29995-160219 (Bexar)  
d. Gabriel A. Chavez, Certification No. 28481, 16-28481-16065 (Bexar)  
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f. Rebecca Lehew, Certification No. 28919, 16-28919-150276 (Hood)  
g. Michael L. Richards, Certification No. 28151, 16-28151-160038 (Dallas)  
h. Rudy Robles, Certification No. 17282, 16-17282-160027 (Bexar)  
i. Karen Tuggle, Certification No. 24351, 16-24351-150276 (Hood)

13. Adjourn

**Riley Shaw**

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**Programs Committee Meeting**

11209 Metric Boulevard, Building H, Ste. A  
Lone Star Conference Room  
Austin, TX 78758  
Thursday, October 27, 2016 – 3:00 p.m.

1. Call to order  
**Riley Shaw**
2. Discussion, consideration, and possible approval regarding excused absences (Action)  
**Riley Shaw**
3. Discussion, consideration, and possible approval regarding the August 4, 2016 meeting minutes (Action)  
**Riley Shaw | Page 425**
4. Division of Youth Placement, Re-entry and Program Development  
**Rebecca Walters and Todd Novak | Page 431**
5. Virtual Family Visitation  
**Rebecca Walters, Rebeca Garza, Ericka Barrera, and Patty Garza | Page 445**
6. Adjourn  
**Riley Shaw**

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TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

**Board Meeting**

11209 Metric Boulevard, Building H, Ste. A  
Lone Star Conference Room  
Austin, TX 78758  
Friday, August 5, 2016 – 9:00 a.m.

**BOARD MEMBERS PRESENT:**

Scott W. Fisher, Chairman  
The Honorable John Brieden III  
Scott "David" Matthew  
Riley Shaw  
The Honorable Jimmy Smith  
Calvin W. Stephens  
The Honorable Becky Gregory  
Jane King  
The Honorable Carol Bush

**BOARD MEMBERS ABSENT:**

Dr. Rene Olvera  
MaryLou Mendoza  
The Honorable Laura Parker

**EXECUTIVE STAFF PRESENT:**

David Reilly, Executive Director  
Chelsea Buchholtz, Chief of Staff  
Roland Luna, Chief Inspector General  
Luther Taliaferro, Superintendent of Education  
Rebecca Walters, Director of Youth Placement &  
Program Development  
Jim Southwell, Chief Information Officer  
Kristy Almager, Director of the Juvenile Justice  
Training Academy

Tushar Desai, Medical Director  
Eleazar Garcia, Chief Internal Auditor  
Jim Hurley, Communications Director  
Jill Mata, General Counsel  
Mike Meyer, Chief Financial Officer  
Jeannette Cantu, Executive Assistant  
James Williams, Senior Director of  
Probation and Community Services  
Teresa Stroud, Senior Director of  
State Programs and Facilities

**OTHER GUESTS PRESENT:**

Kathryn Gray, TJJD  
Ron Quiroz  
David Pruitt  
Cary Cheshire  
Tammy Holland  
Steve Roman  
Chuck McClanahan  
Chris Woolsey

Sara Raines  
Edeska Barnes Jr.  
Ken Metcalf  
Lauren Rose  
Susan Hale  
Karen Lashbrook  
Donald King  
Mark Archibald

Carla Bennett-Wells  
Javier Ibarra  
Tom Benning  
Steven Vargas  
Connie Standridge  
Laura Pressley  
Angle McLean  
Rozanna Pardee

Board Meeting  
August 5, 2016

Rebecca Adams  
Monica R. Jimenez  
Kristina Hendrix  
Seth W. Christensen  
Stacey Robinson  
Penny Story  
Liz Smith  
John McClung  
Janice Barlow  
Carol Doucet  
Susan Humphrey  
Marketa Johnson  
Jerome Williams  
Lesly Jacobs  
Doug Vance  
Kevin Josey  
Cheryl Shaban  
Josh Bauermeister

Karol Davidson  
Stephanie Melot  
Diane Frost  
Dick Henson  
Charles Raines  
Johnny Berry  
Doc Hubbard  
Jennifer Miller  
Bobby Wade  
Sharon Langford  
Karen Kennedy  
Felicia Reynolds  
Bill Parks  
Kimbla Newsom  
Ben Stratmann  
Kaci Singer  
Ashley Kintzer  
Denise Askea

Raul A. Jimenez  
Jeannette Lepe  
Edward Monk  
Patrick Patterson  
Ralph Gonzalez  
Tawana Calhoun  
Alex Cochran  
Robert Vickery  
Jackie King  
Gibran Jimenez  
Buddy Green  
Ken Ming  
Lori Robinson  
Chris Baldwin  
Diane Eunice  
Lester Brown  
Jennifer Allmon

### **Call to order**

Chairman Fisher called the meeting to order at 9:03 a.m.

### **Prayer**

Lester Brown opened the meeting with a prayer.

### **Pledge**

The Pledge of Allegiance and Pledge to the Texas Flag were recited.

### **Discussion, consideration, and possible approval regarding excused absences (Action)**

The following board members were absent: Rene Olvera, MaryLou Mendoza, and Laura Parker. Mr. Shaw moved to excuse the absences. Mr. Matthew seconded. The motion passed.

### **Report from the Chairman**

Chairman Fisher provided a history of what has transpired to bring the agenda item upon the Board for the request from the City of Corsicana to transfer the TJJJ Corsicana Facility to the City of Corsicana and also the request of the County of Navarro to postpone consideration of the said transfer.

**Public comments**

Public comments were heard from the following individuals listed below stating they were “For” or “Against” the transfer of the Corsicana Facility to the City of Corsicana.

- |                              |                             |
|------------------------------|-----------------------------|
| Jennifer Allmon – For        | Buddy Green – Against       |
| Chris Woolsey – Against      | Chuck McClanahan – For      |
| John E. McClung – For        | Connie Standridge - For     |
| Rafael M. Gonzalez – Against | Donald King - Against       |
| Janice Barlow - Against      | Becky Adams - Against       |
| Penny Story – Against        | Stacey Robinson - Against   |
| Doc Hubbard - Against        | Jackie King - Against       |
| Angie McLean - Against       | Sara Raines - Against       |
| Rozanna Pardee – Against     | Liz Smith – Against         |
| Susan Hale – For             | Chris Baldwin – Against     |
| Raul Jimenez – Against       | Robert Vickery – Against    |
| Mark Archibald – Against     | Patrick Patterson – Against |
| Kristina Hendrix – Against   | Diane Frost – For           |
| Edward Monk – For            |                             |

Chairman Fisher called for a 15 minute recess.

**Report from the Executive Director**

David Reilly, Executive Director, advised the Board that the August TJJ Today Newsletter was in their handout folder. He also asked the Board to take a look at the Agency Report Card in their board book to see the exciting milestones the agency has reached in family support, the mentoring program and the increase in the number of youth completing their programs successfully this reporting period.

Mr. Reilly informed the Board that the agency is now Prison Rape Elimination Act (PREA) compliant at all facilities. Staff from the following facilities were present to receive their compliance awards from

the TJJD Board: Mart, Willoughby Halfway House and Cottrell Halfway House. Mr. Reilly recognized the following staff and photos were taken at the following break:

Mart: Bill Parks, Superintendent, Carla Bennett-Wells, Compliance Officer, and Cheryl Shabazz, Compliance Officer

Willoughby Halfway House: Diane Eunice, Superintendent, Felicia Reynolds, Assistant Superintendent

Cottrell Halfway House: Marketa Johnson, Superintendent, Kevin Josey, Assistant Superintendent

Mr. Reilly thanked Debbie Unruh and her staff for assisting TJJD with the PREA audits. Judge Brieden commented that the PREA mandate increased the staff to youth ratio, requiring TJJD to hire and keep on staff more employees. He further added that the PREA mandate is unfunded.

**Discussion, consideration, and possible approval regarding the May 20, 2016 Board Meeting minutes**

**(Action)**

Commissioner Smith moved to approve the minutes. Ms. King seconded. The motion passed.

**Discussion, consideration, and possible approval regarding the June 23, 2016 Board Meeting minutes**

**(Action)**

Mr. Matthew moved to approve the minutes. Commissioner Smith seconded. The motion passed.

**Discussion and consideration of certain actions concerning transferring the Corsicana Residential Treatment Center with limitations on its use, the City of Corsicana's request for transfer, and Navarro County's request to postpone consideration of transfer**

Kathryn Gray, Staff Attorney, stated SB 653 from the 82<sup>nd</sup> Legislative Session provides TJJD the authority to transfer a closed facility to the county or municipality in which the facility is located. SB 653 has two requirements for a property to be transferred under this authority: (1) the property must be located in a county with a total population of less than 100,000, and (2) the county or municipality must use the property transferred for a public purpose that benefits the public interest of the State of Texas. The authority found in SB 653 is permissive and TJJD is under no obligation to transfer a property under this authority.

The Corsicana Residential Treatment Center (CRTC) is not being utilized for any TJJD programs as no youth have been housed there since December 2013. The CRTC is located in Navarro County, which has a population of less than 100,000 people. Both Navarro County and the City of Corsicana have expressed interest in having the property transferred to them. The City passed a resolution and submitted a letter requesting the property be transferred to it. A representative from the County Commissioner's Court sent an e-mail requesting an extension of time.

Chairman Fisher called upon Corsicana Mayor Chuck McClanahan to present the city's request for transfer of the property which includes a possible lease with a tenant who may temporarily house unaccompanied minors from Central America. Mayor Chuck McClanahan stated that a decision would be needed this day in order for their plans to move forward with the proposed tenant.

Chairman Fisher opened the floor for Board discussion. Discussion ensued.

In response to a comment made by Judge Brieden, Mayor McClanahan confirmed that unless the city is able to move forward with Cayuga as their tenant, the city does not want the property.

Judge Brieden moved to not approve the transfer based on the potential tenant, being Cayuga, using the property to house unaccompanied minors from outside the United States. Judge Gregory seconded. Discussion ensued among the Board.

Mr. Stephens stated he was in favor of transferring the Corsicana facility to the City of Corsicana. He felt strongly that TJJD needed to get this facility off its books since TJJD has not been housing youth there for some time. Keeping Corsicana on the books is costing the agency money it doesn't have. He felt that the Board should not let the politics of the matter of the City of Corsicana potentially using the facility to house undocumented immigrants get in the way of the Board's duty to do what's best on behalf of TJJD.

Mr. Shaw moved to postpone indefinitely and seek counsel from the Attorney General's office and the General Land Office. Commissioner Smith seconded. Discussion ensued among the Board.

Judge Gregory asked for further clarification from Mayor McClanahan. Mayor McClanahan stated that if they are not able to move forward today with Cayuga as their tenant, the city could come back at a later time with another request for a different purpose, should that opportunity occur.

The vote was taken on Mr. Shaw's motion; Yes – 4 and No – 5. The motion failed.

The vote was taken on Judge Brieden's motion; Yes-8 and No – 1. The motion passed.

Chairman Fisher thanked the guests from Corsicana for being present.

Chairman Fisher called for a 5 minute recess.

#### **Report from the Advisory Council**

Doug Vance, Advisory Council Chairman, referred the Board to the Advisory Council's report on page 41. He stated that the council last met on June 30, 2016. He provided a summary overview of topics covered by the council including: Salary and Turnover Rate Study, TJJJ Legislative Appropriations Request (LAR), Discretionary State Aid Funding, raising the age of juvenile court jurisdiction, and TAC 341 and TAC 344 Revisions. The council's next meeting is on September 9, 2016.

#### **Report from the Inspector General**

Roland Luna, Chief Inspector General, referred the Board to page 51. He provided an update to the Board on summary indicators through third quarter FY 2016 and spoke about other ongoing activities within the OIG.

#### **Report from the Administrative Investigations Division**

Lesly Jacobs, Deputy Director of the Administrative Investigations Division, referred the Board to page 53. She provided an update to the Board on the County Investigations Unit and State Investigations Unit through June 30, 2016. She reported that the backlog of cases prior to 2016 has been eliminated.

**Updates on Regionalization and discussion, consideration, and possible approval regarding the Statewide Regionalization Plan (Action)**

James Williams, Senior Director of Probation and Community Services, referred the Board to a handout provided to them. He acknowledged that there were a lot of people to thank for their work on this plan: Chiefs from the seven regions, probation field, advocacy providers, juvenile court judges, prosecutors and TJJ staff. This is an excellent plan for the future and something the field can be proud of.

Mr. Williams explained the process to make the decision whether the youth is eligible for the diversion plan. This is a step in the right direction for placing youth where they need to be in terms of treatment, not just housing them. There have been 62 applications for diversion and staff have successfully diverted 23 of those youth. The diversion allows the youth to be placed outside their county programs for treatment services as a diversion from commitment. If approved, the county pays for the diversion services, TJJ reimburses the county.

In response to a question by Mr. Matthew, Mr. Reilly confirmed that of the diversion applications that have been denied, only 2 youth were committed to TJJ.

In response to a comment by Mr. Shaw, Mr. Reilly clarified that staff are looking for all reasonable efforts from the counties to find placements for the youth prior to diversion consideration.

In response to a comment by Judge Brieden, James Williams stated that he will look into placing the judge's four counties on the regions map together, rather than having them split. Mr. Matthew moved to approve the Regionalization Plan. Ms. King seconded. The motion passed.

**Report from the Trust Committee**

Commissioner Smith, Committee Chairman, reported that the committee met and they voted several items move to the full Board and recommended approval.

**Discussion, consideration, and possible approval to authorize staff to negotiate the terms of a new grazing lease for the Milam County tract of the Parrie Haynes Trust, and to authorize the Board Chairman, on behalf of the Board, to take action regarding the lease (Action)**

Kathryn Gray, Staff Attorney, stated that previously the land was leased for \$2000 a year. The agency received a bid for a grazing contract for \$2400 year. The resolution is written to authorize the Board Chairman, on behalf of the Board, to take action regarding the lease. Commissioner Smith moved to approve the resolution. Judge Brieden seconded. The motion passed.

**Discussion, consideration, and possible approval to authorize the Parrie Haynes Trust to grant an electric utility easement to Bartlett Electric Cooperative to install electricity on a portion of the Parrie Haynes Ranch (Action)**

Kathryn Gray, Staff Attorney, stated that the Parrie Haynes Ranch is leased by the Boys and Girls Club of Central Texas, Inc. The Boys and Girls Club sub-leases a portion of the Ranch to the Spotted Horse Livery (SHL). SHL is seeking to install electricity on the east side of its subleased portion for the Ranch. SHL is planning to cover the cost of the installation and is not seeking financial assistance from the Trust. An easement is required to grant the electric company access to the Ranch property to install and maintain the electric power. Mr. Matthew moved to approve the resolution. Judge Bush seconded. The motion passed.

**Discussion, consideration, and possible approval of the Parrie Haynes Ranch Wildlife Management Plan (Action)**

Kathryn Gray, Staff Attorney, stated the Parrie Haynes Trust entered into an agreement with the Texas Parks and Wildlife Foundation of Texas, (TPWF) to develop and implement a wildlife management plan for the Parrie Haynes Ranch. TPWF's biologist has drafted a wildlife management plan that is specific to the Ranch and has shared the plan with the lessee and sub-lessees of the Ranch. All parties have agreed to work together. Commissioner Smith moved to approve the plan with revisions as discussed in the Trust Committee. Judge Brieden seconded. The motion passed.

**Discussion, consideration, and possible approval regarding the John C. Wende and Parrie Haynes trust fund FY 2017 budget (Action)**

Chairman Fisher explained that this was discussed in the Trust Committee meeting and changes were recommended to increase the educational assistance portion of the budgets. Mr. Matthew moved to approve the budgets with revisions as discussed in the Trust Committee. Judge Brieden seconded. The motion passed.

**Discussion, consideration, and possible approval regarding the John C. Wende and Parrie Haynes trust fund FY 2017 investment policy and strategy (Action)**

Mike Meyer, Chief Financial Officer, stated that the investment policy and strategies are the same as the Board has adopted in previous years. Judge Bush moved to approve the resolution. Mr. Matthew seconded. The motion passed.

**Report from the Finance and Audit Committee**

Calvin Stephens, Committee Chairman, reported that the committee met and all members were present.

**Discussion, consideration, and possible approval regarding contract renewals exceeding \$500,000.00 (Action)**

Kenneth Ming, Director of Business Operations and Contracts, referred the Board to page 175. The figures represent proposed not-to-exceed amounts for residential contracts that exceed \$500,000 for FY 2017 including one-year contract renewals and funding amounts for the second year of two-year contracts approved in FY 2016. Mr. Matthew moved to approve the resolution. Commissioner Smith seconded. The motion passed.

**Discussion, consideration, and possible approval regarding amendments to the purchasing approval matrix (Action)**

Kenneth Ming, Director of Business Operations and Contracts, referred the Board to page 179. Staff requests consideration and approval of changes to the Purchase Approval Matrix: Add authority for

the executive director or designee to process emergency change orders over \$150,000 without prior approval from the Board, remove contract Administration Manager approval from the matrix, and change references from BSD 100 requisition form to requisitions submitted in CAPPs. The Board requested notification of all emergency change orders. Mr. Stephens moved to approve the resolution. Judge Brieden seconded. The motion passed.

#### **Discussion regarding the FY 2017 Contracting Plan**

Kenneth Ming, Director of Business Operations and Contracts, referred the Board to page 181. GAP.385.1101 requires staff to provide the Agency's annual contract plan for review by the TJJ Board. The policy requires the plan to contain an outline of the Agency's anticipated contracting actions for the fiscal year. The FY 2017 Contract Plan combines these requirements to provide an outline of anticipated contracting actions for the next fiscal year with associated estimates of HUB participation. The FY 2017 contract Plan is presented to the Board as an informational item. Chairman Fisher advised the Board to look through the contract list and make sure they do not have an association to these vendors.

#### **Discussion, consideration, and possible approval regarding the FY 2017 Operating Budget (Action)**

Emily Anderson, Director of Fiscal Affairs and Budget, stated the Agency faces significant budgetary pressure due to the elevated residential population. The Agency has successfully managed these challenges for FY 2016 primarily through access to "MAP" funds. Other efforts toward conservative management of available resources began in FY 2016 and are being continued and enhanced in FY 2017, with the exception of MAP funding. These measures have kept TJJ operating within available resources in FY 2016; however, they are not sufficient to close the projected budget gap for FY 2017. The proposed FY 2017 Operating Budget achieves balance by focusing on the population figures in the GAA, not actual populations. This means the projected budgetary shortfall is primarily concentrated in the Institutional Supervision and Food Service strategy. The total FY 2017 operating budget is \$324.7 million, of which \$300.6 million is General Revenue. This is a decrease of \$0.8 million compared to the FY 2016 amended operating budget. The proposed budget allocates available funding across agency programs and services, striving to continue TJJ's mission. The resolution for this agenda item provides approval of the proposed FY 2017 Operating Budget and grants authority to the Executive

Director to make reasonable and necessary adjustments for the fulfillment of the mission of TJJ, the maintenance of a balanced budget, and the management of appropriations.

In response to a comment from Judge Brieden regarding LBB projections of the population, Mr. Meyer stated that staff have started to talk with offices at the Capitol about the Agency's supplemental needs; however, it's too early to tell the scale of those needs. Mr. Stephens moved to approve the FY 2017 Operating Budget. Commissioner Smith seconded. The motion passed.

Chairman Fisher called for a recess to convene in closed session.

**Closed Session – Executive Session**

- a. **§551.071 Consultation with attorney (see footnote)**
- b. **§551.072 Deliberation regarding real property (John C. Wende and Parrie Haynes trusts)**
- c. **§551.074 Discussion regarding personnel matters**
- d. **§551.076 Deliberations regarding security devices or security audits**

The Board entered a closed session at 12:33 p.m.

**Reconvene in open session, discussion, consideration, and possible approval regarding matters deliberated in closed executive session, if applicable (Action)**

The Board reconvened in open session at 1:18 p.m. No action was taken.

**Discussion, consideration, and possible approval regarding the FY 2018-2019 Legislative Appropriations Request (Action)**

Mike Meyer, Chief Financial Officer, stated LAR instructions are similar to previous biennia, with one notable difference being a requirement to integrate a four percent reduction to baseline general revenue funding, with certain exceptions. A separate packet of information was provided as a Board

handout. The packet summarizes the LAR with respect to baseline funding considerations, exceptional items, rider requests, the 10 percent contingency reduction schedule, and other topics.

Mr. Matthew moved to approve the resolution as submitted. Judge Brieden seconded. The motion passed.

**Discussion, consideration, and possible final adoption of revisions and rule review for 37 TAC §385.9975, relating to State Inscription (Action)**

Mr. Meyer stated the Board approved posting the revisions to these rules in the Texas Register for a 30-day public comment period. No comments were received. Judge Brieden moved to adopt the rule review and final rules. Mr. Shaw seconded. The motion passed.

**Discussion, consideration, and possible approval of the AMIKids Audit (Action)**

Eleazar Garcia, Chief Internal Auditor, referred the Board to the Draft Audit Report on page 221. The objective was to evaluate contract care operations and agency oversight of the program. He discussed strengths and best/good practices identified and controls in areas that could be strengthened to ensure compliance and to provide more cost effective practices. Recommendations to strengthen controls and improve accountability were provided to management. Management concurs with the results of the audit work and has provided responses, which are included in the report. Mr. Matthew moved to approve the audit. Commissioner Smith seconded. The motion passed.

**Report from the Safety and Security Committee**

Mr. Shaw led the committee meeting in absence of Judge Parker. They did not have a quorum. Mr. Shaw stated the next four agenda items are rule revisions for final adoption that met favorably for adoption by the committee members present.

**Discussion, consideration, and possible final adoption of revisions within 37 TAC §§380.8559, 380.8565, and 385.8569, relating to sentenced offenders (Action)**

Mr. Shaw moved to approve final adoption of these rules. Mr. Matthew seconded. The motion passed.

**Discussion, consideration, and possible final adoption of revisions within 37 TAC §380.9197, relating to HIV/AIDS (Action)**

Mr. Shaw moved to approve final adoption of these rules. Mr. Matthew seconded. The motion passed.

**Discussion, consideration, and possible final adoption of the rule review and repeal of 37 TAC §380.9703, relating to Weapons and Concealed Handguns (Action)**

Mr. Shaw moved to approve final adoption of these rules. Mr. Matthew seconded. The motion passed.

**Discussion, consideration, and possible final adoption of revisions and rule review for 37 TAC §385.8117, relating to Private Real Property Rights Affected by Governmental Action, and §385.8134, relating to Notice of Youth Confessions of Child Abuse (Action)**

Mr. Shaw moved to approve final adoption of these rules. Mr. Matthew seconded. The motion passed.

**Discussion, consideration, and possible approval regarding the discipline of certified officers- Agreed Order (Action)**

- a. Daniel Hale; Certification No. 24200; 16-24200-160208 (Grayson)
- b. Willie Jackson; Certification No. 29889; 16-29889-150306 (Bell)
- c. Rickey Lee Shelton, Jr.; Certification No. 282041; 16-28201-150287 (Bexar)

Kaci Singer, Staff Attorney, requested Board approval of the discipline agreed to in these cases.

Regarding the Daniel Hale case, several Board members stated they didn't have enough information on this case to make an informed decision. Discussion ensued.

Mr. Shaw moved to disapprove the agreed order on item 35 a. regarding Daniel Hale. Mr. Matthew seconded. Judge Brieden voted no. The motion passed.

Mr. Shaw moved to approve items 35 b and 35 c. Commissioner Smith seconded. The motion passed.

**Discussion, consideration, and possible approval regarding the discipline of certified officers- Default Orders (Action)**

- a. **Larry Ardila, Jr., Certification No. 24004; 16-24004-150070 (Bexar)**
- b. **Ronnie Faimoa, Certification No. 30460; 16-30460-160138 (Taylor)**
- c. **Emmanuel Funchess; Certification No. 29675; 16-29675-150273 (Harris)**
- d. **Cornelius Gray; Certification No. 29360; 16-29360-160218 (Dallas)**
- e. **Allen David Guerrero; Certification No. 14394; 16-14394-160050 (Tarrant)**
- f. **Clifford Harle; Certification No. 29464; 16-29464-150151 (Bexar)**
- g. **Sergio Lopez; Certification No. 28697; 16-28697-140366 (Webb)**
- h. **Michael Pitts; Certification No. 29859; 16-29859-150307 (Hood)**
- i. **Oziel Salinas; Certification No. 29945; 15-29945-150314 (Cameron)**
- j. **William Tucker; Certification No. 29628; 16-29628-160051 (Hood)**

Ms. Singer presented the default order cases. She stated that item b regarding Ronnie Faimoa submitted a relinquishment so is no longer part of this default order. Mr. Shaw recused himself from voting on item e regarding Allen David Guerrero.

Judge Bush moved to approve the discipline of certified officers default judgment orders, excluding item b and e. Mr. Matthew seconded. The motion passed. Mr. Matthew moved to approve item e. Judge Brieden seconded. Mr. Shaw abstained. The motion passed.

Chairman Fisher went back to discuss the agreed order request for the Daniel Hale case. He appointed a sub-committee to review the discipline matrix including Mr. Shaw, Mr. Matthew, and Ms. King to work with Ms. Singer and come back to the next board meeting on revisions to the matrix as well as an alternate recommendation on the Daniel Hale case.

**Discussion, consideration, and possible final adoption of revisions within 37 TAC §380.8707, relating to Furloughs, and §380.9161, relating to Youth Employment and Work (Action)**

Mr. Shaw moved to approve final adoption of these rules. Judge Brieden seconded. The motion passed.

**Discussion, consideration, and possible approval to publish revisions to 37 TAC §380.9535, relating to Phoenix Program, in the Texas Register for a 30-day public comment period (Action)**

Mr. Shaw moved to approve to publish the proposed revisions for these rules in the Texas Register for a 30-day public comment period. Mr. Matthew seconded. The motion passed.

**Discussion, consideration, and possible final adoption of revisions and rule review for 37 TAC §§385.8135, relating to Rights of Victims, 385.8145, relating to Volunteers and Community Resources Council, 385.8183, relating to Advocacy, Support Group, and Social Services Provider Access, and 385.9959, relating to Transportation of Youth (Action)**

Mr. Shaw moved to approve final adoption of these rules. Judge Brieden seconded. The motion passed.

Chairman Fisher adjourned the meeting at 1:55 p.m.

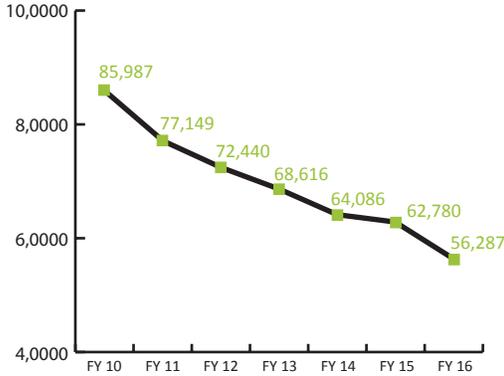


# TJJD AGENCY REPORT CARD

OCTOBER 27, 2016

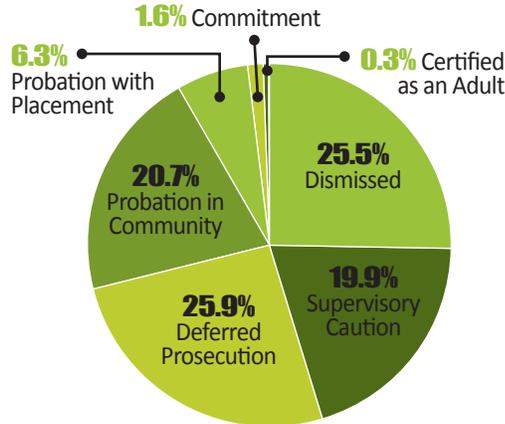
## YOUTH DATA

### Referrals to Probation



Source: FY 2010-2016

### Youth Dispositions



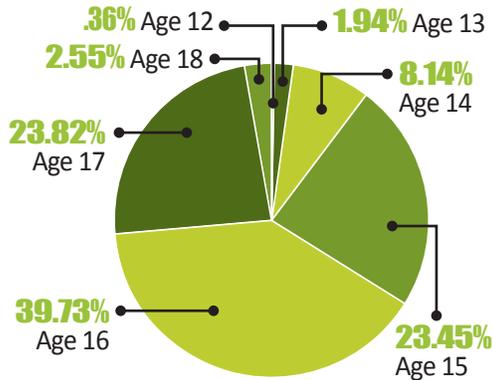
Source: FY 2016

### Average Length of Stay (Months) at TJJD



Source: Q2-Q4 FY 2016

### Age at Admission to TJJD



Source: FY 2016

**20.8%** Youth placed directly into medium restriction from intake

Source: Q4 FY 2016

**89.6%** Youth grievances completed timely<sup>4</sup>

Source: Q4 FY 2016

**55.6%** Percentage of youth with no major rule violation<sup>2</sup>

Source: Q4 FY 2016

**65** Number of days without serious youth injuries<sup>6</sup>

Source: Q4 FY 2016 All Institutions

**100** Successful program completions<sup>1</sup>

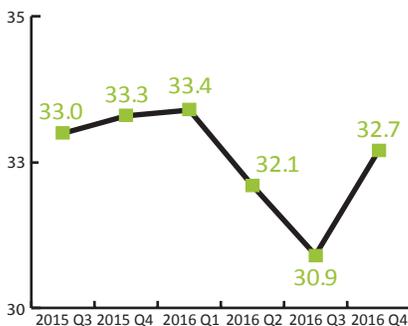
Source: Q4 FY 2016

**185** Youth matched to mentor<sup>10</sup>

Source: Q4 FY 2016

## HEALTH SERVICES

### Percentage of Youth Prescribed Psychotropic Medication



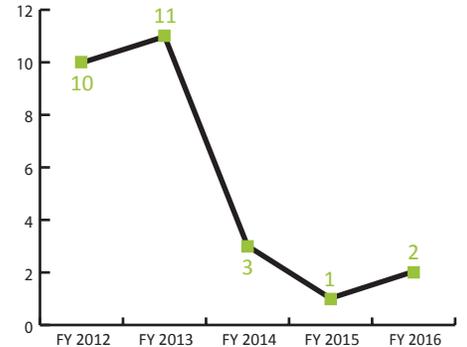
Source: All Institutions and Halfway Houses FY 2015 Q3-4 - FY 2016 Q1-4

### Serious Injury<sup>6</sup> (All Causes)



Source: All Institutions FY 2012-Q1-3 FY 2016

### Mental Health Hospitalizations<sup>8</sup>



Source: All Institutions FY 2012-Q1-3 FY 2016

## EDUCATION SERVICES SCHOOL YEAR 2016-2017 (SECURE FACILITIES ONLY)

**3** Earned High School Diploma   
Source: 8/1/2016-7/14/2017

**53** Earned GED<sup>5</sup>   
Source: 8/1/2016-7/14/2017

**11** Earned Industry Certification   
Source: 8/1/2016-7/14/2017

# TJJD AGENCY REPORT CARD

	2015 Q4	2016 Q1	2016 Q2	2016 Q3	2016 Q4
<b>SERVICE INDICATORS (Secure Facilities, Halfway Houses and Contract Care)</b>					
Successful program completions <sup>1</sup>	114	122	95	138	100
Total number of youth enrolled in specialized treatment (excluding contract care)	1,068	1,110	1,096	1,097	1,104
Total number of youth that completed specialized treatment	463	402	440	427	453
• Alcohol or other drug	241	251	250	222	226
• Sexual behavior treatment	38	36	38	45	52
• Capital/violent offender	228	193	216	221	218
Percentage of youth with no major rule violation <sup>2</sup>	44.3%	43.5%	42.4%	45.5%	55.6%
Percentage of youth with less than 5 major rule violations per quarter <sup>2</sup>	81.5%	82.3%	82.2%	80.2%	80.8%
Youth on Stage 4 or Stage YES	226	216	239	212	213
Youth with major rule violations that are confirmed	652	602	687	701	680
Youth receiving stage promotions	496	522	473	500	593
Youth receiving stage demotions <sup>3</sup>	93	100	112	148	100
Percentage of youth grievances completed timely <sup>4</sup>	93.5%	88.6%	94%	93%	89.6%
<b>EDUCATION (Secure Facilities Only)</b>					
Number of youth currently holding high school diploma	*	17	16	17	10
Number of youth currently holding GED <sup>5</sup>	*	161	168	204	208
Number of youth currently eligible to take the GED exam	*	622	601	606	640
Industry certifications	85	51	87	91	37
<b>POPULATION TRENDS</b>					
New admissions	204	221	177	217	208
Percentage of youth placed directly into medium restriction from intake	21.3%	18.6%	11.9%	29.2%	20.8%
Average length of stay (months) - Determinate	24.7	27.6	24.4	22.6	22.6
Average length of stay (months) - Indeterminate	15	14.8	15.5	16.0	15.8
<b>HEALTH SERVICES</b>					
Total serious youth injuries <sup>6</sup>	26	37	27	28	32
Days without serious youth injuries	70	61	71	66	65
Total serious self-injuries <sup>7</sup>	9	7	10	10	9
Percentage of youth prescribed psychotropic medication	33.3%	33.4%	32.1%	30.9%	32.7%
Percentage of medication compliance	99.6%	99.2%	99.6%	99.1%	99.7%
Emergency room visits	27	34	31	35	36
Mental health hospitalizations <sup>8</sup>	0	1	1	0	0
<b>FAMILY SUPPORTS</b>					
Families participating in MDT assessments <sup>9</sup>	678	738	679	800	854
Youth receiving web-based visits	20	16	23	74	68
Youth receiving in-person visits	576	560	602	717	685

# TJJD AGENCY REPORT CARD

	2015 Q4	2016 Q1	2016 Q2	2016 Q3	2016 Q4
<b>VOLUNTEER SERVICES AND CHAPLAINCY</b>					
Youth matched to mentor <sup>10</sup>	157	172	135	211	185
Number of mentoring hours per quarter	3,136	3,134	2,144	1,718**	2,942
Active volunteers per quarter	811	759	587	440**	551
Worship opportunities <sup>11</sup>	219	240	240	203	274
Religious education classes <sup>12</sup>	549	582	424	307	302
<b>FINANCIAL</b>					
Budgeted total residential population	1,319	1,264	1,264	1,264	1,264
Actual total residential population	1,298	1,325	1,337	1,325	1,334
Average daily population: State Facilities	1,043	1,063	1,080	1,078	1,065
Cost per day: State Facilities <sup>13</sup>	\$227	\$171	\$160	\$161	\$168
Average daily population: Halfway Houses	151	141	140	129	160
Cost per day: Halfway Houses	\$186	\$198	\$191	\$201	\$167
Average daily population: Contract Programs	103	121	116	118	109
Cost per day: Contract Programs	\$139	\$144	\$165	\$159	\$135
Percentage of general revenue operating variance <sup>14</sup>	-4.5%	-1.5%	-1.7%	-2.5%	-0.53%
<b>PAROLE</b>					
Percentage of youth with indeterminate sentences who successfully complete parole <sup>15</sup>	36.8%	32.0%	36.2%	42.5%	43.2%
Percentage of youth placed on parole who needed and achieved a GED or high school diploma while on parole	0.9%	1.1%	3.4%	1.5%	4.6%
Community service hours				2,791	1,582
<b>MONITORING AND INSPECTIONS</b>					
Number of completed compliance monitoring reports - state programs <sup>16</sup>	4	4	10	6	6
Number of completed compliance monitoring reports - county facilities	23	15	28	20	33
<b>TRAINING</b>					
State: Number of training hours provided <sup>17</sup>	10,994	9,099	13,024	14,688	9,361
State: Percentage of overall training compliance	***	63.3%	42.50%	26.21%	55.4%
Community-based: Number of training hours provided	297.75	365.00	428.75	182.25	199.75
Community-based: Number of staff trained	1,592	2,036	1,299	988	1,137
Community-based: Number of new juvenile probation and supervision officers certified	259	307	324	332	359
Community-based: Number of juvenile probation and supervision officer certifications renewed	489	872	626	536	638
Number of new or revised curricula implemented	1	7	1	4	4

# TJJD AGENCY REPORT CARD

STAFF	EJC	GNS	GID	MART	RJ	TOTAL INSTITUTIONS
<b>JUVENILE CORRECTIONAL OFFICER</b>						
FY 2015 turnover rate	31.28%	41.49%	32.25%	34.36%	26.35%	33.40%
FY 2016 turnover rate	35.57%	60.19%	31.14%	42.78%	28.48%	39.77%
Total positions	181	261	291	410	264	1,407
Positions filled	173	230	263	355	252	1,273
Positions vacant	8	31	28	55	12	134
Percent filled	95.58%	88.12%	90.38%	86.59%	95.45%	90.48%
<b>CASE MANAGER</b>						
FY 2015 turnover rate	0.00%	19.80%	31.82%	13.79%	23.93%	18.68%
FY 2016 turnover rate	72.13%	11.54%	51.61%	13.99%	16.53%	27.59%
Total positions	16	28	27	42	32	145
Positions filled	12	26	23	37	29	127
Positions vacant	4	2	4	5	3	18
Percent filled	75.00%	92.86%	85.19%	88.10%	90.63%	87.59%
<b>MENTAL HEALTH</b>						
FY 2015 turnover rate	0.00%	44.44%	73.68%	17.02%	10.00%	31.71%
FY 2016 turnover rate	0.00%	0.00%	21.62%	41.38%	7.55%	19.25%
Total positions	4	6	9	13	12	44
Positions filled	4	6	7	12	12	41
Positions vacant	0	0	2	1	0	3
Percent filled	100.00%	100.00%	77.78%	92.31%	100.00%	93.18%
<b>EDUCATION</b>						
FY 2015 turnover rate	34.41%	26.89%	19.51%	13.15%	47.06%	31.72%
FY 2016 turnover rate	47.83%	22.40%	9.68%	36.99%	31.39%	29.22%
Total positions	25	35	33	51	27	171
Positions filled	21	29	32	41	25	148
Positions vacant	4	6	1	10	2	23
Percent filled	84.00%	82.86%	96.97%	80.39%	92.59%	86.55%

## TJJD AGENCY REPORT CARD

<sup>1</sup>**Program Completion Criteria:** (1) no major rule violations confirmed through a Level I or II due process hearing within 30 days before the exit review or during the approval process; and (2) completion of the minimum and/or extension length of stay; and (3) participation in or completion of assigned specialized treatment programs or curriculum as required (4) assignment by the multi-disciplinary team to the highest stage in the assigned rehabilitation program and consistently living up to the expectations of that assignment in behavior, school and treatment (5) completion of a community re-integration plan approved by the youth's treatment team, that demonstrates the youth's understanding of his/her treatment issues and aftercare plans to address those issues (6) participation in or completion of any statutorily required rehabilitation programming (reading improvement, PBIS and/or gang intervention)

<sup>2</sup>**Major or Minor Rule Violation:** a violation to knowingly commit, attempt to commit, or help someone else commit any rule violation which also may be considered a violation of the law. Examples of major rule violations include but are not limited to: escape, assault, possession of prohibited substances, participating in major disruptions, possession of prohibited items and sexual misconduct. Examples of minor rule violations include but are not limited to: disruption of program; failure to abide by dress code, improper use of telephone/mail/computer; lying/cheating; possession of an unauthorized item, threatening others.

<sup>3</sup>**Stage demotion:** a youth's assigned stage in the agency's rehabilitation program is lowered by one or more stages. This consequence may be issued only if it is proven through a Level II due process hearing that the youth committed a major rule violation.

<sup>4</sup>Youth grievances that are not required to be answered within 24-hrs are due within 10 workdays. Youth grievance appeals that are not medical are due within 5 workdays. Medical appeals and appeals to the executive director are due within 30 calendar days. Data includes secure facilities, halfway houses, contract care, and parole.

<sup>5</sup>**Requirements for GED:** at least 16 years of age and reading at 5.8 or above (Source: Education Procedure Manual EDU.17.05).

\*Data unavailable due to indicator based on **current** student population.

<sup>6</sup>**Serious injury:** youth injuries from any cause that require off-site emergency care and/or hospitalization; does not include sickness/illness.

<sup>7</sup>**Serious self-injury:** action taken by a youth to intentionally harm him/herself to the degree that off-site emergency care and/or hospitalization is required.

<sup>8</sup>**Mental Health Hospitalization:** a medical or psychiatric hospitalization due to a mental health condition.

<sup>9</sup>**MDT:** Multi-Disciplinary Team; a group of staff in TJJD-operated residential facilities who partner with the youth to facilitate his/her progress in the rehabilitation program.

<sup>10</sup>**Mentor:** a registered TJJD volunteer who is carefully matched to an individual youth and commits to visiting that youth at least 4 hours monthly for a minimum of six months.

\*\*This number is lower than the actual number. We are catching up service hours in the new database Volgistics.

<sup>11</sup>**Worship opportunities:** congregate religious activities facilitated by a religious leader that engage youth, strictly on a voluntary basis, in rites, rituals, and sacraments of the respective faith group.

<sup>12</sup>**Religious education classes:** small study groups led by chaplaincy volunteers that engage youth, strictly on a voluntary basis, in the teachings of a religious text and faith group practices.

<sup>13</sup>Cost per day: State Facilities = (Expenditures / Average Daily Population) / Days in Year

<sup>14</sup>Reported variance is based on the financial report presented to the TJJD Board closest to the end of the indicated fiscal quarter; 2015 Q1 value is through December 2014; 2015 Q3 value is through April 2015; 2015 Q4 value excludes purchases and method of finance reallocation occurring after initial Board report.

<sup>15</sup>**Successful completion of parole:** Youth have completed minimum requirements of community service, have no pending adult cases, maintained constructive activity and been on a minimum level of supervision for at least 30 days.

<sup>16</sup>State Programs include state secure facilities, halfway houses, state-contract care residential programs, parole, and contract parole.

<sup>17</sup>Includes classroom and on-the-job training, excludes e-courses.

\*\*\*The overall training compliance is calculated by the percentage of staff who have completed their compulsory training as defined by individual training requirements based on job function. IT has developed a script in which this data will calculate this data beginning FY 2016. Historical data is not available.





## Advisory Council on Juvenile Services

**Date: October 28, 2016**

**To: Texas Juvenile Justice Department Board of Directors**

Mr. Scott W. Fisher  
Chairman

Judge Laura Parker  
Judge Carol Bush  
Dr. Rene Olvera  
Judge Becky Gregory

Mr. Calvin Stephens  
Ms. Mary Lou Mendoza  
Mr. Riley Shaw  
Chief Jane Anderson King (Ret.)

Judge John Brieden III  
Chief David Scott Matthew  
Commissioner Jimmy Smith

**From: Doug Vance, PhD.**

Chair, Advisory Council on Juvenile Services  
Chief Juvenile Probation Officer Brazos County

**RE: Advisory Council on Juvenile Services Update**

### **Meeting Update:**

The Advisory Council most recently met on September 09, 2016 in Austin at the TJJD offices. A copy of the meeting agenda is attached for your review. Following is a summary of our meeting.

### **Juvenile Probation Officer Certification Exam**

All applicants requesting certification as a Juvenile Probation Officer in Texas must not only receive training on specific topics as prescribed in Texas Administrative Code Chapter 344, but as of September 2016, must now also pass a state exam.

Texas Human Resources Code, Title 12, Chapter 222 sets minimum standards for Juvenile Probation Officers in Texas, which among other things, includes passing a certification exam as required by the Texas Juvenile Justice Department. Since the exam requirement was scheduled to begin implementation in September 2016, this topic was discussed at length with the Advisory Council.

Kristy Almager, Director, Juvenile Justice Training Academy assisted by Mr. Chris Ellison presented the Advisory Council a handout of frequently asked questions regarding the newly instituted Juvenile Probation Officer Certification Exam.

The Juvenile Justice Training Academy has been working diligently over the last twelve months with the Correctional Management Institute of Texas (CMIT) and with several Regional Training Officers statewide to develop an automated competency exam for applicants seeking certification as a juvenile probation officer.

Beginning September 1, 2016, the automated certification exam for juvenile probation officers went live. Any individual who assumes a position (either new hire or transferred) requiring a juvenile probation officer certification on or after September 1 will be required to take and successfully pass the exam prior to certification.

The stated goal of the exam is ultimately ensuring the mandatory training topics are being adequately trained so staff can successfully perform the duties of their position.

Exams are currently being scheduled every three weeks, but could move to every two weeks before long if necessary.

Juvenile Supervision Officer Exams are in the process of being developed and will not begin until September 2017 at the earliest and will be piloted in several jurisdictions prior to implementation. The Advisory Council will be involved in the process.

### **Juvenile Gang Awareness Training**

Chief Inspector General Roland Luna addressed the Advisory Council and discussed juvenile gang awareness training opportunities for probation departments through his office. Mr. Luna indicated that either himself or one of his staff are available and willing to come to any juvenile probation department in Texas and present juvenile gang awareness training for probation staff, prosecutors, judges, and others who may be interested. To request this unique training opportunity – a juvenile probation department must submit a written request to the TJJD via a *“technical assistance form.”*

### **TJJD Update**

In response to an Advisory Council request, Mr. David Reilly informed Advisory Council Members that his staff is working to develop a “Fact Sheet” for each juvenile probation department in Texas that will provide key information pertaining to case complexity for that individual department.

### **Discretionary State Aid Program**

TJJD Senior Director of Probation and Parole, Mr. James Williams, discussed the status of the Discretionary Aid Program. To date, twenty six applications were submitted to TJJD and a total of nineteen had been approved for funding.

In the near future Mr. Williams will be meeting with juvenile probation departments that submitted a DSA grant proposal, yet did not get approved for funding, in order to explain grant selection criteria and to answer questions.

For juvenile probation departments that were awarded DSA grant funding, the research division at TJJD will be contacting them in the near future in order to discuss what statistics and what performance measures they will need to be tracking and reporting to meet the mandates within the grant.

### **Regionalization Update**

TJJD Senior Director of Probation and Parole, Mr. James Williams introduced new TJJD employee Ms. Amy Miller. Ms. Miller will be working with the Discretionary State Aid Program as well as with the Special Needs Diversionary Program (SNDP) grant programs.

Mr. Williams informed Advisory Council Members that to date, there have been 80 applications submitted from juvenile probation departments requesting diversion reimbursement and there have been 37 actual diversions.

The breakdown by Chiefs Regions of TJJD Diversions thus far is as follows:

4%	Central Texas Region
6%	South East Texas Region
7%	North East Texas Region
11%	North Texas Region
16%	West Texas / Panhandle Region
40%	South Texas Region

### **TJJD LAR Update**

TJJD Chief Financial Officer, Mike Meyer, presented and discussed a document summarizing TJJD's FY 18-19 Legislative Appropriates Requests in some detail. Much discussion centered on TJJD's Exceptional Items Requests. Mr. Meyer discussed each exceptional item explaining its importance to the mission of TJJD.

Mr. Reilly explained the general process used by TJJD when developing their LAR and exceptional item requests and informed Advisory Council Members that he takes a balanced approach by attempting to adequately represent the needs of both TJJD and of Juvenile Probation Departments and considers the Texas Juvenile Justice System as a whole rather than focus excessively on state issues at the expense of county needs.

### **Standards Committee Update**

Standards Committee Chair, Dr. Doug Vance, gave an update to Advisory Council Members pertaining to his committees work on revisions to standards of care pertaining to Juvenile Probation Departments.

Dr. Vance explained his committee is currently finishing up a review and revision of Texas Administrative Code Chapter 344 pertaining to officer certification and training. Dr. Vance anticipates one more committee meeting before the project will be completed. Requested revisions are tentatively scheduled to be presented to the TJJD Board of Directors in January 2017 for a request for posting in the Texas Register for public comment.

Dr. Vance reported that the recent revisions to Texas Administrative Code Chapter 341, that were adopted by the TJJD Board of Directors in May 2016 will become effective January 1, 2017. Dr. Vance informed Advisory Council Members that a joint presentation by TJJD and the Standards Committee is scheduled for October 6, 2016.

Dr. Vance further informed Advisory Council Members that the Standards Committee is planning on taking a year off before beginning their next project which will be a revision of only select standards pertaining to juvenile probation departments. This project is tentatively scheduled to begin in 2018.

Over the past four years the Standards Committee has worked almost non-stop and extremely hard to successfully revise a wide variety of standards that impact juvenile probation departments and programs across Texas.

#### **A Review of Standards Committee Projects Includes:**

- TAC 341 Juvenile Probation Department General Standards**
- TAC 343 Standards for Secure Juvenile Pre-Adjudication Detention and Post-Adjudication Correctional Facilities**
- TAC 343 Revision of how seclusion is used in Secure Juvenile Correctional Facilities.**
- TAC 344 Employment, Certification, and Training for Juvenile Officers.**
- TAC 345 Juvenile Justice Professional Code of Ethics for Certified Officers.**
- TAC 355 Standards for Non-Secure Correctional Facilities**

**Next Advisory Council Meeting**

The Advisory Council plans on meeting at least more time during 2016. As such, the next meeting of the TJJD Advisory Council On Juvenile Services is scheduled to be held on Friday November 4, 2016 beginning at 10:00 AM. The location of the meeting will be in the Lone Star Conference Room at the Texas Juvenile Justice Department located in Austin Texas.

Respectfully Submitted;

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Douglas Vance, PhD  
Chair, Advisory Council on Juvenile Services  
Chief Juvenile Probation Officer, Brazos County

CC: Advisory Council Members



**Advisory Council on Juvenile Services Meeting**  
**Friday, September 09, 2016. @ 10:00 AM**  
**Texas Juvenile Justice Department**  
**11209 Metric Blvd. - Lone Star Conference Room**  
**Austin, Texas**

**Agenda**

1. Call to Order/Introductions
2. Review of Minutes: Meetings held on April 29, 2016 & on June 30, 2016
3. Presentation - Juvenile Gang Training
  - Roland D. Luna – Chief Inspector General - Office of Inspector General
4. Texas Juvenile Justice Department Updates
  - David Reilly, Executive Director, TJJD
5. Funding & Budget, TJJD Legislative Appropriations Update
  - Mike Meyer, Chief Financial Officer, TJJD
6. Discretionary State Aid Program Update
  - James Williams, Sr. Director, Probation & Community Services, TJJD
7. Regionalization Task Force & SB 1630 Update
  - James Williams, Sr. Director, Probation & Community Services, TJJD.
8. JPO & JSO Certification Exam Process & Review
  - Kristy Almager – Director, TJJD Juvenile Justice Training Academy

**Advisory Council on Juvenile Services**

**Agenda June 30, 2016 Page 2**

9. Sub-Committee Report(s)

- Standards: Doug Vance
  - TAC 344 Update
  - TAC 341 Update
  - Next Project
- Funding: Mark Williams
- Mental Health: Doug Vance
- Performance Measures: Homer Flores
- Regionalization: James Williams

10. Old Business

11. New Business

12. Public Comment

13. Advisory Council Member Updates & Announcements

14. Schedule Next Meeting

15. Adjourn

*Advisory Council Members may take agenda items and public comment out of Agenda order*

**Office of Inspector General  
Comprehensive Program Analysis**

<b>Summary Indicators</b>		
<b>Analytics, Intelligence, &amp; Reporting</b>	<b>FY 15</b>	<b>FY 16</b>
<b>Incident Reporting Center (IRC)</b>	<b>12,582</b>	<b>12,143</b>
Referred to Administrative-AID State	738	1061
Referred to Probation-AID County	1,288	2,277
Retained by OIG Criminal	1,756	2,295
Referred to Youth Rights	7,473	4,261
Closed	1,327	2,249
<b>Security Intelligence</b>		
Evaluations		1,194
Number of Staff Trained		425
Confirmations		22%
<b>Disposition Tracking (Investigative Life Cycle)</b>		
Average Number of Investigative Days	40	39
Total Days	145	153
<b>Criminal Investigations</b>	<b>FY 15</b>	<b>FY 16</b>
<b>Criminal Investigations Submitted to Prosecution</b>	<b>382</b>	<b>263</b>
Submitted to Prosecution Assaultive	335	241
Submitted to Prosecution Sexual Offense	9	5
Submitted to Prosecution Property Damage	2	0
Submitted to Prosecution Contraband	30	11
Submitted to Prosecution Other	6	6
<b>Special Investigative Initiatives</b>	<b>FY 15</b>	<b>FY 16</b>
<b>Fugitive Apprehension and Recovery</b>		
Directives to Apprehend Issued	468	435
Apprehensions	319	280
<b>Use of Force Monitoring</b>		
Submitted to Use of Force for Review	854	817
Referred to OIG Criminal	97	218
Referred to AID	181	91
Closed - No further investigation needed	576	508
<b>Contraband, Detection, and Interception</b>		
Total Searches	5,020	7,888
Dorm Searches	756	295
Open Searches	68	103
Perimeter Searches	36	79
Gate House Searches	2	29



**Texas Juvenile Justice Department  
Office of the General Counsel  
Administrative Investigations Division  
Summary Comparisons  
Final FY 2015 to Final FY 2016**

**County Investigations Unit**

Report Type	FY 2015	FY 2016	Change
Abuse, Neglect & Exploitation Investigations	346	431	85 (25%)
Complaints	73	56	-17 (-23%)
Grievances	1040	1858	818 (79%)
Non-Jurisdiction	48	56	8 (17%)
Non-Reportable	477	527	50 (10%)
Other Reports ( <i>Duplicates, Standards Violation</i> )	79	167	88 (111%)
Serious Incidents	755	920	165 (22%)
<b>Total Reports Received</b>	<b>2818</b>	<b>4015</b>	<b>1197 (42%)</b>

Investigation Dispositions	FY 2015	FY 2016	Change
Baseless Allegation	1	3	2 (200%)
Concur With Internal Investigation Disp	36	27	-9 (-25%)
Does Not Meet Abuse/Neglect Definition	27	28	1 (3.7%)
Not Under TJJD Jurisdiction	1	1	-
Reason To Believe	23	21	-2 (-9%)
Ruled Out	197	237	40 (20%)
Unable To Determine	60	51	-9 (-15%)
Unable to Investigate	1	1	-
<b>Pending Completion</b>	<b>0</b>	<b>62</b>	<b>-</b>
<b>Total Investigations Completed</b>	<b>346</b>	<b>431</b>	<b>85 (25%)</b>
<b>Average Days to Disposition</b>	<b>103</b>	<b>93</b>	<b>-10 (-10%)</b>

Allegation Classifications	FY 2015	FY 2016	Change
Emotional Abuse	23	27	4 (17%)
Exploitation	2	4	2 (100%)
Medical Neglect	6	2	-4 (-67%)
Physical Abuse – Mechanical Restraint	4	4	-
Physical Abuse – Non Restraint	83	99	16 (%)
Physical Abuse – Physical Restraint	121	178	57 (%)
Serious Physical Abuse	3	6	3 (%)
Sexual Abuse – Contact	32	29	-3 (-9%)
Sexual Abuse Non-Contact	18	26	8 (44%)
Supervisory Neglect	52	40	-12 (-23%)
Verbal Abuse	2	16	14 (700%)
<b>Total</b>	<b>346</b>	<b>431</b>	<b>85 (25%)</b>

**Texas Juvenile Justice Department**  
**Office of the General Counsel**  
**Administrative Investigations Division**  
**Summary Comparisons**  
**Final FY 2015 to Final FY 2016**

**County Investigations Unit Cont.**

<b>Serious Incident Classifications</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>Change</b>
Attempted Escape	20	20	-
Attempted Suicide	429	405	-24 (-6%)
Escape	15	22	7 (47%)
Escape - Furlough	17	20	3 (18%)
Reportable Injury	109	138	29 (27%)
Youth on Youth Physical Assault	44	37	-7 (-16%)
Youth on Youth Sexual Conduct	121	278	157 (130%)
<b>Total</b>	<b>755</b>	<b>920</b>	<b>165 (22%)</b>

**Texas Juvenile Justice Department  
Administrative Investigations Division  
Summary Comparisons  
Final FY 2015 to Final FY 2016**

**State Investigations Unit**

<b>Investigation Type</b>	<b>FY 2015 (1/1/15 -8/31/15)</b>	<b>FY 2016 (1/1/16-8/31/16)</b>	<b>Complete FY 2016</b>
Abuse	225	491	647
Neglect	33	80	142
Exploitation	19	17	21
Policy Violation Investigations	394	466	710
<b>Total Cases Opened</b>	<b>671</b>	<b>1054</b>	<b>1520</b>
<b>Total Cases Closed</b>	<b>671</b>	<b>585</b>	<b>1018</b>
<b>Total Cases Pending Closure</b>	<b>0</b>	<b>469</b>	<b>502</b>
<b>Average Days to Disposition by Cases</b>	<b>NA</b>	<b>79</b>	<b>88</b>

*More than one investigation can be opened in a single case; therefore, more than one disposition can be assigned to a single case. The **Total Investigations Opened** vs the **Total Dispositions Assigned** will not match.*

<b>Disposition Type</b>	<b>FY 2015* (1/1/15 – 8/31/15)</b>	<b>FY 2016 (1/1/16-8/31/16)</b>	<b>Complete FY 2016</b>
Confirmed	261	169	316
Exonerated	11	9	22
Unfounded	498	449	791
Unable to Determine	119	59	121
Other ( <i>Duplicate, Error, Referred to CIU</i> )	21	40	67
<b>Total Dispositions Assigned</b>	<b>910</b>	<b>726</b>	<b>1317</b>

*\*FY2015 was a partial year due to changing from tracking by calendar year to fiscal year.*

## DEFINITIONS

### County Investigation Unit Definitions

**Baseless** – Clear and convincing evidence confirms that the allegation is spurious or patently without factual basis or that the conduct, which formed the basis of an allegation of abuse, neglect, or exploitation, did not occur.

**Concur** – A preponderance of evidence obtained during TJJD’s investigation, which is in part supported by the internal investigation, determines that an incident occurred; however, the evidence is not necessarily definitive as to whether or not elements of the incident meet the statutory definition of abuse, neglect or exploitation.

**Does Not Meet the Statutory Definition** – A preponderance of evidence determines the conduct that formed the basis of the allegation does not meet the statutory definition of abuse, neglect or exploitation.

**Non-Reportable** – Incidents not statutorily required to be reported to the TJJD, but which are received from the counties and documented by TJJD.

**Previously Investigated** – The alleged incident was previously investigated by the TJJD and therefore, further investigation by the TJJD is unwarranted.

**Reason to Believe** – A preponderance of evidence substantiates that an incident that meets the statutory definitions of abuse, neglect or exploitation occurred.

**Referred** – The case is referred to the government entity with investigative jurisdiction when a preponderance of evidence confirms:

- The TJJD does not have investigative jurisdiction;
- Law enforcement is conducting a criminal investigation; or
- Criminal prosecution is pending.

**Ruled Out** – A preponderance of evidence does not substantiate that an incident, which meets the statutory definition of abuse, neglect or exploitation, occurred.

**Unable to Determine** – A preponderance of evidence does not exist to substantiate that abuse, neglect or exploitation occurred; nor does a preponderance of evidence exist to rule out that abuse, neglect or exploitation did not occur.

**Unable to Investigate** – The TJJD’s investigation cannot proceed because:

- The persons involved in the alleged incident cannot be identified or located;
- The persons involved in the alleged incident refuse to cooperate with the investigation;
- There is insufficient information to proceed with the investigation; or
- Evidence essential to the investigation is no longer obtainable.

### State Investigation Unit Disposition Definitions

**Confirmed** – an investigation established that the allegation did occur.

**Exonerated** – an investigation established that the alleged incident occurred but was lawful and proper or was justified under existing conditions.

**Unable to Determine** – an investigation resulted in insufficient evidence to prove or disprove the allegation(s).

**Unfounded** – an investigation established that the allegation is false, not factual.



# APPLICATION FOR PERMANENT VARIANCE OF STANDARDS

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

Date: **May 18, 2016**

<b>APPLICANT CONTACT INFORMATION</b>		
<i>Form Completed By Name/Title</i> <b>Estela P. Medina</b> <b>Chief Juvenile Probation Officer</b>	<i>Phone #</i> <b>512-854-7069</b>	<i>Email Address</i> <b>estela.medina@traviscountytx.gov</b>
<i>Department/Facility Address</i> <b>Travis County Juvenile Probation Department (TCJPD)</b> <b>W. Jeanne Meurer Intermediate Sanctions Center</b> <b>2515 S. Congress Avenue</b>	<i>City, State, and Zip Code</i> <b>Austin, Texas 78704</b>	
<i>Name of Juvenile Board</i> <b>Travis County Juvenile Board</b>		

*Title 37, Texas Administrative Code, Section 349.200(b) establishes the following:*

- *Unless expressly prohibited by another standard, the juvenile board may make an application for a variance of any standard adopted by the Texas Juvenile Justice Board.*

*A copy of the juvenile board's resolution or written request adopted by formal action must be sent with this application.*

<i>Title of Standard</i> <b>Spatial Requirements – MOHU</b>	<i>Section #</i> <b>343.656</b>
<i>Name of Program(s) and/or Facility(ies) to be Impacted by the Variance</i> <b>W. Jeanne Meurer Intermediate Sanctions Center (ISC)</b>	<i>Expected Compliance Date (if applicable)</i> <b>March 17, 2017</b>

**Each question below must be answered. Please provide any supporting documentation.**

<b>Explain why compliance with standards cannot be achieved.</b>
<p>The W. Jeanne Meurer Intermediate Sanctions Center (ISC) became operational in January 2001. The double occupancy rooms in the ISC were not considered MOHU space until February of 2011. Since the building has been opened, the July 2015 monitoring visit was the first time that the two double occupancy rooms – Unit 6 room # 6 and Unit 9 room # 6 – did not meet the spatial requirements outlined in the standard.</p> <p>To comply with the spatial requirements of 35 square feet of unencumbered space per resident, TCJPD would be required to take out one bed in each of the rooms. The redesign process to add one to two square feet would be cost intensive and would require the units to be closed until the remodeling is completed. Removing the two double occupancy rooms on the unit would also reduce the available bed space for the specialized programs and the overall rated capacity of the facility by two beds.</p>

<b>Explain the impact the variance would have on compliance with other standards.</b>
<p>To the best of TCJPD's knowledge, this variance request does not impact any other standard.</p>

<b>Explain how substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means.</b>
<p>The intent of the standard is to ensure that the residents have sufficient unencumbered floor space; the measurement of the two double occupancy rooms determined that the rooms were less than one to two square feet per occupant than the standard requirement.</p> <p>The residents in the ISC participate in programming from 6 am to approximately 9 pm; programming occurs in the classrooms, gym, courtyard, library, cafeterias or the day area in the units. The amount of time residents spend in their rooms is typically during non-program hours from 9 pm to 6 am, which limits the amount of time that two</p>



# APPLICATION FOR PERMANENT VARIANCE OF STANDARDS

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

residents spend in the double occupancy rooms for sleeping purposes. Additionally, as outlined in TCJPD's permanent variance for 343.634, any time more than one resident is present in the double occupancy rooms, the doors remain open at all times and necessary staffing assignments are made.

**Explain how the health and safety of juveniles will be maintained if the variance is granted.**

The health or the safety of the residents that would occupy these two rooms would be maintained. The only issue at this time is the spatial requirements and not programmatic or safety concerns.

As indicated, residents typically spend time in the rooms during non-program hours from 9 pm to 6 am, which limits the amount of time that two residents would spend in the double occupancy rooms for sleeping purposes. Additionally, as outlined in TCJPD's permanent variance for 343.634, any time more than one resident is present in the double occupancy rooms, the doors remain open at all times and staff supervision requirements are maintained.

**Explain how compliance with the standard in question will result in undue hardship on the requesting entity.**

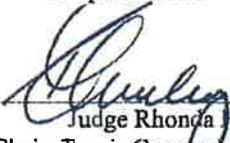
If the Department is required to take out the second bed in each of the rooms, the renovation is cost intensive. Additionally, removing the two double occupancy rooms on the unit would reduce the available bed space for the specialized programs occurring on the units pursuant to the housing classification plan and the overall rated capacity of the facility.

**Explain how issuing the variance would not put the juvenile board, department, program, or facility in violation of any state or federal law.**

To the best of TCJPD's knowledge, this variance request does not create a violation of any state or federal law.

**Travis County Juvenile Board  
RESOLUTION  
Application for Permanent Variance  
Standard §343.656 Spatial Requirements–Multiple Occupancy Housing Unit**

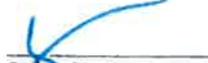
On this the 26<sup>th</sup> day of May, 2016, the Travis County Juvenile Board authorizes the submission of the Application for Permanent Variance of Standard §343.656 Spatial Requirements–Multiple Occupancy Housing Unit to the Texas Juvenile Justice Department.

  
\_\_\_\_\_  
Judge Rhonda Hurley  
Chair, Travis County Juvenile Board  
98<sup>th</sup> District Court

  
\_\_\_\_\_  
Judge Scott Jenkins  
53<sup>rd</sup> District Court

  
\_\_\_\_\_  
Judge Clifford Brown  
147<sup>th</sup> District Court

\_\_\_\_\_  
Judge Gisela Triana  
200<sup>th</sup> District Court

  
\_\_\_\_\_  
Judge Karin Crump  
250<sup>th</sup> District Court

  
\_\_\_\_\_  
Judge Karen Sage  
299<sup>th</sup> District Court

  
\_\_\_\_\_  
Judge Stephen Yelenosky  
345<sup>th</sup> District Court

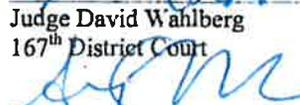
  
\_\_\_\_\_  
Judge Julie Kocurek  
390<sup>th</sup> District Court

\_\_\_\_\_  
Judge Orlanda Naranjo  
419<sup>th</sup> District Court

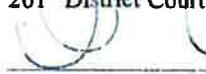
\_\_\_\_\_  
Sarah Eckhardt  
County Judge, Travis County

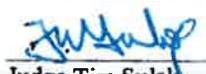
\_\_\_\_\_  
Judge Darlene Byrne  
126<sup>th</sup> District Court

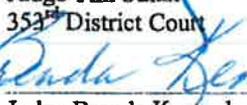
  
\_\_\_\_\_  
Judge David Wahlberg  
167<sup>th</sup> District Court

  
\_\_\_\_\_  
Judge Amy Clark Meachum  
201<sup>st</sup> District Court

  
\_\_\_\_\_  
Judge Lora Livingston  
261<sup>st</sup> District Court

  
\_\_\_\_\_  
Judge David Crain  
331<sup>st</sup> District Court

  
\_\_\_\_\_  
Judge Tim Sulak  
353<sup>rd</sup> District Court

  
\_\_\_\_\_  
Judge Brenda Kennedy  
403<sup>rd</sup> District Court

\_\_\_\_\_  
Judge Jim Coronado  
427<sup>th</sup> District Court

\_\_\_\_\_  
Judge Don J. Clemmer  
450<sup>th</sup> District Judge





construction services

QA Construction Services, Inc.  
5811 Blue Bluff Road  
Austin, TX. 78724  
Phone: 512-637-6120  
Fax: 512-614-4764

Travis County - JOC Program  
Project: Juvenile Facility (Detention Bldg. - Removal of Concrete Beds)  
2515 South Congress Avenue  
Austin, TX 78704  
Attn: Michael Williams

7/5/2016  
Prepared by: HMN  
Checked by: ST

**Detention Building (Removal of Concrete Beds)**

Item	Units	No. of Units	Cost	Total Cost
Supervision	HR	22	\$65.00	\$1,430.00
Project Management/Coordination (Regular)	HR	6	\$65.00	\$390.00
Permit & City Inspections	N/A		N/A	
Trash Dumpster	EA	1	\$450.00	\$450.00
Protection and Clean Up	LS	1	\$950.00	\$950.00
* protect elevator, and pathway to dumpster				
* protect existing surfaces, lights and life safety devices				
Demolition	LS	1	\$4,500.00	\$4,500.00
* demolition of two (2) concrete beds (Unit 5 & Unit 9)				
Concrete Patching of Floor and Wall	LS	1	\$650.00	\$650.00
Epoxy Paint Floor	EA	2	\$450.00	\$900.00
Tile Wall (if possible, match to existing)	LS	1	\$1,500.00	\$1,500.00

Subtotal \$10,770.00  
Insurance (3%) \$323.10  
Subtotal \$11,093.10  
O&P (15%) \$1,663.97  
Subtotal \$12,757.07  
Bond (0%) \$0.00  
**Total \$12,757.07**

Schedule: 3 weeks

**Notes:**

- Work to be done during normal business hours
- Removal of concrete beds will be done using jack hammer
- Please be advised of noise vibrating throughout the building



308 Webberwood Way  
Elgin, TX. 78621  
7/01/2016

**PROPOSAL**

Hanh Nguyen.

Q. A. Construction Services, 5811 Blue Bluff Rd. Austin, TX 78726

512-659-6389

Proposal for Gardner Betts Juvenile Detention Center, 2515 S. Congress Ave, Austin, TX 78704.

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This proposal includes labor and materials to complete the following scope of work.

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**Demolition of concrete bed in cells.**

- Complete demolition of two concrete beds in cells.
- Haul trash to dumpster (dumpster provided by others).
- Provide and install carpet floor protection.

➤ Total	\$4500.00
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# TEXAS JUVENILE JUSTICE DEPARTMENT

## Staff Summary and Recommendation for Application for Variance from Standards

**Applicant:** Travis County Juvenile Board

**Application Receipt Date:** June 2, 2016

**TJJD Internal Tracking Number:** VA-16-07-Travis

### Standards Identified in Applicant's Variance Request:

**Title 37, Texas Administrative Code, Chapter 343, §343.656. Spatial Requirements – MOHU. (Effective Date: 1/1/15)**

- (a) Each MOHU shall have a minimum ceiling height of 7.5 feet when measured from the floor to the lowest point in the ceiling.
- (b) Each MOHU shall have a minimum of 35 square feet of floor space per bed in the housing unit.

### Relevant/Applicable Texas Administrative Code Chapter 343 Definitions:

**Title 37, Texas Administrative Code, Chapter 343, §343.100. Definitions. (Effective Date: 06/01/16)**

- (41) **Multiple-Occupancy Housing Unit (MOHU)**--A housing unit designed and constructed for multiple-occupancy sleeping, which is self-contained and includes appropriate sleeping, sanitation, and hygiene equipment or fixtures.

### TJJD Staff Summary of the Applicant's Request for Variance:

The Travis County Juvenile Board (Applicant) is seeking a variance from subsection (b) of the standard which requires that multiple occupancy housing units (i.e., MOHUs) shall have a minimum of 35 square feet of floor space per bed in the housing unit. Specifically, the Applicant is requesting a variance to accommodate the rooms it identifies as Unit 6 Room 6 and Unit 9 Room 6 within the W. Jeanne Meurer Intermediate Sanctions Center (ISC) which operates as a juvenile post-adjudication secure correctional facility. These two MOHUs are identified as having approximately 34.04 and 33.10 square feet of floor space per resident bed respectively.

The Applicant's variance application is responsive in nature and has been submitted in response to the TJJD's formal finding of standards non-compliance issued on July 21, 2015.

The Applicant has submitted the following documents for consideration:

- completed Application for Permanent Variance of Standards (Dated: May 18, 2016);
- Travis County Juvenile Board Resolution dated May 26, 2016 authorizing the submission of the Application of Permanent Variance; and
- Travis County Facilities renovation/construction project cost estimate document (Dated: 06/23/2016).

In accordance with the requirements of 37 TAC §349.200(b), the Applicant presents the following information to establish the grounds for the requested variance:

1. The Applicant contends the ISC became operational in January 2001, but that the double occupancy rooms in question were not considered Multiple Occupancy Housing Units until February 2011. The Applicant further notes that it was not until the TJJD's July 2015 monitoring visit that the two rooms in question were identified as being non-complaint with the applicable spatial requirements. In order to comply with the required spatial

requirements the Applicant states they would have to remove one bed from each of the two rooms or redesign the two rooms. The Applicant states that the redesign process needed to add one to two square feet of unencumbered floor space to the two rooms would be both cost intensive and render the rooms unusable during the remodeling period. Regarding the option of removing one bed from each of the rooms, the Applicant states that doing so would reduce available bed space for its specialized programs and the overall resident capacity of the facility.

2. The Applicant reports that to the best of its knowledge, the variance request does not impact any other standard.
3. The Applicant contends that the intent of the standard is to ensure that residents have sufficient unencumbered floor space and that the two rooms subject to the variance application were less than one to two square feet per occupant than the standard requirement. The Applicant reports that the residents in the ISC participate in programming from 6:00 a.m. to approximately 9:00 p.m., and that this programming takes place outside of the rooms in multiple locations within the facility. The Applicant further states that residents typically spend time in the rooms in question from 9:00 p.m. to 6:00 a.m., which limits the amount of time two residents would spend in the rooms to primarily sleeping hours. Additionally, as required in the Applicant's permanent variance for TAC Chapter 343, Section 343.634, any time more than one resident is present in the rooms in question, the rooms' doors remain open and staff supervision requirements are maintained.
4. The Applicant contends that the health and safety of residents would be maintained as the only issue is spatial requirements and not programmatic or safety concerns. The Applicant further states that residents typically spend time in the rooms in question from 9:00 p.m. to 6:00 a.m., which limits the amount of time that two residents would spend in the rooms to primarily sleeping hours. Additionally, as required in the Applicant's permanent variance for TAC Chapter 343, Section 343.634, any time more than one resident is present in the rooms in question, the rooms' doors remain open and staff supervision requirements are maintained.
5. The Applicant contends that removing two beds from use would place resource and specialized program hardships on the facility by reducing the number of beds available to the department and juveniles needing residential services. Additionally, the Applicant contends that physical plant renovations would be cost intensive.
6. The Applicant reports that to the best of its knowledge, the variance request does not create a violation of any state or federal law.

#### **Additional Applicable Standards Identified by TJJJ Staff:**

TJJJ determined that there were no other related TAC Chapter 343 standards requiring consideration of a permanent variance.

#### **Variance Precedent and History:**

Texas Juvenile Justice Board Variance Action:

On May 4, 2012 the Texas Juvenile Justice Board granted the Milam County Juvenile Board a permanent variance to allow the Rockdale Regional Juvenile Justice Center (a privately operated secure juvenile detention facility and post-adjudication correctional facility) the continued, but restricted, use of two undersized holding cells. The two self-described holding cells in question were approximately 50 square feet each. The variance authorization included conditions that restricted the cells' use exclusively for pre-adjudication referrals that refuse, or are unable, to positively identify themselves as juvenile aged individuals. The underlying justification for this provision was to allow the facility the ability to better ensure non-juvenile aged persons were not inadvertently intermingled with juveniles.

Texas Juvenile Probation Commission Board Variance Actions:

The former Texas Juvenile Probation Commission Board authorized permanent variances for commensurate rules to Tom Green County (January 2004) and Bowie County (September 2007). The Tom Green County variance was granted for one special purpose pre-adjudication detention cell with 25 square feet of usable/unencumbered floor space, and the variance restricted the cell's use to residents with suicidal risk and other notable behavioral issues. The Bowie County variance addressed multiple general population cells with approximately 52 square feet of encumbered floor space. It should be noted that the Bowie County facility closed shortly after receiving its variance and no longer functions as a juvenile justice facility.

**TJJD Staff Application Disposition Recommendation:**

37 TAC §349.200(b) authorizes, but does not require, the Texas Juvenile Justice Board to grant the requested variance if it makes affirmative findings that the applicant has established the following:

1. Why compliance with the standards cannot be achieved;
2. The impact the variance would have on compliance with other standards;
3. How substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means;
4. How the health and safety of juveniles will be maintained if the variance is granted;
5. How compliance with the standard will result in undue hardship to the requesting entity; and
6. How issuing the variance would not put the juvenile board, probation department, program, or facility in violation of any state or federal law.

TJJD staff recommends that the Applicant's Application for Permanent Variance of Standards for the referenced administrative rule provision be granted. If the Board makes the required affirmative findings and chooses to grant a variance in this matter, TJJD staff also recommends the following conditions be included in the final resolution authorizing the variance:

1. The variance is limited to the W. Jeanne Meurer Intermediate Sanctions Center (ISC) as that facility was configured and operating on May 18, 2016 (the Variance Application completion date) ; and
2. The variance is limited to the ISC's multiple occupancy housing units identified as Room 6 on Unit 6 and Room 6 on Unit 9.



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION REGARDING THE VARIANCE REQUESTED BY THE TRAVIS COUNTY JUVENILE BOARD**

**In re: 37 TAC 343.656**

On this the **28th day of October 2016**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board (the Board) was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
Motion:		Second:			

Where, among other matters, came up for consideration and adoption the following Resolution:

**WHEREAS**, Travis County Juvenile Probation Department by and through the Juvenile Board and Estela P. Medina, Chief Juvenile Probation Officer, has submitted to the Texas Juvenile Justice Department an application for a variance for 37 TAC 343.656;

**WHEREAS**, the duly appointed members of the Board’s Safety and Security Committee considered the application during the Safety and Security Committee meeting held on October 27, 2016;

**WHEREAS**, per the requirements set forth in 37 TAC 349.200(b)(2), the Board hereby makes the following findings of fact (all must be found to grant the application):

- |                          |                          |   |
|--------------------------|--------------------------|---|
| Found                    | Not Found                |   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained why compliance with the standard cannot be achieved.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained the impact the variance would have on compliance with other standards.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has shown that the health and safety of juveniles will be maintained if the variance is granted.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has shown substantial compliance with the intent and purpose of the standard for which a variance is requested through alternate methods or means. |

- The juvenile board has shown that compliance with the standard in question would be an undue hardship on the requesting entity.
- The juvenile board has shown that issuing the variance would not put the juvenile board, department, program or facility in violation of any state or federal law.

**NOW, THEREFORE BE IT RESOLVED THAT** the Board

\_\_\_\_\_ **DENIES** the variance requested by the Travis County Juvenile Board for 37 TAC 343.656.

\_\_\_\_\_ **GRANTS** (*in accordance with the terms below*) to the Travis County Juvenile Board a variance for 37 TAC 343.656.

#### **ADDITIONAL TERMS OF VARIANCE IF GRANTED**

##### **Periodic Review**

The Texas Juvenile Justice Department reserves the right to conduct periodic reviews of the terms and conditions of the variance agreement to determine continued applicability of and compliance with such terms and conditions.

##### **Rescission of Variance Due to Fraud or Error**

If the agency staff subsequently determines that the evidence supporting the variance was substantially inaccurate, misleading, and/or false, and the Safety and Security Committee and full Board determine that the variance was granted as a result of fraudulent or inaccurate information, the Board may immediately rescind or modify the variance. A variance modification may be conditioned upon the applicant's agreement to follow specific conditions as determined appropriate by the Board.

Additionally, the Board may undertake the same actions if it determines that the applicant is not fully adhering to the conditions imposed in conjunction with an existing variance.

##### **Special Conditions**

1. The variance is limited to the W. Jeanne Meurer Intermediate Sanctions Center (ISC) as that facility was configured and operating on May 18, 2016 (the Variance Application completion date); and
2. The variance is limited to the multiple occupancy housing units the Applicant identifies as Room 6 in Unit 6 and Room 6 in Unit 9.

Signed this **28th day of October 2016**.

#### **Texas Juvenile Justice Board**

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Scott W. Fisher, Chairman





# APPLICATION FOR PERMANENT VARIANCE OF STANDARDS

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

Date: 07/06/2016

APPLICANT CONTACT INFORMATION		
Form Completed By Name/Title	Phone #	Email Address
<b>Brian Jones, Director</b>	<b>903-786-6326</b>	<b>bjones@co.grayson.tx.us</b>
Department/Facility Address	City, State, and Zip Code	
<b>Grayson County Post-adjudication facility</b>	<b>Denison, Texas 75020</b>	
Name of Juvenile Board		
<b>Grayson County Juvenile Board</b>		

Title 37, Texas Administrative Code, Section 349.200(b) establishes the following:

- Unless expressly prohibited by another standard, the juvenile board may make an application for a variance of any standard adopted by the Texas Juvenile Justice Board.

A copy of the juvenile board's resolution or written request adopted by formal action must be sent with this application.

Title of Standard	Section #
<b>343.644. Spatial Requirements-SOHU</b>	<b>343.644</b>
Name of Program(s) and/or Facility(ies) to be Impacted by the Variance	Expected Compliance Date (if applicable)
<b>Grayson County Post-Adjudication Facility</b>	

Each question below must be answered. Please provide any supporting documentation.

<b>Explain why compliance with standards cannot be achieved.</b>
<p>The post-adjudication facility was built in 1997-1998 using the Texas Administrative Code, Title 37 Public Safety and Corrections 1997, Amendments effective through January 1, 1997 and significantly pre-dates the current standards. There are 4 SOHU (i.e., rooms # 1-4) within the facility's housing unit known as the "barracks". SOHU number 4 provides the minimum of 60 square feet of floor space. SOHU 1-3 were approximately 56 square feet and the current standard required a minimum of 60 square feet of floor space. These 4 rooms were used for confinement and sleeping quarters since 1998.</p> <p>Since 1998, there has been an increase in the post-adjudication facility population. The increase in population included high risk offenders and specialized treatment providers have identified high risk residents that should remain in an SOHU during non-program hours. The facility required use of additional single cells. On April 30, 2008 the dual certification of 9 SOHU in the Cooke, Fannin and Grayson County pre-adjudication facility was approved which provided a solution.</p> <p>On June 3, 2016 the Hunt County regional pre-adjudication facility closed. The closure impacted a variety of counties that contracted with Hunt county, including Hunt County. The contracted counties that used the Hunt County pre-adjudication facility relocated their juveniles to the Cooke, Fannin and Grayson County regional pre-adjudication facility. This significantly increased the Cooke, Fannin and Grayson County regional pre-adjudication population and we believe this trend will continue. Due to the closure and loss of the Hunt County regional facility, the Grayson County post-adjudication facility can no longer use the dual certified pre-adjudication facility rooms when the population increases in the pre-adjudication facility. The dual certified rooms were used for major violations such as: residents on resident assaults, resident on staff assaults, juveniles who attempted riots, gangs, high risk sex offenders the LSOTP has identified and recommended for SOHU.</p> <p>Due to the increase in population of the pre-adjudication facilities the post-adjudication facility may not have access to the dual certified SOHU (9). When the pre-adjudication population increase occurs, the Grayson County post-adjudication facility has only 1 SOHU that meets the spatial requirements of 343.644.</p>

<b>Explain the impact the variance would have on compliance with other standards.</b>
If the variance is awarded there will be no negative impact on other standards.



# APPLICATION FOR PERMANENT VARIANCE OF STANDARDS

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

**Explain how substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means.**

SOHU 1-3 located in the "Barracks" would be used in an emergency when the Cooke, Fannin and Grayson County Pre-Adjudication facilities population increases and the Grayson County Post-Adjudication is unable to access the 9 dual certified SOHU to address major disciplinary violations that are a substantial risk to the health and safety of staff and residents. The Grayson County post-adjudication facility would use the SOHU 1-3 in order to detain residents that commit major violations and are a substantial risk to the health and safety to staff and residents such as: residents on resident assaults, resident on staff assaults, juveniles who attempted riots, gangs, high risk sex offenders the LSOTP has identified and recommended for SOHU.

**Explain how the health and safety of juveniles will be maintained if the variance is granted.**

The health and safety of the residents is currently maintained and will continue with the granting of the variance. The residents will be scanned in random intervals not to exceed 10 minutes.

**Explain how compliance with the standard in question will result in undue hardship on the requesting entity.**

The facility will have to engage in major reconstruction of the building and become compliant with the current standard. The alternative will be a financial hardship on Grayson County and the Grayson County Juvenile Board.

**Explain how issuing the variance would not put the juvenile board, department, program, or facility in violation of any state or federal law.**

The building was constructed and staffed utilizing standards that were in effect and approved by the Texas Juvenile Probation Commission. The Texas Department of Corrections oversaw the design and building of the facility assuring it met the standards. The facility has operated since 1997 and it does not appear that the variance requested is in violation of state or federal law.

**GRAYSON COUNTY  
JUVENILE BOARD  
MINUTES**

A meeting of the Juvenile Board of Grayson County was held on, Wednesday, July 6, 2016 at 12:00 pm at the Grayson County Justice Center, 2nd Floor Conference Room, Sherman, Texas.

I. Call to Order and Declaration of Quorum

Judge Gary declared a quorum at 12:13 pm. Attending: Judge Gary, Judge Fallon, Judge Nall, Judge Magers.

II. Action Items

Approval of June 1, 2016 minutes

Motion made by Judge Fallon; second by Judge Nall to approve June 1, 2016 minutes.  
Motion carried.

III. Directors Report

IV. a. Review and approve Bills for May-June 2016

Motion made by Judge Nall; second by Judge Fallon to approve bills for May-June 2016.  
Motion carried

IV. b. Review and approve application for Permanent Variance of Standard 343.644 – Spatial Requirements-SOHU to the Texas Juvenile Justice Department.

Motion made by Judge Nall ; second by Judge Fallon to approve application for Permanent Variance.

Motion carried

IV. c. Receive Report on TJJD monitoring

IV. d. Act on request to adjourn into Executive Session pursuant to Texas Government Code 551.074 Personnel Matters.

Motion made by Judge Nall to move into executive session; second, Judge Fallon.  
Board moved into Executive Session at 1:01 pm.

IV. e. Act on matters from Executive Session.

The following are actions from Executive Session:

The board appointed Brian Jones as Director of Juvenile Services.

Adjourn

Meeting adjourned at 1:45pm



**GRAYSON COUNTY FACILITIES**  
**GREGG ALLEN, FACILITIES MANAGER**

June 23, 2016

Brian,

I have an estimate for adding four additional feet to Briggs 1, 2, & 3. It will consist of removing and replacing interior block wall, removing and resetting the doors, relocating electrical, relocating exterior door, relocating fire alarm device. Please advise if you would like to proceed.

Cost: \$18,250.00

Demo Control Room: \$ 1,800.00

Total: \$20,050.00

Regards,

Gregg Allen, Facilities Manager

# TEXAS JUVENILE JUSTICE DEPARTMENT

## Staff Summary and Recommendation for Application for Variance from Standards

**Applicant:** Grayson County Juvenile Board

**Application Receipt Date:** June 24, 2016

**TJJD Internal Tracking Number:** VA-16-06-Grayson

### Standards Identified in Applicant's Variance Request:

**Title 37, Texas Administrative Code, Chapter 343, §343.644. Spatial Requirements – SOHU. (Effective Date: 1/1/15)**

- (a) Individual resident sleeping quarters shall have a minimum ceiling height of 7.5 feet when measured from the floor to the lowest point in the ceiling.
- (b) Individual resident sleeping quarters shall have a minimum of 60 square feet of floor space.

### TJJD Staff Summary of the Applicant's Request for Variance:

The Grayson County Juvenile Board (Applicant) is seeking a variance from subsection (b) of the standard which requires that individual resident sleeping quarters (i.e., cells or rooms) shall have a minimum of 60 square feet of floor space. Specifically, the Applicant is requesting a variance to accommodate single occupancy housing unit room numbers 1, 2, and 3 within the larger housing area known as the "Barracks" within the Grayson County Post-Adjudication Facility (Facility). Each of these three resident rooms have approximately 56 square feet of floor space.

The Applicant's variance application is responsive in nature and has been submitted in response to the TJJD's formal findings of standards non-compliance issued initially on July 6, 2015, and more recently on July 19, 2016.

In its variance application, Applicant indicates the Facility was built in compliance with standards effective through January 1, 1997, and have been used for confinement and sleeping quarters since 1998, indicating that while the standards now require 60 square feet of living space, they did not at the time the facility was opened. However, the standard requiring 60 square feet of living space for single-occupancy living spaces was adopted to be effective February 13, 1996. Additionally, Applicant was cited in 2004 for using the under-sized rooms that are the subject of this variance request as individual sleeping units; the County agreed in its performance improvement plan to stop using the rooms as individual sleeping rooms and to remove these rooms from the facility's overall resident capacity count within the TJJC's statewide Facility Registry; it was noted they could continue to be used as isolation rooms.

Grayson County has not returned the rooms to the Facility Registry capacity count and is using them for individual sleeping units, which is why they were again cited for non-compliance with TJJD standards. It appears from the variance application that Grayson County is requesting they be granted a variance from the standard to allow them to use the under-sized rooms for individual housing of juveniles as well as to use them as isolation rooms (currently referred to in TAC Chapter 343 as "specialized housing" rooms or cells).

The Applicant has submitted the following documents for consideration:

- completed Application for Permanent Variance of Standards (Dated: 07/06/2016);
- Grayson County Juvenile Board Minutes for the meeting conducted on July 6, 2016, which included the agenda items vote approving the Application of Permanent Variance; and
- Grayson County Facilities renovation/construction project cost estimate document (Dated: 06/23/2016).

In accordance with the requirements of 37 TAC §349.200(b), the Applicant presents the following information to establish the grounds for the requested variance:

1. The Applicant contends that the potential loss of the three rooms in question would be inconsistent with the facility's long use of the rooms since 1998. Additionally, the Applicant contends that lost use of the rooms in question would be inconsistent with the increased local and regional needs for secure beds for both pre- and post-adjudication youth. Specifically, the Applicant contends that increased post-adjudication populations in general, and the rise in specialized resident populations that require single occupancy housing for safety and security risk, justifies the continued use of the rooms in question. And finally, the Applicant states the recent loss (June 2016) of secure pre-adjudication beds within the region (specifically the closure of the Hunt County detention facility) increases the out-of-county placement requests, which further increases the utility and necessity for its continued use of the rooms in question.
2. The Applicant reports that if the variance is approved there will be no negative impact on compliance with other standards.
3. The Applicant contends that substantial compliance with this standard shall be achieved by using the rooms in question during an emergency, which would be defined as when the secure pre-adjudication facility reaches its population capacity and when the rooms are needed to meet the safety and security of needs of the post-adjudication facility by effectively housing residents who have committed major rule violations, in particular rules specific to assaultive behaviors, riots, and gang activity, as well as housing residents who have been formally identified as being at high risk for inappropriate sexual conduct.
4. The Applicant contends that the health and safety of residents will continue to be maintained and that occupants of the rooms in question will be scanned at random intervals not to exceed 10 minutes.
5. The Applicant reports that the facility will have to engage in major reconstruction of the building and that the construction will be a financial hardship on the County and Juvenile Board. The Applicant submitted a project cost estimate of \$20,050.00.
6. The Applicant reports that the facility has operated since 1997 and that it does not appear that the requested variance would be a violation of state or federal law.

#### **Additional Applicable Standards Identified by TJJJ Staff:**

TJJJ determined that there were no other related TAC Chapter 343 standards requiring consideration of a permanent variance.

#### **Variance Precedent and History:**

Texas Juvenile Justice Board Variance Action:

On May 4, 2012, the Texas Juvenile Justice Board granted the Milam County Juvenile Board a permanent variance to allow the Rockdale Regional Juvenile Justice Center (a privately operated secure juvenile detention facility and post-adjudication correctional facility) the continued, but restricted, use of the two self-described holding cells. The two cells in question were approximately 50 square feet each. The variance authorization included conditions that restricted the cells' use exclusively for pre-adjudication referrals that refuse, or are unable, to positively identify themselves as juvenile aged individuals. The underlying justification for this provision was to allow the facility the ability to better ensure non-jvenile aged persons were not inadvertently intermingled with juveniles.

Texas Juvenile Probation Commission Variance Actions:

The former Texas Juvenile Probation Commission authorized permanent variances for commensurate rules to Tom Green County (January 2004) and Bowie County (September 2007). The Tom Green County variance was granted for one special purpose pre-adjudication detention cell with 25 square feet of usable/unencumbered floor space, and the variance restricted the cell's use to residents with suicidal risk and other notable behavioral issues. The Bowie County variance addressed multiple general population cells with approximately 52 square feet of encumbered floor space. It should be noted that the Bowie County facility closed shortly after receiving its variance and no longer functions as a juvenile justice facility.

**TJJD Staff Application Disposition Recommendation:**

37 TAC §349.200(b) authorizes, but does not require, the Texas Juvenile Justice Board to grant the requested variance if it makes affirmative findings that the applicant has established the following:

1. Why compliance with the standards cannot be achieved;
2. The impact the variance would have on compliance with other standards;
3. How substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means;
4. How the health and safety of juveniles will be maintained if the variance is granted;
5. How compliance with the standard will result in undue hardship to the requesting entity; and
6. How issuing the variance would not put the juvenile board, probation department, program, or facility in violation of any state or federal law.

TJJD staff recommends that the Application for Permanent Variance of Standards for the referenced administrative rule provisions be granted. If the Board makes the required affirmative findings and chooses to grant a variance in this matter, TJJD staff also recommends the following conditions be included in the final resolution authorizing the variance:

1. The variance is limited to the Grayson County Post-Adjudication Facility as that facility was configured and operating on July 6, 2016 (the date of the Variance Application); and
2. The variance is limited to the Grayson County Post-Adjudication Facility's individual resident sleeping quarters identified as single occupancy housing units or Brig rooms 1, 2, and 3.



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION REGARDING THE VARIANCE REQUESTED BY THE Grayson COUNTY JUVENILE BOARD**

**In re: 37 TAC 343.644**

On this the **28th day of October 2016**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board (the Board) was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
Motion:		Second:			

Where, among other matters, came up for consideration and adoption the following Resolution:

**WHEREAS**, Grayson County Juvenile Services by and through the Juvenile Board and Brian Jones, Director, has submitted to the Texas Juvenile Justice Department an application for a variance for 37 TAC 343.644;

**WHEREAS**, the duly appointed members of the Board’s Safety and Security Committee considered the application during the Safety and Security Committee meeting held on October 27, 2016;

**WHEREAS**, per the requirements set forth in 37 TAC 349.200(b)(2), the Board hereby makes the following findings of fact (all must be found to grant the application):

- |                          |                          |   |
|--------------------------|--------------------------|---|
| Found                    | Not Found                |   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained why compliance with the standard cannot be achieved.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained the impact the variance would have on compliance with other standards.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has shown that the health and safety of juveniles will be maintained if the variance is granted.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has shown substantial compliance with the intent and purpose of the standard for which a variance is requested through alternate methods or means. |

- The juvenile board has shown that compliance with the standard in question would be an undue hardship on the requesting entity.
- The juvenile board has shown that issuing the variance would not put the juvenile board, department, program or facility in violation of any state or federal law.

**NOW, THEREFORE BE IT RESOLVED THAT** the Board

\_\_\_\_\_ **DENIES** the variance requested by the Grayson County Juvenile Board for 37 TAC 343.644.

\_\_\_\_\_ **GRANTS** (*in accordance with the terms below*) to the Grayson County Juvenile Board a variance for 37 TAC 343.644.

**ADDITIONAL TERMS OF VARIANCE IF GRANTED**

**Periodic Review**

The Texas Juvenile Justice Department reserves the right to conduct periodic reviews of the terms and conditions of the variance agreement in an effort to determine continued applicability of and compliance with such terms and conditions.

**Rescission of Variance Due to Fraud or Error**

If the agency staff subsequently determines that the evidence supporting the variance was substantially inaccurate, misleading, and/or false, and the Safety and Security Committee and full Board determine that the variance was granted as a result of fraudulent or inaccurate information, the Board may immediately rescind or modify the variance. A variance modification may be conditioned upon the applicant's agreement to follow specific conditions as determined appropriate by the Board.

Additionally, the Board may undertake the same actions if it determines that the applicant is not fully adhering to the conditions imposed in conjunction with an existing variance.

**Special Conditions**

1. The variance is limited to the Grayson County Post-Adjudication Facility as the Facility was configured and operating on the July 6, 2016 (the date the Variance Application was completed); and
2. The variance is limited to the Grayson County Post-Adjudication Facility's individual resident sleeping quarters identified as single occupancy housing unit or Brig rooms 1, 2, and 3;

Signed this **28th day of October 2016**.

**Texas Juvenile Justice Board**

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Scott W. Fisher, Chairman





# APPLICATION FOR PERMANENT VARIANCE OF STANDARDS

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

Date: **08/3/2016**

<b>APPLICANT CONTACT INFORMATION</b>		
<i>Form Completed By Name/Title</i> <b>Brian Jones, Director</b>	<i>Phone #</i> <b>903-786-6326</b>	<i>Email Address</i> <b>bjones@co.grayson.tx.us</b>
<i>Department/Facility Address</i> <b>Grayson County Post-adjudication facility</b>	<i>City, State, and Zip Code</i> <b>Denison, Texas 75020</b>	
<i>Name of Juvenile Board</i> <b>Grayson County Juvenile Board</b>		

*Title 37, Texas Administrative Code, Section 349.200(b) establishes the following:*

- *Unless expressly prohibited by another standard, the juvenile board may make an application for a variance of any standard adopted by the Texas Juvenile Justice Board.*

*A copy of the juvenile board's resolution or written request adopted by formal action must be sent with this application.*

<i>Title of Standard</i> <b>343.634 Level of Supervision - MOHU</b>	<i>Section #</i> <b>343.634</b>
<i>Name of Program(s) and/or Facility(ies) to be Impacted by the Variance</i> <b>Post-adjudication facility</b>	<i>Expected Compliance Date (if applicable)</i>

**Each question below must be answered. Please provide any supporting documentation.**

<b>Explain why compliance with standards cannot be achieved.</b>
<p>The post-adjudication facility was built in 1997-1998 using the Texas Administrative Code, Title 37 Public Safety and Corrections 1997, Amendments effective through January 1, 1997 and significantly pre-dates the current standards. The observation standards at that time allowed observation of residents in the manner we have used from the facilities opening with a nightly staff to resident ratio of 1:18. To comply with this standard a combination of the following would be required: (1) The removal of four secure doors of each bay within the facility, (2) the removal and/or major reconstruction of the control room, (3) the reconfiguration of the dayroom or MOHU, thus losing compliance with dayroom space requirements or (4) additional increase in staff due to the configuration of the facility and to maintain staff safety.</p>

<b>Explain the impact the variance would have on compliance with other standards.</b>
<p>If the variance is awarded there will be no negative impact on other standards.</p>

<b>Explain how substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means.</b>
<p>Substantial or an ample compliance is being provided by our current supervision and observation during non-program hours. The observation of residents is conducted by a minimum of three JSO's supervising the up to 52 youth. Although this is not constant physical presence of a juvenile supervision officer during non-program hours, an officer is continuously circulating and observing the residents in random intervals not to exceed 10-minute observation cycles. At each closed bay, the JSO observes each resident and documents their status. The 3 JSO's currently have the following duties assigned while on shift:</p> <ol style="list-style-type: none"> <li>1) 1 JSO scanning the front 2 bays (See diagram labelled 1<sup>st</sup> officer-yellow)</li> <li>2) 1 JSO scanning the back 2 bays (See diagram labelled 2<sup>nd</sup> officer-red)</li> <li>3) 1 JSO does paperwork, laundry, handles resident issues (bathroom, medications, bed wetting, etc.) and prepares for the next oncoming shift (See diagram labelled 3<sup>rd</sup> officer-blue)</li> <li>4) During scans a JSO is to stand at the squad bay for no less than 45 seconds and observe residents and document their observation of residents in random intervals not to exceed 10 minutes.</li> <li>5) During the course of non-program hours 4 random bay checks are done which involve 2 JSO's. One JSO will</li> </ol>



# APPLICATION FOR PERMANENT VARIANCE OF STANDARDS

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

open the door to the bay and watch the second member walk through the bay to check on staff.

**Explain how the health and safety of juveniles will be maintained if the variance is granted.**

The health and safety of the residents is currently maintained and will continue with the granting of the variance.

**Explain how compliance with the standard in question will result in undue hardship on the requesting entity.**

The facility will have to engage in reconstruction of the building and/or double the night time staff to become compliant with the current standard. Both alternatives will be a financial hardship on Grayson County and the Grayson County Juvenile Board.

**Explain how issuing the variance would not put the juvenile board, department, program, or facility in violation of any state or federal law.**

The building was constructed and staffed utilizing standards that were in effect and approved by the Texas Juvenile Probation Commission. The Texas Department of Corrections oversaw the design and building of the facility assuring it met the standards. The facility has operated since 1997 and it does not appear that the variance requested is in violation of state or federal law.

**GRAYSON COUNTY  
JUVENILE BOARD  
MINUTES**

A meeting of the Juvenile Board of Grayson County was held on, Wednesday, August 3, 2016 at 12:00 pm at the Grayson County Justice Center, 2nd Floor Conference Room, Sherman, Texas.

I. Call to Order and Declaration of Quorum

Judge Gary declared a quorum at 12:06 pm. Attending: Judge Gary, Judge Fallon, Judge Nall, Judge Magers and Commissioner Whitlock.

II. Action Items

Approval of July 6, 2016 minutes

Motion made by Judge Fallon; second by Judge Nall to approve July 6, 2016 minutes.  
Motion carried.

III. a. Review and approve Bills for July 2016

Motion made by Judge Nall; second by Judge Fallon to approve bills for July 2016.  
Motion carried

III. b. Review and approve updated application for Permanent Variance of Standard 343.634 – Level of Supervision-MOHU to the Texas Juvenile Justice Department.

Motion made by Judge Nall; second by Judge Magers to approve application for Permanent Variance 343.634. Motion carried

III. c. Review and approve annual MOU with Sherman Independent School District program for 2016-2017.

Motion made by Judge Nall; second by Judge Fallon to approve annual MOU with Sherman ISD program for 2016-2017. Motion carried

III. d. Review and approve Pre & Post Adjudication policies and procedures.

Motion made by Judge Magers; second by Judge Fallon. Motion carried

IV. Received Reports

a. Received Ombudsman report

b. Received YTD Pre & Post Adjudication Aggregate data

V. Directors report

Adjourn

Meeting adjourned at 12:45pm

TO: TJJD Compliance and Monitoring Division

RE: Application for Permanent Variance of Standards 343.634 Level of Supervision –MOHU

343.634. Level of Supervision – MOHU. (a) While residents are located in a MOHU, residents shall be in the constant physical presence of a juvenile supervision officer during program and non-program hours. (b) Juvenile supervision officers shall document general observations of dorm activity at intervals not to exceed 30 minutes.

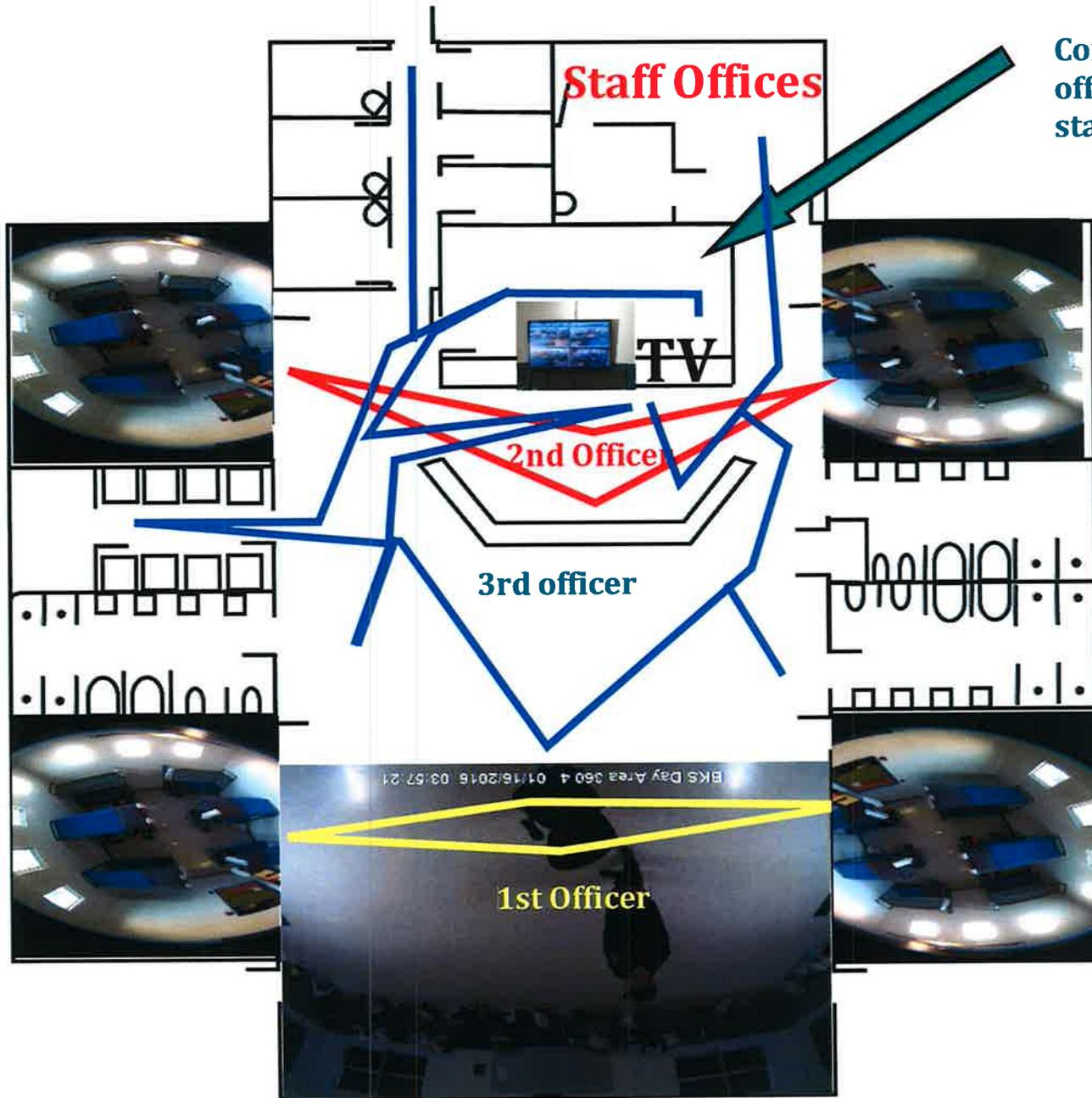
During the audit on 7/6/2015 the TJJD auditor stated that physical presence meant that a JSO had to be located at the door of the MOU. See citation 343.629 and 343.676 that occurred on 7/7/2015.

Estimated cost per additional employees and their assignment.

The facility currently has 3 staff working non-program hours. In order to meet the requirements of physical presence as defined by the TJJD auditor it is estimated we would need to hire an additional 3 staff to meet 343.644 Level of Supervision-MOHU. There are 4 MOHU and we would need to assign 4 staff at each entrance door as identified in a previous citation on 6/25/15 during the TJJD monitoring visit. This would equal a 1:8 ratio during non-program hours with the hiring of additional staff as identified below highlighted in yellow.

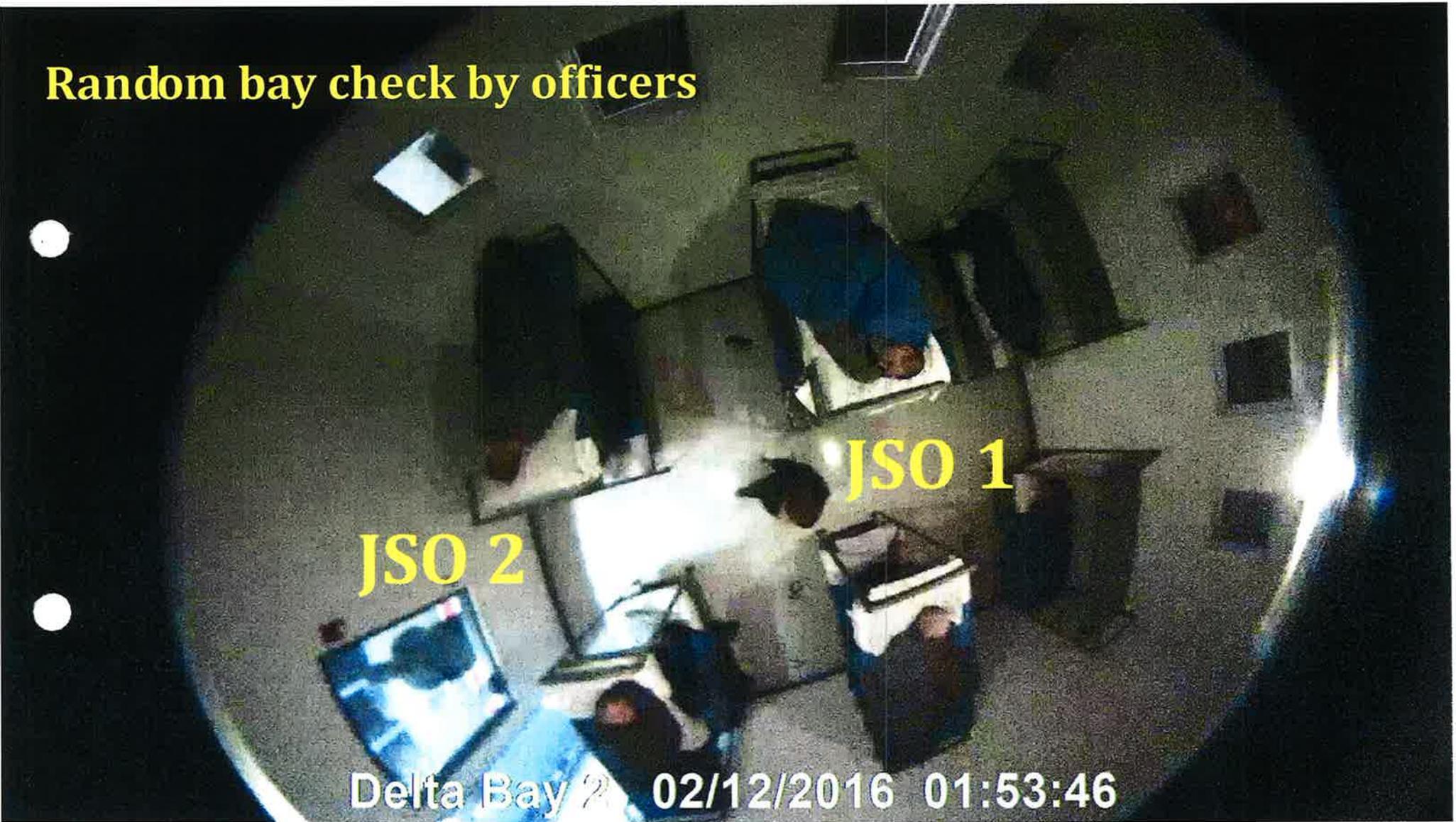
- 1) 1- JSO to remain at 1 MOHU
- 2) 1-JSO to remain at 2<sup>nd</sup> MOHU
- 3) 1-JSO to remain at 3<sup>rd</sup> MOHU
- 4) 1-JSO to remain at 4<sup>th</sup> MOHU
- 5) 1- JSO to relieve JSO assigned at the MOHU for breaks and to address resident's needs at each of the MOHU.
- 6) 1- JSO to complete required paperwork, resident laundry and prepare for the oncoming shift.

	MEDICAL INS	ANNUAL SALARY	LIFE INS	RETIREMENT	FICA/MEDICARE	UNEMP TAX	WC TAX	ESTIMATED COST TO COUNTY
<b>MED - EE ONLY</b>	\$8,497.68	\$34,020.00	\$17.40	\$3,197.88	\$1,952.46	\$108.86	\$432.05	\$48,226.33
<b>MED - 1 CHILD</b>	\$9,738.00	\$34,020.00	\$17.40	\$3,197.88	\$1,857.57	\$108.86	\$432.05	\$49,371.76
<b>MED - 2 CHILD</b>	\$11,399.28	\$34,020.00	\$17.40	\$3,197.88	\$1,730.49	\$108.86	\$432.05	\$50,905.96
<b>MED - SPOUSE</b>	\$13,134.24	\$34,020.00	\$17.40	\$3,197.88	\$1,597.76	\$108.86	\$432.05	\$52,508.19
<b>MED - FAMILY</b>	\$15,151.92	\$34,020.00	\$17.40	\$3,197.88	\$1,443.41	\$108.86	\$432.05	\$54,371.52



Control room-no officer is assigned to stay in this room

**Random bay check by officers**



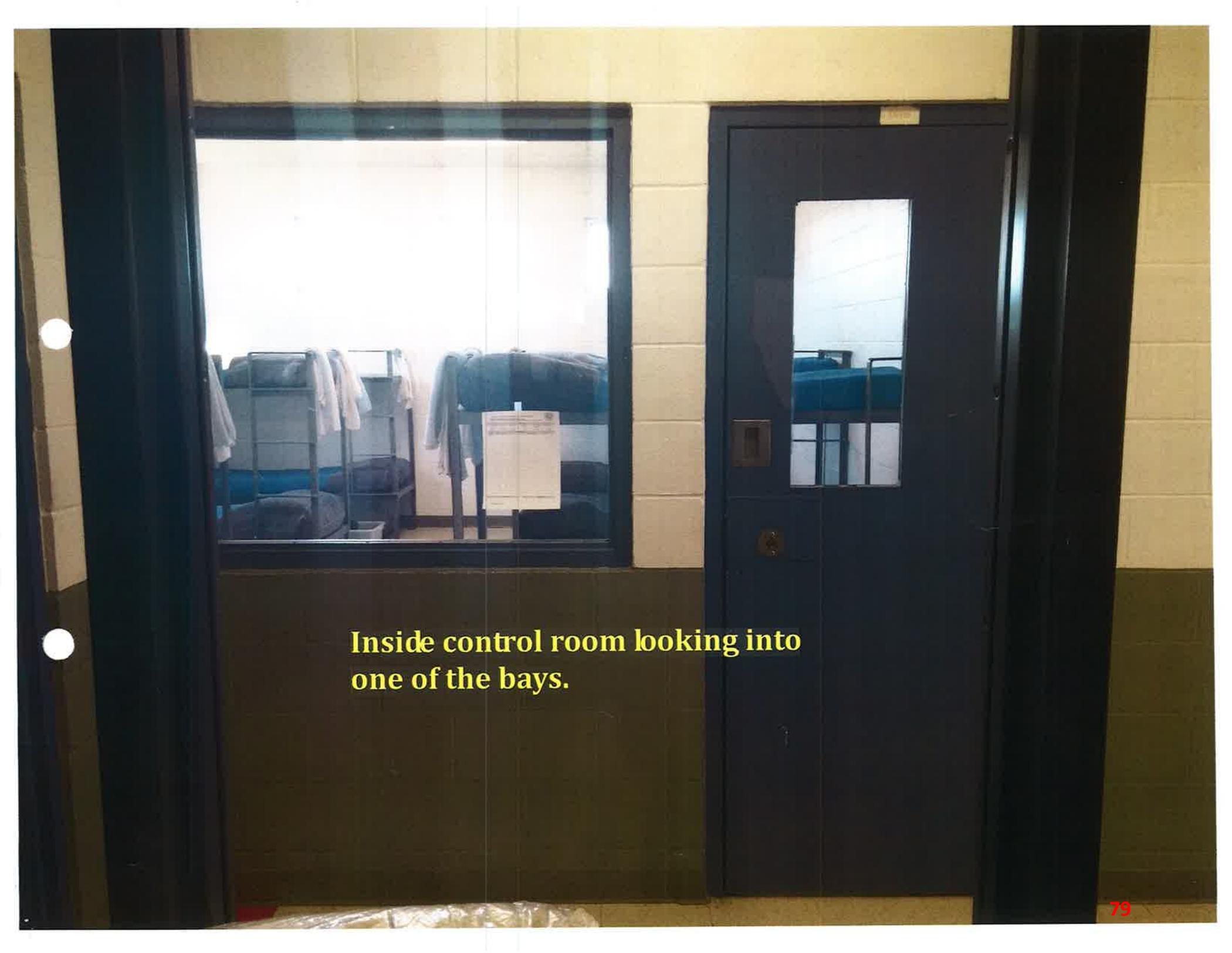
**JSO 1**

**JSO 2**

Delta Bay 2 02/12/2016 01:53:46



BKS Day Area 360 4 01/16/2016 03:57:21



**Inside control room looking into  
one of the bays.**

**55 inch TV that stays on during night shift to supplement observation of residents in the bays. It is located on the outside wall of the control room and can be seen by all staff.**



# TEXAS JUVENILE JUSTICE DEPARTMENT

## Staff Summary and Recommendation for Application for Variance from Standards

**Applicant:** Grayson County Juvenile Board

**Application Receipt Date:** June 24, 2016

**TJJD Internal Tracking Number:** VA-16-05-Grayson

### Standards Identified in Applicant's Variance Request:

**Title 37, Texas Administrative Code, Chapter 343, §343.634. Level of Supervision – MOHU. (Effective Date: 1/1/15)**

(a) While residents are located in a MOHU, residents shall be in the constant physical presence of a juvenile supervision officer during program and non-program hours.

(b) Juvenile supervision officers shall document general observations of dorm activity at intervals not to exceed 30 minutes.

### Relevant/Applicable Texas Administrative Code Chapter 343 Definitions:

**Title 37, Texas Administrative Code, Chapter 343, §343.100. Definitions. (Effective Date: 06/01/16)**

(6) **Constant Physical Presence**--A juvenile supervision officer is physically present in the same room or same physical location with the residents and is responsible for the supervision of residents. The term does not include supervision from behind architectural barriers such as glass observation windows or screened windows.

(42) **Non-Program Hours**--Time period when all scheduled resident activity for the entire resident population in the facility has ceased for the day.

(41) **Multiple-Occupancy Housing Unit (MOHU)**--A housing unit designed and constructed for multiple-occupancy sleeping, which is self-contained and includes appropriate sleeping, sanitation, and hygiene equipment or fixtures.

(54) **Program Hours**--The time period when the resident population has scheduled activities, including any shift changes that occur during the time period when the resident population has scheduled activities.

### TJJD Staff Summary of the Applicant's Request for Variance:

The Grayson County Juvenile Board (Applicant) is seeking a variance from subsection (a) of Section 343.634 which requires that residents housed in a Grayson County Post-Adjudication Facility multiple-occupancy housing unit (i.e., MOHU) be provided supervision by juvenile supervision officer(s) positioned within (i.e., constant physical presence) the actual MOHU. The constant physical presence supervision strategy required to be employed includes a definitional prohibition against supervision strategies that allow a juvenile supervision officer (i.e., JSO) to observe residents from behind architectural barriers. The Applicant has four housing units designed and functioning as MOHUs (sometimes referred to by the Applicant as "bays") which are configured to house up to twelve residents in each MOHU. The primary supervision strategy currently being employed, and one that the Applicant wishes to continue to employ with the receipt of a variance, includes securing residents in their respective MOHU by closing and locking the unit door (an architectural barrier) and providing the following:

- 1) two JSOs within the singular housing/dayroom area circulating between the four MOHUs at random intervals not exceeding 10 minutes to conduct observations of the individual unit's residents through an observation window. The Applicant notes that policy requires that the JSO is to stay at the observation window for at least 45 seconds to make their observations; and
- 2) requiring one JSO at four non-scheduled intervals during the course of the non-program hour period to unlock, enter, and inspect the MOHU. During this inspection, a second JSO is positioned at the unit's observation window, reportedly to observe the other JSO's walk-through inspection of the MOHU.

While not part of the Applicant's application narrative, the Applicant also provided ancillary documentation that identifies supplemental supervision provided by a 55-inch video monitor mounted in the housing area's day area, which allows live video monitoring of each of the four MOHUs during non-program hours.

The Applicant's variance application is responsive in nature and has been submitted in response to the TJJD's formal findings of standards non-compliance issued initially on July 6, 2015 and more recently on July 19, 2016.

The Applicant has submitted the following documents for consideration:

- completed Application for Permanent Variance of Standards (Dated: August 3, 2016);
- Grayson County Juvenile Board Minutes for the meeting conducted on August 3, 2016 which included the agenda item vote approving the Application of Permanent Variance specific to 343.634;
- a two-page cost analysis/estimate document that addresses the hiring of additional staff to achieve standards compliance; and
- photographic depictions of both relevant physical plant areas and existing staff supervision strategies (5 pages).

In accordance with the requirements of 37 TAC §349.200(b), the Applicant presents the following information to establish the grounds for the requested variance:

1. The Applicant contends that compliance cannot be achieved because the facility was built in 1997 through 1998 using Texas Administrative Code rules (those becoming effective January 1997) that allowed for the MOHU supervision strategies currently being practiced. The Applicant states that to comply with the current standards requirements a combination of the following actions would have to occur:
  - (A) the four MOHUs' secure doors would have to be removed;
  - (B) the housing area's control room would have to be removed and/or retrofitted;
  - (C) the housing area's day room and MOHUs would have to be reconfigured, which would lead to standards non-compliance with day area spatial requirements, and
  - (D) additional staff would need to be assigned to the housing area to ensure staff safety in the reconfigured physical plant.
2. The Applicant states that granting the variance will have no negative impact on compliance with other standards.
3. The Applicant contends that the health and safety of residents will be continue to be maintained by the facility's current supervision strategy which employs the following:
  - (A) one juvenile supervision officer scanning the front two bays;
  - (B) one juvenile supervision officer scanning the back two bays;
  - (C) one juvenile supervision officer assigned to completing paperwork, resident laundry, and handling resident issues (e.g., restroom requests, medication, bed-wetting, etc.);
  - (D) an officer conducting 45-second or longer visual observations of the resident bays at intervals not to exceed 10 minutes; and
  - (E) during non-program hours, juvenile supervision officers conduct four random bay checks, which requires one juvenile supervision officer to enter and inspect a bay while a second juvenile supervision officer stands watch.
4. The Applicant maintains that health and safety of the facility's residents is currently being maintained and will continue to be maintained if the requested variance is granted.
5. The Applicant reports that the facility will have to engage in major reconstruction of the building and/or double the night time (i.e., non-program hour) staff to become compliant and that both of these alternatives will be a financial hardship. The Applicant submitted a supplemental hiring cost estimate for the three new staff it

believed would need to hire to bring the facility into the required level of compliance with a single position being estimated to cost between \$48,263.33 and \$54,371.52 annually.

6. The Applicant reports that the facility has operated since 1997 and that it does not appear that the requested variance would be a violation of state or federal law.

#### **Additional Applicable Standard Identified by TJJ Staff:**

TJJ determined that there were no other related TAC Chapter 343 standards requiring consideration of a permanent variance.

#### **Variance Precedent and History:**

With regard to the assessment of the supervision requirement that is subject to this specific variance request, the requirement in question was significantly modified effective January 1, 2015. Prior to that date the commensurate rule specified that, "While physically located in a MOHU, residents shall be under the constant visual observation of a juvenile supervision officer during program and non-program hours." That version of the applicable supervision requirements noted in Section 343.634 became effective on January 1, 2010. That rule required that supervision must include the "constant visual observation" of residents, which was interpreted to include the current prohibition against supervision behind architectural barriers but which also prohibited supervision that included physical barriers (even partial barriers) and officer placement strategies (even those within the constant physical presence of the residents) that obstructed an officer's ability to maintain an unobstructed line-of-sight of the residents being supervised. The two prior variances that are summarized below were specific to the more stringent "constant visual observation" requirement included in TAC 343.634 prior to January 2015. Therefore, there is no actual variance history or precedent with regard to the standards requirement contained within this application.

#### **Texas Juvenile Justice Board Variance Action:**

On October 18, 2013, the Travis County Juvenile Board was granted a permanent variance to forego a juvenile supervision officer's constant visual observations of residents who were assigned to any one of the facility's 21 multiple occupancy housing units located within the Meurer Intermediate Sanctions Center (ISC), a certified and registered Secure Post-Adjudication Correctional Facility. The multiple occupancy housing units in question were rooms that included bedding fixtures to accommodate a maximum of two residents. Prior to receipt of the variance, the jurisdiction sought and received (March 2013) a Temporary Waiver of Standards for the same standard requirement. The variance that was granted included numerous procedural, resident classification, and resident supervision conditions, most notably a requirement that doors to multiple occupancy rooms were left open and unlocked.

#### **Texas Juvenile Probation Commission Board (TJPC) Variance Actions:**

The former Texas Juvenile Probation Commission Board granted the Dallas County Juvenile Board (and its Lyle B. Medlock Treatment Facility) a permanent variance for 37 TAC 343.634 on September 16, 2011. It is important to note that while the Dallas County variance was specific to 37 TAC 343.634, the circumstances surrounding that variance were significantly different than those presented by the Travis County Juvenile Board's variance application. The Travis County application was specific to supervision requirements in double occupancy rooms, whereas the Dallas County application and subsequent variance dealt with supervision in a dormitory setting in which residents were separated from one another by small dividing partitions that were designed to afford the residents some semblance of limited privacy and separation from other residents. However, these partition walls also restricted a single supervising juvenile supervision officer's ability to maintain the standard's required constant visual observations of all of the dormitory's residents.

#### **TJJ Staff Application Disposition Recommendation:**

37 TAC §349.200(b) authorizes, but does not require, the Texas Juvenile Justice Board to grant the requested variance if it makes affirmative findings that the applicant has established the following:

1. Why compliance with the standards cannot be achieved;
2. The impact the variance would have on compliance with other standards;

3. How substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means;
4. How the health and safety of juveniles will be maintained if the variance is granted;
5. How compliance with the standard will result in undue hardship to the requesting entity; and
6. How issuing the variance would not put the juvenile board, probation department, program, or facility in violation of any state or federal law.

TJJD staff recommends that the Applicant's Application for Permanent Variance of Standards for the referenced administrative rule be respectfully denied. However, if the Board makes the required affirmative findings and chooses to grant a variance in this matter, TJJD staff recommends the following conditions be included in the final resolution authorizing the variance:

1. Variance is restricted to the supervision strategies for the residents in the four MOHUs identified in the Variance Application and is also restricted to those four MOHUs' non-program hour operations;
2. The Applicant must ensure that a juvenile supervision officer conducts 45-second or longer visual observations of each of the four resident bays at intervals not to exceed 10 minutes; and
3. The Applicant must require that during non-program hour periods a juvenile supervision officer shall enter each of the four MOHU's and conduct a documented walk-through inspection of the four resident bays and their residents at least once every hour.



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION REGARDING THE VARIANCE REQUESTED BY THE Grayson COUNTY JUVENILE BOARD**

**In re: 37 TAC 343.634**

On this the **28th day of October 2016**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board (the Board) was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
Motion:		Second:			

Where, among other matters, came up for consideration and adoption the following Resolution:

**WHEREAS**, Grayson County by and through the Juvenile Board and Brian Jones, Director, Grayson County Juvenile Services has submitted to the Texas Juvenile Justice Department an application for a variance for 37 TAC 343.634;

**WHEREAS**, the duly appointed members of the Board’s Safety and Security Committee considered the application during the Safety and Security Committee meeting held on October 27, 2016;

**WHEREAS**, per the requirements set forth in 37 TAC 349.200(b)(2), the Board hereby makes the following findings of fact (all must be found to grant the application):

- |                          |                          |   |
|--------------------------|--------------------------|---|
| Found                    | Not Found                |   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained why compliance with the standard cannot be achieved.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained the impact the variance would have on compliance with other standards.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has shown that the health and safety of juveniles will be maintained if the variance is granted.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has shown substantial compliance with the intent and purpose of the standard for which a variance is requested through alternate methods or means. |

- The juvenile board has shown that compliance with the standard in question would be an undue hardship on the requesting entity.
- The juvenile board has shown that issuing the variance would not put the juvenile board, department, program or facility in violation of any state or federal law.

**NOW, THEREFORE BE IT RESOLVED THAT** the Board

\_\_\_\_\_ **DENIES** the variance requested by the Grayson County Juvenile Board for 37 TAC 343.634.

\_\_\_\_\_ **GRANTS** (*in accordance with the terms below*) to the Grayson County Juvenile Board a variance for 37 TAC 343.634.

#### **ADDITIONAL TERMS OF VARIANCE IF GRANTED**

##### **Periodic Review**

The Texas Juvenile Justice Department reserves the right to conduct periodic reviews of the terms and conditions of the variance agreement in an effort to determine continued applicability of and compliance with such terms and conditions.

##### **Rescission of Variance Due to Fraud or Error**

If the agency staff subsequently determines that the evidence supporting the variance was substantially inaccurate, misleading, and/or false, and the Safety and Security Committee and full Board determine that the variance was granted as a result of fraudulent or inaccurate information, the Board may immediately rescind or modify the variance. A variance modification may be conditioned upon the applicant's agreement to follow specific conditions as determined appropriate by the Board.

Additionally, the Board may undertake the same actions if it determines that the applicant is not fully adhering to the conditions imposed in conjunction with an existing variance.

##### **Special Conditions**

1. The Variance is restricted to the supervision strategies for the residents in the four MOHUs identified in the Variance Application and is also restricted to those four MOHUs' (Bays') non-program hour operations;
2. The Applicant must ensure that a juvenile supervision officer conducts 45-second or longer visual observations of each of the four MOHUs (Bays) at intervals not to exceed 10 minutes; and
3. The Applicant must require that during non-program hour periods a juvenile supervision officer shall enter each of the four MOHUs (Bays) and conduct a documented walk-through inspection of each of the four MOHUs (Bays) and their residents at least once every hour.

**Signed this 28th day of October 2016.**

#### **Texas Juvenile Justice Board**

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Scott W. Fisher, Chairman



# APPLICATION FOR PERMANENT VARIANCE OF STANDARDS

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

Date: August 15, 2016

## APPLICANT CONTACT INFORMATION

<i>Form Completed By Name/Title</i> Tyrene Green/Facility Administrator		<i>Phone #</i> 325-646-5383	<i>Email Address</i> tyrene.green@us.g4s.com
<i>Department/Facility Address</i> 800 FM 3254		<i>City, State, and Zip Code</i> Brownwood, TX 76801	
<i>Name of Juvenile Board</i> Brown County Juvenile Board			

Title 37, Texas Administrative Code, Section 349.200(b) establishes the following:

- Unless expressly prohibited by another standard, the juvenile board may make an application for a variance of any standard adopted by the Texas Juvenile Justice Board.

A copy of the juvenile board's resolution or written request adopted by formal action must be sent with this application.

<i>Title of Standard</i> Specialized Housing	<i>Section #</i> 343.230
<i>Name of Program(s) and/or Facility(ies) to be Impacted by the Variance</i> G4S The Oaks Brownwood	<i>Expected Compliance Date (if applicable)</i>

Each question below must be answered. Please provide any supporting documentation.

**Explain why compliance with standards cannot be achieved.**

Compliance with this standard cannot be achieved due to a major renovation of the building would have to occur to accommodate the standard.

**Explain the impact the variance would have on compliance with other standards.**

If the variance is awarded there will be no negative impact on other standards.

**Explain how substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means.**

Substantial compliance with this standard can be achieved through The Brown County Juvenile Board ensuring all necessary steps set forth by The Oaks Brownwood Specialize Housing policy and procedures be followed by staff. This will ensure safety of every resident who resides at The

**Explain how the health and safety of juveniles will be maintained if the variance is granted.**

The health and safety of juveniles as it relates to this standard can be maintained through the program's implementation of The Oaks Brownwood Specialized Housing policy. The policy states that anytime a resident is placed in a specialized housing (i.e. medical, mental health, and behavioral safety seclusion or isolation), there will be a dedicated Youth Care Worker/ Staff assigned to the dorm and room area to ensure the resident's request for out-of-room restroom and drinking water need will not be denied, except when said resident is exhibiting aggressive behaviors. If such a denial is warranted, then policy requires that the facility administrator be immediately notified and that resident's request for out-of-room needs is reevaluated at 10 minute increments. If it is determined the resident's aggressive behaviors still exist, then his drinking water requests and/ or need will be accommodated by allowing the resident to have a small water jug in his room. Additionally, the policy and procedure prohibits the direct supervision of, and attendance to, a resident in a seclusion/isolation assignment from being conducted by the control room's staff.

**Explain how compliance with the standard in question will result in undue hardship on the requesting entity.**

The Oaks Brownwood program is unable to achieve total compliance and is requesting a permanent variance due to the financial burden that would be placed on the program to ensure that all rooms be retrofitted with a toilet and wash basin. Attachment Exhibit A. Retro-fit Analysis

**Explain how issuing the variance would not put the juvenile board, department, program, or facility in violation of any state or federal law.**

The Brown County Juvenile board believes that G4S The Oaks Brownwood is in compliance due to its implementation of the Specialized Housing Policy and Procedure. This policy was developed to support the request of the permanent variance that establishes the safety of each resident and provides access to water and use of the toilet as needed during the times of isolation and confinement with the supervision being provided by a Juvenile Supervision officer (Youth Care Worker) The policy is in accordance with regulations of Title 37 Texas Administrative Code (TAC) Part II and Texas Juvenile Probation Commission Chapter 343.230.

# APPLICATION FOR PERMANENT VARIANCE OF STANDARD 343.230

1. Explain why compliance with standards cannot be achieved.

Compliance with this standard cannot be achieved due to a major renovation of the building would have to occur to accommodate the standard.

2. Explain the impact the variance would have on compliance with other standards.

If the variance is awarded there will be no negative impact on other standards.

3. Explain how substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means.

Substantial compliance with this standard can be achieved through The Brown County Juvenile Board ensuring all necessary steps set forth by The Oaks Brownwood Specialize Housing policy and procedures be followed by staff. This will ensure safety of every resident who resides at The Oaks Brownwood program. Training will be confirmed through signed training and verification sheets completed by trainees.

## **Retro Fit Cost Analysis:**

The program has also considered changing the scope of this variance request to capture only the necessary cost of retrofitting rooms that would provide specialized housing specific to Safety and Medical based seclusions. However, it has been determined even by narrowing the scope of the variance the program will still be in a significant financial hardship. Therefore, the program has provided the following cost analysis based on the projected needs of addressing specifically the seclusions that meet these issues.

## **Pertinent Program Demographics**

- Population Capacity: 113
- Total Dorms: 5
- Total Specialized Housing Rooms Needed: 15 (3 per dorm)

The Oaks Brownwood program is unable to achieve total compliance and is requesting a permanent variance due to the financial burden that would be placed on the program to ensure that all rooms be retrofitted with a toilet and wash basin.

6. Explain how issuing the variance would not put the juvenile board, department, program, or facility in violation of any state or federal law.

The Brown County Juvenile board believes that G4S The Oaks Brownwood is in compliance due to its implementation of the Specialized Housing Policy and Procedure. This policy was developed to support the request of the permanent variance that establishes the safety of each resident and provides access to water and use of the toilet as needed during the times of isolation and confinement with the supervision being provided by a Juvenile Supervision officer (Youth Care Worker) The policy is in accordance with regulations of Title 37 Texas Administrative Code (TAC) Part II and Texas Juvenile Probation Commission Chapter 343.230.

## **Attachment A**

# **The Oaks Brownwood Specialized Housing Retro Fit Cost Analysis Variance for Standard 343.230**

The program has also considered changing the scope of this variance request to capture only the necessary cost of retrofitting rooms that would provide specialized housing specific to Safety and Medical based seclusions. However, it has been determined even by narrowing the scope of the variance the program will still be in a significant financial hardship. Therefore, the program has provided the following cost analysis based on the projected needs of addressing specifically the seclusions that meet these issues.

### **Pertinent Program Demographics**

- Population Capacity: 113
- Total Dorms: 5
- Total Specialized Housing Rooms Needed: 15 (3 per dorm)
- Estimate to retro fit current rooms to meet standard 343.230 requirements: \$12,386
- Total retro fit cost \$185,790

The Oaks Brownwood program has a capacity of 113 beds distributed between 5 dorms. The analysis has determined it would be sufficient to retrofit three (3) rooms on each dorm that will serve the purpose of specialized housing specific to Safety based and Medical based seclusions as defined in standards 343.288 and 343.338. The retrofit will allow for the specialized housing of three residents on each dorm who demonstrated behaviors outline in standard 343.288, or have the medical needs outlined in standard 343.338. The retro fit will allow for the specialized housing to take place without having to take the program out of staff to resident ratio.

As previously stated the cost of retrofitting the 15 existing rooms at approximately \$185,790, would present an undue financial hardship on the program. As such the program is requesting a variance be granted without performing the retro fit to avoid such hardship. The variance will be supported by the program's adherence to The Oaks Brownwood Specialized Housing plan referenced in Section 5 and attached to this variance application. In addition to the Specialized Housing Plan the lowest cost estimate for performing the retrofit is attached as supporting documentation of cost.

<b>Section: Specialized Housing</b>	<b>Reference: 343.230 and 343.338</b>
<b>Policy Date: 09/01/2015</b>	<b>Supercedes: All prior</b>

**I. POLICY:** Program residents who are placed in specialized housing for the purpose of disciplinary seclusion, protection isolation, assessment isolation or medical isolation will be supervised by facility staff who are readily available and able to assist said residents assigned to dry confinement rooms in their legitimate request to use the rest room, wash basin, and drinking fountain.

**II. DEFINITIONS:** As used in this document, the following definitions shall apply:  
Specialized Housing – Any room utilized for disciplinary seclusion, protection isolation, assessment isolation or medical isolation of residents during program hours.

**III. PROCEDURES:** When the facility Administrator or Designee have deemed it appropriate to place a youth in a specialized housing:

1. Residents will be housed in their normal assigned room and dorm unless a safety and security reason deems it necessary for housing in a comparable room on another dorm in the facility.
2. A Youth Care Worker/ Staff will be assigned to supervise the resident (especially for the child's health and safety) in order to conduct security room checks along with allowing the residents to go to the restroom to the toilet and or drink water when needed.
3. Residents will shower during scheduled times.
4. All room doors are controlled manually by the assigned staff designated for the resident's supervision.
5. Pursuant to TAC 343.632 when residents are placed in their individual sleeping quarters they must be observed by a juvenile supervision officer at random intervals not to exceed 15 minutes. It is during these safety and welfare checks residents placed in specialized housing will be permitted to use the restroom, wash basin, or drinking fountain.
6. In the event a resident who is placed on specialized housing requires the use of the restroom, wash basin, or drinking fountain in between safety and welfare checks the resident will make his request verbally to his assigned staff and will be permitted to use the facilities as requested.
7. At no time may an assigned Youth Care Worker/ Staff deny any resident access to the restroom, washbasin and drinking fountain. Unless said resident is exhibiting aggressive behaviors, making physical threats toward the staff, and etc. at which time the facility administrator or her designee will be notified immediately.
8. If the denial is approved it shall be documented along with the reason for the denial and evaluation will be conducted within ten minutes (incremental) by the facility administrator or designee to allow the resident their specific request. If still not approved, the resident will be given a small water jug to accommodate the request for usage of a water fountain.
9. All supervision will be provided by a Youth Care Work or direct care staff for each resident while on any type of confinement and supervision.

## Medical Isolation

- A. If at any time there are medical confinements for any contagious diseases or any other illness, those confinements will only occur either in the resident's normal assigned room or in the medical observation room located in the facility's infirmary.
- B. Youth shall have access to a toilet, sink and shower in close proximity to the room in addition to the following:
  - 1. Pursuant to TAC 343.632 when residents are placed in their individual sleeping quarters they must be observed by a Youth Care Worker/ Staff at random intervals not to exceed 15 minutes. It is during these safety and welfare checks that residents placed in medical isolation or confinement will be permitted to use the restroom, wash basin, or drinking fountain.
  - 2. In the event a resident who is placed on medical isolation or confinement requires the use of the restroom, wash basin, or drinking fountain in between safety and welfare checks the resident will make his request verbally to his assigned staff and will be permitted to use the facilities as requested.
  - 3. Residents on medical isolation or confinement will also be issued a small water jug for the purpose of hydration and a medical waste receptacle for the purpose of emergent regurgitation caused by nausea.
  - 4. Staff assigned to supervise youth shall document youth's activities every 15 minutes. Documentation of the observation shall be placed in the youth's healthcare file.
  - 5. If medical isolation is authorized by a medical professional, the Facility Administrator shall be notified upon the youth's placement.
  - 6. Once a youth has been cleared to return to general population, the Facility Administrator shall be notified.

**ROBERTS & PETTY, INC.**

**P.O. Box 1427**

**PHONE: 325-646-6452**

**Brownwood, Texas 76804**

**MICKEY PERKINS**  
V. PRESIDENT

**DALE NIX**  
PRESIDENT

**REX BESSENT**  
TREASURER

TO: Ron Jackson Center  
ATTN: Roy Dean  
FROM: Roberts & Petty, INC.  
Date: April 7, 2016  
RE: New Solitary Confinement Plumbing

- (1) Unit I had found is no longer available
- (2) Saw cut and break out approximately 12 square ft. of concrete floor
- (3) Dig and remove soil for tie in and extension
- (4) Install institutional common and lavatory unit furnished by Ron Jackson Center
- (5) Rough in, stack out, and tie on to sewer
- (6) Rough in, stack out, and tie on to hot and cold water at lavatory and hook up to commode/lavatory (if 1" is required will come from attic)
- (7) Test, back fill with select fill, and pour concrete back
- (8) Build a plumbing chase wall with an access door to valves and connections for service
- (9) Any tile work and painting will be done by Ron Jackson Center

**Total \$9950.00**

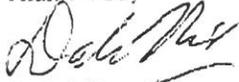
$$\begin{array}{r}
 21785 \\
 758 \\
 \hline
 19386
 \end{array}$$
*total*  
*Value*  
*total*

Prices good for 30 days

If you have any questions please feel free to contact me

*We paint in floor tile*

Thank You,



Dale Nix

**Please Note:** The above bid and quotations are for the equipment and parts set out and are based on a good faith estimate of time required to perform. In the event that additional equipment and parts are required or any additional services are required or requested by the individual, partnership or corporation, requesting the foregoing bid, it will be necessary that a written request be made and an agreement reached as to charges to be made by Roberts & Petty, Inc. for the additional equipment, parts and/or services. Such agreement will be required prior to any work equipment or parts being furnished.

It is also agreed that if payment for material and service is not received as agreed on, all reasonable attorney fees, legal cost and interest in the amount HIGHEST BY LAW, WILL BE CHARGED TO THE CUSTOMER.

Authorized Signature \_\_\_\_\_

**WE ACCEPT VISA, MASTERCARD, AND DISCOVER**

The Texas Department of Licensing and Regulation  
P O Box 12157  
Austin, Texas 78711  
1-800-803-9202 or 1-512-463-6599  
[www.tdlr.texas.gov](http://www.tdlr.texas.gov)  
LIC #TACLA000685C

Texas State Board of Plumbing Examiners  
P O Box 4200  
Austin, Texas 78705-4200  
1-800-845-6584 or 1-512-936-5200  
[www.tsbpe.state.tx.us](http://www.tsbpe.state.tx.us)  
LIC #M7369

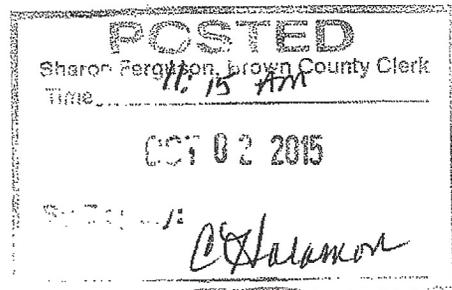
## NOTICE TO THE PUBLIC

Notice is hereby given that a meeting of the 35<sup>th</sup> JUDICIAL DISTRICT JUVENILE BOARD will convene on the 6<sup>th</sup> day of October, 2015, at 12:00 P. M., in the Brown County Courtroom, Brown County Courthouse;

  
E. RAY WEST, III  
BROWN COUNTY JUDGE

### AGENDA

- A. Call To Order
- B. Recognition of Visitors
- C. Matter of New Business to be presented to the Board for its consideration and action as appropriate. Items may not be taken in the order that they are listed.
  - 1. Consideration and possible approval of support for variance request (regarding toilets and water basins in isolation cells) by G4S to be submitted to TJJD;
- D. Adjournment



Minutes of Juvenile Board Meeting 10-06-2015

1) Board convened at 12:35 p.m. and the meeting was brought to order by Board Chairman Ray West. All members were present.

2) Tyrene Green of G4S addressed the board with a request for a Permanent Variance to T.A.C. 342.230 Specialized Housing, relating to sinks, drinking water and toilets in cells used for specialized housing such as disciplinary and medical isolation. He has formulated a Housing Plan detailing staff supervision and procedures to allow residents removal from such cells for purposes of using the restroom and getting water, as needed.

A motion to accept the Housing plan was made by Judge Fulk, seconded by Judge Moss. Motion passed. Judge West made the motion that a letter of support be written to TJJJ on behalf of the board. Seconded by Judge Ellis. Motion passed.

Mr. Green also requested that the policy in the Policy and Procedure Manual be changed to allow for this Variance.

A motion to accept the policy change was made by Judge West, Seconded by Judge Fulk. Motion passed.

3) Meeting was adjourned at 12:46 p.m.

# TEXAS JUVENILE JUSTICE DEPARTMENT

## Staff Summary and Recommendation for Application for Variance from Standards

**Applicant:** Brown County Juvenile Board

**Application Receipt Date:** Revised Application Received: August 15, 2016  
Original Application Received: October 12, 2015

**TJJD Internal Tracking Number:** VA-16-02-Brown

### Standards Identified in Applicant's Variance Request:

#### Title 37, Texas Administrative Code, Section 343.230(a). Specialized Housing.

- (a) Any room or cell used for disciplinary seclusion, protective isolation, assessment isolation, or medical isolation during program hours shall be equipped with:
- (1) an operable toilet above floor level;
  - (2) a washbasin with hot and cold running water or a single control that produces warm water;
  - (3) a bed above floor level; and
  - (4) access to natural light as described in §343.226 of this title.

#### Relevant/Applicable TAC Chapter 343 Standards and Definitions Effective June 1, 2016:

#### Title 37, Texas Administrative Code, Section 343.230(a). Specialized Housing.

- (a) A resident in specialized housing shall be placed in a room or cell equipped with:
- (1) an operable toilet above floor level;
  - (2) a washbasin with hot and cold running water or a single control that produces warm water;
  - (3) a bed above floor level; and
  - (4) access to natural light as described in §343.226 of this title.

#### Title 37, Texas Administrative Code, Section 343.100. Definitions.

- (14) **Disciplinary Seclusion**--The separation of a resident from other residents for disciplinary reasons and the placement of the resident alone in an area from which egress is prevented for more than 90 minutes.
- (29) **Isolation**--The separation of a resident from other residents for assessment, medical, or protective purposes and the placement of the resident alone in an area from which egress is prevented.
- (53) **Protective Isolation**--The exclusion of a threatened resident from the group by placing the resident in an individual room that minimizes contact with the residents from a specific group.
- (62) **Safety-Based Seclusion**--The separation of a resident from other residents for the safety-and-security-related reasons listed in §343.288 of this title and the placement of the resident alone in an area from which egress is prevented.
- (67) **Specialized Housing**--Any room or cell used for disciplinary seclusion, safety-based seclusion, protective isolation, assessment isolation, or medical isolation.

## **TJJD Staff Summary of the Applicant's Request for Variance:**

The Brown County Juvenile Board (Applicant) is seeking a permanent variance from subsections (a) (1) and (2) of the standard which require that any room or cell used for specialized housing assignments (i.e., disciplinary seclusion, safety-based seclusion, protective isolation, assessment isolation, or medical isolation) be equipped with an operable toilet above floor level and a washbasin with hot and cold running water or a single control that produces warm water. The Applicant is seeking the variance on behalf of The Oaks Brownwood (Facility), a 113-bed post-adjudication secure correctional facility that began operating in its current configuration on June 3, 2013.

The requested variance application is in direct response to a formal finding of standards non-compliance initially issued by The Texas Juvenile Justice Department (TJJD) on March 6, 2015. At that time it was determined that the Facility's rooms/cells that were being used to house residents receiving specialized housing assignments were not equipped with the restroom features required by standard. The TJJD's initial finding of standards non-compliance was specific to the identification of a resident secured in room for medical isolation and Facility staff confirmations that other residents were routinely assigned periods of disciplinary seclusion and protective isolation in rooms without the required restroom features.

It should be noted that none of the Facility's 113 individual resident sleeping quarters are equipped with a toilet or washbasin necessary to make them available as standards compliant specialized housing rooms. Therefore, the Applicant is seeking to designate 15 rooms/cells rooms to accommodate the Facility's varied specialized housing needs. By way of background on the Facility's physical plant design history, prior to June 2013, the entire campus operated as a TJJD/TYC state school that included a wing of security cells, with each cell being equipped with an in-cell toilet and washbasin. However, this former TJJD/TYC security wing was transferred to the Brown County Juvenile Probation Department who now operates the wing as its 14-bed holdover facility (i.e., The Ray West Juvenile Justice Center).

The Applicant has submitted the following for consideration:

- Application for Permanent Variance of Standards (Dated: August 15, 2016);
- supplemental application document (to rectify original Application's font size limitations);
- 35<sup>th</sup> Judicial District Juvenile Board Agenda for a meeting dated October 6, 2015;
- Juvenile Board Meeting Minutes for meeting dated October 6, 2015;
- The Oaks Brownwood Specialized Housing Policy (Policy Date: 09/01/2015);
- The Oaks Brownwood Specialized Housing Retro Fit Cost Analysis (entitled Attachment A); and
- retrofitting project overview and cost estimate document prepared by Roberts & Petty, Inc.

In accordance with the requirements of 37 TAC §349.200(b), the Applicant presents the following information to establish the grounds for the requested variance:

1. The Applicant contends that compliance with this standard cannot be achieved due to a major renovation of the building would have to occur to accommodate the standard.
2. The Applicant contends that if the variance is awarded there will be no negative impact on other standards.
3. The Applicant contends that substantial compliance with this standard shall be achieved through The Brown County Juvenile Board ensuring that the policies and procedures in The Oaks Brownwood Specialized Housing are followed by facility staff thereby ensuring the safety of every resident who resides at the facility. The Applicant further indicates that applicable staff training shall be conducted and confirmed through signed training and verification sheets completed by trainees.
4. The Applicant contends that the health and safety of juveniles as it relates to this standard can be maintained through the program's implementation of The Oaks Brownwood Specialized Housing policy. The policy states that any time a resident is placed in specialized housing (i.e., medical/mental health, behavioral safety and seclusion or isolation) there will be a dedicated Youth Care Worker/ Staff assigned to the dorm and room area to ensure a resident's request for access to toilet, washbasin and drinking water will not be denied, except when said resident is exhibiting aggressive behaviors. If such a denial is warranted, then the policy requires that the facility administrator be immediately notified and that a resident's request for out-of-room needs be re-evaluated at 10 minute increments. If it is determined the resident's aggressive behaviors still exist, then his

drinking water requests/needs will be accommodated by allowing the resident to have a small water jug in his room. The Applicant's plan also prohibits control room staff from providing direct supervision of a resident in a seclusion/isolation assignment.

5. The Applicant contends that The Oaks Brownwood is unable to achieve total compliance and is requesting a permanent variance due to the financial burden that would be placed on the program to ensure that all rooms be retrofitted with a toilet and wash basin. The Applicant noted that a cost analysis document (entitled: Attachment A) is being provided as a supplemental document to its application packet. In summary, the Applicant reports that retrofitting a resident room with the requisite toilet and washbasin would cost \$12,386.00 per room, and that as many as 15 specialized housing cells/room may be needed.
6. The Applicant contends that The Oaks Brownwood is in compliance due to its implementation of the Specialized Housing Policy and Procedure. The Applicant states these policies and procedures were developed specifically to support the Applicant's request of the permanent variance by establishing assurances of the safety of each resident and by providing access to water and use of a toilet as needed during the times of isolation and confinement with resident supervision being provided by a Juvenile Supervision officer (Youth Care Worker). The Applicant contends that said policy is in accordance with regulations of Title 37 Texas Administrative Code, Chapter 343, Section 343.230.

#### **Additional Applicable Standard Identified by TJJD Staff:**

TJJD determined that there were no other related TAC Chapter 343 standards requiring consideration of a permanent variance.

#### **Variance Precedent and History:**

Texas Juvenile Justice Board Variance Action:

On May 4, 2012, the Board of the Texas Juvenile Justice Department granted Duval County a conditional permanent variance for TAC 343.230 to specifically allow its dual purpose pre and post-adjudication facility the ability to use six dry general population housing cells for ad hoc seclusion and isolation purposes. In addition to limiting the variance's applicability to six specific housing cells, the variance also was contingent upon the facility's faithful adherence to formal policies, procedures and practices designed to help ensure that residents assigned seclusion and/or isolation classifications and restricted to the six cells were afforded appropriate opportunities of out-of-cell restroom, washbasin, and drinking fountain use.

Texas Juvenile Probation Commission Board Variance Actions:

The former Texas Juvenile Probation Commission Board authorized conditional permanent variances for a commensurate standard (i.e., TAC Section 343.5(k)(1)-(3)) for Brazos County in 2004, and for the applicable incarnation of the standard (i.e., 343.230) for Brazoria County in 2011. The Brazos County variance was specific to one dry cell (i.e., one without a toilet or washbasin) designated as a suicide observation cell within a pre-adjudication detention facility. The Brazoria County variance was specific to a padded protective custody cell with a floor drain type toilet and no washbasin.

#### **TJJD Staff Application Disposition Recommendation:**

37 TAC §349.200(b) authorizes, but does not require, the Texas Juvenile Justice Board to grant the requested variance if it makes affirmative findings that the applicant has established the following:

1. Why compliance with the standards cannot be achieved;
2. The impact the variance would have on compliance with other standards;
3. How substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means;
4. How the health and safety of juveniles will be maintained if the variance is granted;
5. How compliance with the standard will result in undue hardship to the requesting entity; and

6. How issuing the variance would not put the juvenile board, probation department, program, or facility in violation of any state or federal law.

TJJD staff recommends that the Applicant's Application for Permanent Variance of Standards for the referenced administrative rule be respectfully denied. However, if the Board makes the required affirmative findings and chooses to grant a variance in this matter, TJJD staff recommends the following conditions be included in the final resolution authorizing the variance:

1. Variance is limited to the current physical plant of The Oaks Brownwood post-adjudication facility located at 800 Old Coleman Road, Brownwood, Texas 76801;
2. Variance is contingent upon The Oaks Brownwood limiting specialized housing assignments to a total 15 individual assignments at any one time in order to be commensurate with the number of specialized housing room/cells identified in the Application and its supporting documents;
3. Variance requires that The Oaks Brownwood staff strictly adheres to the specific Specialized Housing Policy that was submitted in conjunction with the revised variance application (absent the modification required herein as condition number 4);
4. Variance is contingent upon The Oaks Brownwood modifying its Specialized Housing policy's Definitions section (Section II.) to ensure the definition of specialized housing fully comports to the current TAC 343.100(67) definition of the term; and
5. Variance does not extend to any newly constructed and/or retrofitted individual resident sleeping quarters or specialized housing rooms/cells that are brought on-line after the date of the variance authorization.



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION REGARDING THE VARIANCE REQUESTED BY THE BROWN COUNTY JUVENILE BOARD**

**In re: 37 TAC 343.230**

On this the **28th day of October 2016**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board (the Board) was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
Motion:		Second:			

Where, among other matters, came up for consideration and adoption the following Resolution:

**WHEREAS**, The Oaks Brownwood by and through the Juvenile Board and Tyrene Green, Facility Administrator, has submitted to the Texas Juvenile Justice Department an application for a variance for 37 TAC 343.230;

**WHEREAS**, the duly appointed members of the Board’s Safety and Security Committee considered the application during the Safety and Security Committee meeting held on October 27, 2016;

**WHEREAS**, per the requirements set forth in 37 TAC 349.200(b)(2), the Board hereby makes the following findings of fact (all must be found to grant the application):

- |                          |                          |   |
|--------------------------|--------------------------|---|
| Found                    | Not Found                |   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained why compliance with the standard cannot be achieved.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained the impact the variance would have on compliance with other standards.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has shown that the health and safety of juveniles will be maintained if the variance is granted.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has shown substantial compliance with the intent and purpose of the standard for which a variance is requested through alternate methods or means. |

- The juvenile board has shown that compliance with the standard in question would be an undue hardship on the requesting entity.
- The juvenile board has shown that issuing the variance would not put the juvenile board, department, program or facility in violation of any state or federal law.

**NOW, THEREFORE BE IT RESOLVED THAT** the Board

\_\_\_\_\_ **DENIES** the variance requested by the Brown County Juvenile Board for 37 TAC 343.230.

\_\_\_\_\_ **GRANTS** (*in accordance with the terms below*) to the Brown County Juvenile Board a variance for 37 TAC 343.230.

**ADDITIONAL TERMS OF VARIANCE IF GRANTED**

**Periodic Review**

The Texas Juvenile Justice Department reserves the right to conduct periodic reviews of the terms and conditions of the variance agreement in an effort to determine continued applicability of and compliance with such terms and conditions.

**Rescission of Variance Due to Fraud or Error**

If the agency staff subsequently determines that the evidence supporting the variance was substantially inaccurate, misleading, and/or false, and the Safety and Security Committee and full Board determine that the variance was granted as a result of fraudulent or inaccurate information, the Board may immediately rescind or modify the variance. A variance modification may be conditioned upon the applicant’s agreement to follow specific conditions as determined appropriate by the Board.

Additionally, the Board may undertake the same actions if it determines that the applicant is not fully adhering to the conditions imposed in conjunction with an existing variance.

**Special Conditions**

1. Variance is limited to the current physical plant of The Oaks Brownwood post-adjudication facility located at 800 Old Coleman Road, Brownwood, Texas 76801;
2. Variance is contingent upon The Oaks Brownwood limiting specialized housing assignments to a total 15 individual assignments at any one time in order to be commensurate with the number of specialized housing room/cells identified in the Application and its supporting documents;
3. Variance requires that The Oaks Brownwood staff strictly adheres to the specific Specialized Housing Policy that was submitted in conjunction with the revised variance application (absent the modification required herein as condition number 4);
4. Variance is contingent upon The Oaks Brownwood modifying its Specialized Housing policy’s Definitions section (Section II.) to ensure the definition of specialized housing fully comports to the current TAC 343.100(67) definition of the term; and
5. Variance does not extend to any newly constructed and/or retrofitted individual resident sleeping quarters or specialized housing rooms/cells that are brought on-line after the date of the variance authorization.

Signed this 28th day of October 2016.

**Texas Juvenile Justice Board**

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Scott W. Fisher, Chairman



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

## Memorandum

To: TJJJ Board Members

From: David Reilly, Executive Director

Kaci Singer, Staff Attorney

Subject: Discussion, consideration, and possible approval regarding the discipline of certified officers- Agreed Order (Action)

Date: October 5, 2016

---

The Texas Juvenile Justice Department (TJJJ) has statutory authority to reprimand, suspend, or revoke the TJJJ-issued certification of a certified juvenile probation or supervision officer under Section 222.053 of the Texas Human Resources Code. The officer is entitled to a hearing before the State Office of Administrative Hearings (SOAH) if revocation or suspension is requested. Agency administrative rules found in Texas Administrative Code, Title 37, Chapter 349 allow TJJJ to dispose of certain disciplinary cases without referring the cases to SOAH.

The rules require TJJJ to give the certified officer a statement of facts or conduct alleged to warrant an adverse certification action as well as notice of the discipline sought to be imposed. The notice must invite the officer to show compliance with all requirements of law for the retention of the certification, give notice that the officer must file a written answer to the formal charges in compliance with TJJJ administrative rules found in Chapter 349, and give notice that a failure to file a written answer may result in the alleged conduct being admitted as true and the relief sought being granted by default. The notice must be sent via certified mail, return receipt requested to the certified officer's most recent address of record with TJJJ.

The rules allow a resolution to be negotiated informally between certified officers and TJJJ through an agreed order. Attached for your review are the Agreed Order(s) and the Resolution for approval to issue a Final Agreed Order related to the disciplinary cases of certified juvenile officer(s). TJJJ and the certified officer(s) have agreed to the discipline indicated.



IN THE MATTER OF

§

BEFORE THE

JULIAN SALDANA

§

TEXAS JUVENILE

§

CERTIFICATION NO. # 28605

§

§

JUSTICE BOARD

**AGREED ORDER**

At its scheduled board meeting, the Texas Juvenile Justice Board (the Board) considered the matter of the certification of Julian Saldana (Respondent).

This Agreed Order is executed pursuant to Texas Government Code, Section 2001.056, which authorizes the informal disposition of contested cases. In order to conclude this matter without further delay and expense, the Texas Juvenile Justice Department (TJJD) and Respondent agree to resolve this matter by this Agreed Order. The Respondent agrees to this disposition for the purpose of resolving this proceeding only and without admitting or denying the Findings of Fact and Conclusions of Law set out in this Agreed Order.

The Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order:

**FINDINGS OF FACT**

1. On September 11, 2015, Respondent held a juvenile supervision officer certification with TJJD.
2. On September 11, 2015, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222, and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect on September 11, 2015, and required that certified juvenile probation and juvenile supervision officers adhere to a Code of Ethics.
4. A Petition for Disciplinary Action was mailed to Respondent on June 16, 2016, and Respondent was provided with the opportunity to respond to the charges stated in the petition and to show compliance with the relevant TJJD standards, rules, and regulations.

5. The Petition for Disciplinary Action alleged the following:
  - a. On or about September 11, 2015, Respondent engaged in conduct in violation of TJJJ standard 37 Texas Administrative Code Section 345.310(c)(2)(J) when Respondent used violence or unnecessary force and did not use only the amount and type of force reasonably necessary and appropriate when justified to ensure the security of Juvenile 1, to-wit: shoved juvenile and shoved another officer and juvenile into the wall.

#### **CONCLUSIONS OF LAW**

1. Respondent is subject to the jurisdiction of TJJJ and is required to comply with all TJJJ standards, rules, and regulations including Chapters 341-359 of Texas Administrative Code, Title 37, and all state and federal laws.
2. Texas Administrative Code, Title 37, Chapter 349 provides for the disciplining of a certified juvenile probation or juvenile supervision officer whose acts or omissions violate the law, including TJJJ standards, rules, and regulations.
3. Respondent's conduct is a violation of Texas Administrative Code, Title 37, Section 345.310(c)(2)(J).

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED by the Board of the Texas Juvenile Justice Department that:**

1. The certification of Julian Saldana as a juvenile supervision officer is suspended, however that suspension is probated for one year beginning on the date this Agreed Order is signed by the Board and such probation term shall expire upon the first anniversary of the date signed.
2. Upon approval of the Board, the Executive Director of TJJJ is authorized to sign this order on behalf of the Board.
3. By signing this Agreed Order, Respondent waives the right to a formal hearing and any right to judicial review of this Agreed Order.

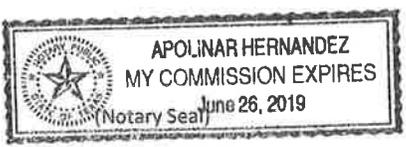
I, Julian Saldana, RESPONDENT, HAVE READ AND UNDERSTAND THE FOREGOING AGREED DISPOSITION ORDER. I UNDERSTAND THAT BY SIGNING THIS AGREED DISPOSITION ORDER, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WILLINGLY, AND KNOWINGLY. I UNDERSTAND THIS AGREED DISPOSITION ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN, OR OTHERWISE.

DATED: August 1, 2016

  
Signature of Respondent

STATE OF TEXAS §  
COUNTY OF Harris §

Before me, the undersigned notary public on this day personally appeared Julian Anthony Saldana, known to me (or proved to me on the oath of D# 33853041, or through \_\_\_\_\_ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.



  
Notary Public

Approved by the duly authorized designee of the Texas Juvenile Justice Board on 9.20.16, 2016.

  
David Reilly, Executive Director

Texas Juvenile  
Justice Dept. OGC  
AUG 03 2016



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR APPROVAL OF AGREED ORDER(S) RELATED TO DISCIPLINARY CASES OF CERTIFIED  
JUVENILE PROBATION OR SUPERVISION OFFICERS**

On this 28<sup>th</sup> day of October 2016, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
<b>Motion:</b>		<b>Second:</b>			

where, among other matters, came up for consideration and adoption the following Agreed Order(s) in the following matter(s) related to the discipline of certified juvenile supervision officer(s):

DOCKET NUMBER	NAME, CERTIFICATION NUMBER, LOCATION	RECOMMENDED ORDER TERMS	COUNTY
a. 16-28605-160118	Julian Saldana, 28605 Harris County Juvenile Justice Center	One-year Probated Suspension of Certification	Harris

**WHEREAS**, the Board has jurisdiction over these actions pursuant to Texas Human Resources Code §222.053 and Texas Administrative Code, Title 37, §349.305 et seq. and authority to enter an Agreed Order under Texas Administrative Code, Title 37, §349.360, pursuant to Texas Government Code §2001.056; and

**WHEREAS**, the Board considered each matter and a motion to adopt the recommended findings and facts and conclusions of law as set forth in each Agreed Order was lawfully moved, duly seconded, and approved by a majority of the present and voting members of the Texas Juvenile Justice Board; and

**WHEREAS**, the following Board members recused themselves from participation in a particular matter:

<b>BOARD MEMBER</b>	<b>NAME OF OFFICER(S)</b>

**NOW, THEREFORE BE IT RESOLVED THAT** the Board approves the Agreed Order(s) in each matter and that a copy of this Resolution shall be affixed to each Order.

The foregoing Resolution was lawfully moved, duly seconded, and adopted by the Texas Juvenile Justice Board.

**Signed this 28th day of October 2016.**

**Texas Juvenile Justice Board**

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Scott W. Fisher, Chairman



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

## Memorandum

To: TJJJ Board Members

From: David Reilly, Executive Director

Kaci Singer, Staff Attorney

Subject: Discussion, consideration, and possible approval regarding the discipline of certified officers- Default Orders (Action)

Date: October 5, 2016

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The Texas Juvenile Justice Department (TJJJ) has statutory authority to reprimand, suspend, or revoke the TJJJ-issued certification of juvenile probation and detention officers; Texas Human Resources Code §222.053. The officer is entitled to a hearing before the State Office of Administrative Hearings if revocation or suspension is requested.

The Administrative Procedures Act (Tex. Gov. Code §2001.056) provides that cases may be disposed by default if agency rules allow it. TJJJ rules allow for a default order to be issued by the Texas Juvenile Justice Board upon the recommendation of the Executive Director if there is proof of proper notice to the certified officer when the officer fails to respond to the formal charges. The default order is to be based on the factual allegations and the sanctions recommended in the formal charges; 37 TAC §349.340.

Proper notice is notice sufficient to comply with Texas Government Code Section 2001.0054 and 37 TAC §349.320, which require TJJJ to provide the certified officer written notice that:

1. was addressed to the certified officer and sent by certified mail, return receipt requested, to the certified officer's most recent address of record with TJJJ;
2. contained a statement of facts or conduct alleged to warrant an adverse certification action;
3. invited the certified officer to show compliance with all requirements of law for the retention of the certification;
4. included in capital letters in 12-point boldface type the following statement: "FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE

FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT;” and

5. stated that within 20 days of receipt of the notice, the certified officer shall file a written answer to the formal charge(s) that meets the requirements of 37 TAC §§349.340 and 349.370.

Notice is effective and service complete when the notice is sent by regular or certified mail, return-receipt requested. Notice is presumed received three days after mailing if the wrapper containing the documents is not returned to the Department.

In the case of a default, the certified officer will be deemed to have:

1. admitted all of the factual allegations in the formal charges;
2. waived the opportunity to show compliance with the law;
3. waived the opportunity for a hearing on the formal charges; and
4. waived objection to the sanction(s) recommended in the formal charges.

The Texas Juvenile Justice Board, after consideration of the case, may:

1. enter a default order under Texas Government Code §2001.056 or
2. order the matter set for a hearing at SOAH.

Having reviewed the affidavit(s) of the TJJD staff attorney assigned to these matter(s), we respectfully request that the Board grant the Default Order(s) in the requested case(s). Attached for your review is the Affidavit of Attorney for each case. The Affidavit explains the notice given, the lack of response, the alleged conduct and violations, and the requested sanction. A proposed Default Order for each case is also attached.

**DOCKET NO. 16-27865-150292**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE</b>
	<b>§</b>	
<b>LISA BAUGH</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO. # 27865</b>	<b>§</b>	<b>JUSTICE BOARD</b>

**DEFAULT ORDER**

Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of Texas Juvenile Justice Department's staff attorney, which were submitted pursuant to Texas Administrative Code, Title 37, Section 349.340. The documents indicate sufficient proof that proper notice was provided to Lisa Baugh (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. During all dates relevant to this action, Respondent held a juvenile supervision officer certification with the Texas Juvenile Justice Department (TJJD).
2. From approximately February to July 2015, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code Title 37, Chapter 345, was in effect during all dates relevant to this action and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code Title 37, Section 349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
5. Texas Administrative Code Title 37, Section 345.310(c)(2)(D) provides juvenile justice professionals must not maintain or give the appearance of maintaining an inappropriate relationship with a juvenile, including, but not limited to, bribery or solicitation or acceptance of gifts, favors, or services from juveniles or their families.

6. From approximately February to July 2015, Respondent failed to maintain clear boundaries by sharing personal information about herself and her marriage with I.M., a juvenile at the facility where she worked.
7. TJJJ effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on August 29, 2016.
8. More than twenty days have elapsed since September 2, 2016, the date Respondent is presumed to have received notice of the formal charges.
9. To date, Respondent has not filed an answer to the formal charges.

#### **CONCLUSIONS OF LAW**

1. As evidenced by Findings of Fact 1-4, TJJJ has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts 5-6, Respondents actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(D).
3. As evidenced by Findings of Facts 7-9, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Texas Juvenile Justice Board that:

1. The juvenile supervision officer certification of Lisa Baugh is permanently revoked.
2. All requested Findings of Fact and Conclusions of Law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until twenty-five days after a party is notified of TJJJ's order. A party is presumed to have been notified of TJJJ's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJJ. Pursuant to Texas Government Code Section 2001.146(e), the time allotted for TJJJ action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until one hundred days from the date the parties are notified of the Order.

**TEXAS JUVENILE JUSTICE DEPARTMENT**  
Signatures and date affixed by Default Disposition  
Master Order dated October 28, 2016

**AFFIDAVIT OF KACI SINGER**

STATE OF TEXAS            §  
  §  
COUNTY OF TRAVIS       §

“My name is Kaci Singer. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

1. On behalf of the Texas Juvenile Justice Department, written notice of formal charges, addressed to Lisa Baugh was sent via certified mail, return receipt requested, and via first class mail, postage prepaid, on August 29, 2016, to the most recent address of record for Lisa Baugh as registered with the Texas Juvenile Justice Department;
2. The wrapper sent by certified mail return receipt requested was returned to TJJD marked unclaimed by the United States Postal Services;
3. The wrapper sent by regular mail has not been returned;
4. Notice is presumed received no later than three days after mailing;
5. The written notice and Petition indicated that from approximately February to July 2015, Respondent violated Texas Administrative Code, Title 37 Section 345.310(c)(2)(D), to wit: when Respondent failed to maintain clear boundaries and by sharing personal information about herself and her marriage with I.M., a juvenile at the facility where she worked;
6. The written notice and Petition informed Respondent that TJJD was seeking Revocation of Respondent’s certification as a juvenile supervision officer;
7. The written notice included in capital letters in 12-point boldface type the statement: ‘FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT;’
8. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice;

9. Twenty days have elapsed since September 2, 2016, the effective date of notice, and Respondent has failed to file a written response to the formal charges."

Signed this 26<sup>th</sup> day of September 2016

Kaci Singer  
Kaci Singer, Attorney

Before me, the undersigned authority, on this day personally appeared Kaci Singer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26<sup>th</sup> of September 2016



(Notary Seal) WITHOUT BOND

Debbi McDavid  
Notary Public in and for the State of Texas

My Commission expires: 9.1.2019



**DOCKET NO. 16-28918-160166**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE</b>
	<b>§</b>	
<b>DANIEL BURCH</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO. # 28918</b>	<b>§</b>	<b>JUSTICE BOARD</b>

**DEFAULT ORDER**

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of Texas Juvenile Justice Department's staff attorney, which were submitted pursuant to Texas Administrative Code, Title 37, Section 349.340. The documents indicate sufficient proof that proper notice was provided to Daniel Burch (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. On or about January 11, 2016, Respondent held a juvenile supervision officer certification with the Texas Juvenile Justice Department (TJJD).
2. On or about January 11, 2016, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect on or about January 11, 2016, and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
5. Texas Administrative Code, Title 37, Section 358.100 provides that abuse is defined as in Texas Family Code Sections 261.001 and 261.401.

6. The definition of abuse in Texas Family Code Section 261.001 includes compelling or encouraging a child to engage in sexual conduct as defined by Section 43.01, Penal Code.
7. On or about January 11, 2016, Respondent asked a child to meet at a hotel for sexual contact.
8. The definition of abuse in Texas Family Code Section 261.401(a)(1) is an intentional, knowing, or reckless act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program that causes or may cause emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.
9. On or about January 11, 2016, Respondent solicited sexual contact from a child, engaged in conversation of a sexual nature with said child, and disclosed to child that he is in possession of pictures of said child.
10. Texas Administrative Code, Title 37, Section 345.310(c)(2)(G) provides juvenile justice professionals must not be designated as a perpetrator in an abuse, exploitation, and neglect investigation conducted by TJJD.
11. On or about February 8, 2016, Respondent was designated a perpetrator in a TJJD abuse, exploitation, and neglect investigation.
12. Texas Administrative Code, Title 37, Section 345.310(c)(2)(D) provides juvenile justice professionals must not maintain or give the appearance of maintaining an inappropriate relationship with a juvenile, including, but not limited to, bribery or solicitation or acceptance of gifts, favors, or services from juveniles or their families.
13. During January 2016, Respondent solicited sexual contact from a child, engaged in conversation of a sexual nature with said child, and disclosed to the child that he was in possession of pictures of said child.
14. TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on June 17, 2016.
15. More than twenty days have elapsed since June 24, 2016, the date Respondent is presumed to have received notice of the formal charges.
16. To date, Respondent has not filed an answer to the formal charges.

## **CONCLUSIONS OF LAW**

1. As evidenced by Findings of Fact 1-4, TJJD has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts 5-9, Respondent abused a child as defined in Texas Family Code Sections 261.001 and 261.401.
3. As evidenced by Findings of Facts 10-11, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G).
4. As evidenced by Findings of Facts 12-13, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(D).
5. As evidenced by Findings of Facts 14-16, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

## **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Texas Juvenile Justice Board that:

1. The juvenile supervision officer certification of Daniel Burch is permanently revoked.
2. All requested Findings of Fact and Conclusions of Law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until twenty-five days after a party is notified of TJJD's order. A party is presumed to have been notified of TJJD's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJD. Pursuant to Texas Government Code Section 2001.146(e), the time allotted for TJJD action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until one hundred days from the date the parties are notified of the Order.

**TEXAS JUVENILE JUSTICE DEPARTMENT**  
Signatures and date affixed by Default Disposition  
Master Order dated October 28, 2016

**AFFIDAVIT OF KACI SINGER**

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

“My name is Kaci Singer. I am of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

1. I have reviewed the file in this matter as the work was performed by an attorney who is no longer employed with the Texas Juvenile Justice Department. All information in this affidavit is based on my review of the file and not on personal memory;
2. The Texas Juvenile Justice Department sent written notice of formal charges, addressed to Daniel Burch was sent via certified mail, return receipt requested, and via first class mail, postage prepaid, on June 17, 2016, to the most recent address of record for Daniel Burch as registered with the Texas Juvenile Justice Department;
3. The certified mail receipt indicates Respondent signed the wrapper on June 24, 2016;
4. The wrapper sent by regular mail has not been returned;
5. Notice is presumed received no later than three days after mailing;
6. The written notice and Petition indicated that on or about January 11, 2016, Respondent violated Texas Family Code Section 261.001, to wit: Respondent intentionally, knowingly, or recklessly compelled or encouraged a child to engage in deviate sexual intercourse, sexual contact, or sexual intercourse by asking a child to meet at a hotel for sexual contact;
7. The written notice and Petition indicated that on or about January 11, 2016, Respondent violated Texas Family Code Section 261.401, to wit: Respondent intentionally, knowingly or recklessly engaged in an act that may cause emotional harm to a child, to-wit: soliciting sexual contact from a child, engaging in conversation of a sexual nature with said child, and disclosing to the child that he is in possession of pictures of said child;
8. The written notice and Petition indicated that on or about February 8, 2016, Respondent violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G) when he was designated as a perpetrator in a TJJD abuse, neglect, or exploitation investigation;

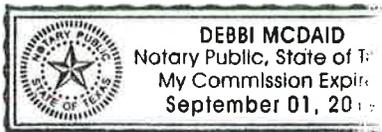
9. The written notice and Petition indicated that during January 2016, Respondent violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(D), to wit: Respondent intentionally, knowingly, or recklessly engaged in an act that may cause emotional harm to a child, to-wit: soliciting sexual contact from a child, engaging in conversation of a sexual nature with said child, and disclosing to the child that he is in possession of pictures of said child;
10. The written notice and Petition informed Respondent that TJJ was seeking Revocation of Respondent's certification as a juvenile supervision officer;
11. The written notice included in capital letters in 12-point boldface type the statement: 'FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT;'
12. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice;
13. Twenty days have elapsed since June 24, 2016, the effective date of notice, and Respondent has failed to file a written response to the formal charges."

Signed this 26<sup>th</sup> day of September 2016

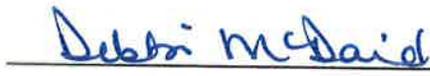
  
 \_\_\_\_\_  
 Kaci Singer, Attorney

Before me, the undersigned authority, on this day personally appeared Kaci Singer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26<sup>th</sup> of September 2016



NOTARY WITHOUT BOND  
 (Notary Seal)

  
 \_\_\_\_\_  
 Notary Public in and for the State of Texas

My Commission expires: 9-1-2019



**DOCKET NO. 16-29995-160219**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE</b>
	<b>§</b>	
<b>CHAKEL CHARLES</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO. # 29995</b>	<b>§</b>	<b>JUSTICE BOARD</b>

**DEFAULT ORDER**

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of Texas Juvenile Justice Department's staff attorney, which were submitted pursuant to Texas Administrative Code, Title 37, Section 349.340. The documents indicate sufficient proof that proper notice was provided to Chakel Charles (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. On or about February 15, 2016, Respondent held a juvenile supervision officer certification with Texas Juvenile Justice Department (TJJD).
2. On or about February 15, 2016, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect on or about February 15, 2016, and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
5. Texas Administrative Code, Title 37, Section 358.100 provides that abuse is defined as in Texas Family Code Section 261.401.

6. Texas Family Code Section 261.401(a)(1) defines abuse as an intentional, knowing, or reckless act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program that causes or may cause emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.
7. On or about February 15, 2016, Respondent intentionally, knowingly, or recklessly engaged in an act or omission that could cause physical injury to Juvenile 1, to-wit: tackled juvenile onto a table, took juvenile to the ground, and put his arm on juvenile's head and neck area.
8. Texas Administrative Code, Title 37, Section 345.310(c)(2)(G) provides juvenile justice professionals must not be designated as a perpetrator in an abuse, exploitation and neglect investigation conducted by TJJD.
9. On or about June 10, 2016, Respondent was designated a perpetrator in a TJJD abuse, exploitation, and neglect investigation.
10. Texas Administrative Code, Title 37, Section 345.310(c)(2)(J) provides that juvenile justice professionals must not utilize unnecessary force or violence and shall only use the amount of force reasonably necessary and appropriate when justified to ensure the security of juveniles, the facility, program or department.
11. On or about February 15, 2016, Respondent used violence or unnecessary force and did not use only the amount and type of force reasonably necessary and appropriate when justified to ensure the security of Juvenile 1, to-wit: tackled juvenile onto a table, took juvenile to the ground, and put his arm on juvenile's head and neck area.
12. Texas Administrative Code, Title 37, Section 345.310(c)(1)(A) provides juvenile justice professionals must abide by all federal laws, federal guidelines and rules, states laws, and TJJD administrative rules.
13. On or about February 15, 2016, Respondent violated 37 Texas Administrative Code Section 343.802 and Section 343.804 by tackling juvenile onto a table, forcing juvenile to the ground, and putting his arm on juvenile's head and neck area.
14. TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on July 19, 2016.

15. More than twenty days have elapsed since July 21, 2016, the date Respondent is presumed to have received notice of the formal charges.
16. To date, Respondent has not filed an answer to the formal charges.

#### **CONCLUSIONS OF LAW**

1. As evidenced by Findings of Fact 1-4, TJJJ has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts 5-7, Respondent abused a child served by a facility or program.
3. As evidenced by Findings of Facts 8-9, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G).
4. As evidenced by Findings of Facts 10-11, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(J).
5. As evidenced by Findings of Facts 12-13. Respondents actions violated Texas Administrative Code, Title 37, Section 345.310(c)(1)(A) by violating Sections 343.802 and 343.804.
6. As evidenced by Findings of Facts 14-16, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Texas Juvenile Justice Board that:

1. The juvenile supervision officer certification of Chakel Charles is suspended for one year and such suspension is probated.
2. All requested Findings of Fact and Conclusions of Law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until twenty-five days after a party is notified of TJJD's order. A party is presumed to have been notified of TJJD's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJD. Pursuant to Texas Government Code Section 2001.146(e), the time allotted for TJJD action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until one hundred days from the date the parties are notified of the Order.

**TEXAS JUVENILE JUSTICE DEPARTMENT**  
Signatures and date affixed by Default Disposition  
Master Order dated October 28, 2016

**AFFIDAVIT OF KACI SINGER**

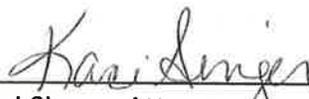
STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

“My name is Kaci Singer. I am of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

1. I have reviewed the file in this matter as the work was performed by an attorney who is no longer employed with the Texas Juvenile Justice Department. All information in this affidavit is based on my review of the file and not on personal memory.
2. On behalf of the Texas Juvenile Justice Department, written notice of formal charges, addressed to Chakel Charles, was sent via certified mail, return receipt requested, and via first class mail, postage prepaid, on July 19, 2016, to the most recent address of record for Chakel Charles as registered with the Texas Juvenile Justice Department.
3. The United States Postal Service delivery record shows that TJJD’s Notice and Petition was delivered July 21, 2016; however, Respondent’s signature is very light.
4. The wrapper sent by regular mail has not been returned.
5. Notice is presumed received no later than three days after mailing.
6. The written notice and petition indicated that on or about February 15, 2016, Respondent violated Texas Family Code Section 261.401, to wit: On or about February 15, 2016, Respondent intentionally, knowingly, or recklessly compelled or encouraged a child to engage in an act or omission that could cause physical injury to Juvenile 1, to-wit: tackled juvenile onto a table, took juvenile to the ground, and put his arm on juvenile’s head and neck area.
7. The written notice and petition indicated that on or about June 10, 2016, Respondent violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G) when he was designated as a perpetrator in a TJJD abuse, neglect, or exploitation investigation.
8. The written notice and petition indicated that on or about February 15, 2016, Respondent violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(J), to wit: Respondent utilized unnecessary force or violence and did not use only the amount of force reasonably necessary and appropriate when justified to ensure the security of juveniles or of the facility, program, or department, to-wit: tackled juvenile onto a table, took juvenile to the ground, and put his arm on juvenile’s head and neck area.

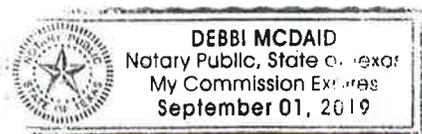
9. The written notice and petition indicated that on or about February 15, 2016, Respondent violated Texas Administrative Code, Title 37, Section 345.310(c)(1)(A). Specifically, Respondent violated 37 Texas Administrative Code Section 343.802 and Section 343.804 by tackling juvenile onto a table, forcing juvenile to the ground, and putting his arm on juvenile's head and neck area.
10. The written notice and petition informed Respondent that TJD was seeking a one-year probated suspension of Respondent's certification as a juvenile supervision officer.
11. The written notice included in capital letters in 12-point boldface type the statement: 'FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.'
12. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice.
13. Twenty days have elapsed since July 21, 2016, the effective date of notice, and Respondent has failed to file a written response to the formal charges."

Signed this 26<sup>th</sup> day of September 2016

  
 \_\_\_\_\_  
 Kaci Singer, Attorney

Before me, the undersigned authority, on this day personally appeared Kaci Singer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26<sup>th</sup> of September 2016



NOTARY WITHOUT BOND  
 (Notary Seal)

  
 \_\_\_\_\_  
 Notary Public in and for the State of Texas

My Commission expires: 9-1-2019

**DOCKET NO. 16-28481-16065**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE</b>
	<b>§</b>	
<b>GABRIEL A. CHAVEZ</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO. # 28481</b>	<b>§</b>	<b>JUSTICE BOARD</b>

**DEFAULT ORDER**

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of Texas Juvenile Justice Department's staff attorney, which were submitted pursuant to Texas Administrative Code, Title 37, Section 349.340. The documents indicate sufficient proof that proper notice was provided to Gabriel A. Chavez (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. On or about October 27, 2015, Respondent held a juvenile supervision officer certification with Texas Juvenile Justice Department (TJJD).
2. On or about October 27, 2015, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect on or about October 27, 2015, and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
5. Texas Administrative Code, Title 37, Section 345.310(c)(1)(J) provides that juvenile justice professionals must treat all juveniles and their families with courtesy, consideration, and dignity.

6. On or about October 27, 2015, Respondent mimicked or mocked a juvenile resident's speech impediment by pretending to stutter.
7. TJJJ effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on August 29, 2016.
8. More than twenty days have elapsed since September 1, 2016, the date Respondent is presumed to have received notice of the formal charges.
9. To date, Respondent has not filed an answer to the formal charges.

#### **CONCLUSIONS OF LAW**

1. As evidenced by Findings of Fact 1-4, TJJJ has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts 5-6, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(1)(J).
3. As evidenced by Findings of Facts 7-9, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Texas Juvenile Justice Board that:

1. The juvenile supervision officer certification of Gabriel A. Chavez is suspended for one year.
2. All requested Findings of Fact and Conclusions of Law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until twenty-five days after a party is notified of TJJJ's order. A party is presumed to have been notified of TJJJ's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJJ. Pursuant to Texas Government Code Section 2001.146(e), the time allotted for TJJJ action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until one hundred days from the date the parties are notified of the Order.

**TEXAS JUVENILE JUSTICE DEPARTMENT**  
Signatures and date affixed by Default Disposition  
Master Order dated October 28, 2016

**AFFIDAVIT OF KACI SINGER**

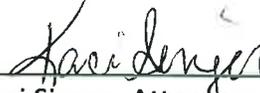
STATE OF TEXAS            §  
  §  
COUNTY OF TRAVIS       §

“My name is Kaci Singer. I am of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

1. On behalf of the Texas Juvenile Justice Department, written notice of formal charges, addressed to Gabriel A. Chavez, was sent via certified mail, return receipt requested, and via first class mail, postage prepaid, on August 29, 2016, to the most recent address of record for Gabriel A. Chavez as registered with the Texas Juvenile Justice Department.
2. The United States Postal Service delivery record shows that TJJD’s Notice and Petition was delivered September 1, 2016.
3. The wrapper sent by regular mail has not been returned.
4. Notice is presumed received no later than three days after mailing.
5. The written notice and petition indicated that on or about October 27, 2015, Respondent violated Texas Administrative Code, Title 37 Section 345.310(c)(1)(J) when Respondent failed to treat juveniles or their family with courtesy, consideration, and dignity, to-wit: mimicked or mocked resident’s speech impediment by pretending to stutter.
6. The written notice and petition informed Respondent that TJJD was seeking a one-year active suspension of Respondent’s certification as a juvenile supervision officer.
7. The written notice included in capital letters in 12-point boldface type the statement: ‘FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.’
8. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice.

9. Twenty days have elapsed since September 1, 2016, the effective date of notice, and Respondent has failed to file a written response to the formal charges.”

Signed this 26<sup>th</sup> day of September 2016

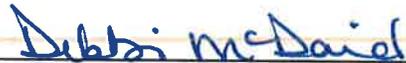
  
\_\_\_\_\_  
Kaci Singer, Attorney

Before me, the undersigned authority, on this day personally appeared Kaci Singer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26<sup>th</sup> of September 2016



NOTARY WITHOUT BOND  
(Notary Seal)

  
\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission expires: 9.1.2019



**DOCKET NO. 16-21245-160112**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE</b>
	<b>§</b>	
<b>CHRYSTAL HILBURN</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO. # 21245</b>	<b>§</b>	<b>JUSTICE BOARD</b>

**DEFAULT ORDER**

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of Texas Juvenile Justice Department's staff attorney, which were submitted pursuant to Texas Administrative Code, Title 37, Section 349.340. The documents indicate sufficient proof that proper notice was provided to Chrystal Hilburn (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. On or about November 20, 2015, Respondent held a juvenile supervision officer certification with Texas Juvenile Justice Department (TJJD).
2. On or about November 20, 2015, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect on or about November 20, 2015, and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
5. Texas Administrative Code, Title 37, Section 358.100 provides that abuse is defined as in Texas Family Code Section 261.401.

6. Texas Family Code Section 261.401(a)(1) defines abuse as an intentional, knowing, or reckless act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program that causes or may cause emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.
7. On or about November 20, 2015, Respondent verbally berated Juvenile 1, a child, while forcing Juvenile 1 to stand on a table in front of other juveniles and discuss Juvenile 1's personal issues.
8. Texas Administrative Code, Title 37, Section 345.310(c)(1)(J) provides juvenile justice professionals must treat all juveniles and their families with courtesy, consideration, and dignity.
9. On or about November 20, 2015, Respondent used profane language at and verbally berated Juvenile 1, a child, while forcing Juvenile 1 to stand on a table in front of other juveniles and discuss Juvenile 1's personal issues.
10. Texas Administrative Code, Title 37, Section 345.310(c)(2)(G) provides juvenile justice professionals must not be designated as a perpetrator in an abuse, exploitation and neglect investigation conducted by TJJD.
11. On or about May 25, 2016, Respondent was designated a perpetrator in a TJJD abuse, exploitation, and neglect investigation.
12. TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on August 29, 2016.
13. More than twenty days have elapsed since September 2, 2016, the date Respondent is presumed to have received notice of the formal charges.
14. To date, Respondent has not filed an answer to the formal charges.

#### **CONCLUSIONS OF LAW**

1. As evidenced by Findings of Fact 1-4, TJJD has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts 5-7, Respondent abused a child served by a facility or program.

3. As evidenced by Findings of Facts 8-9, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(1)(J).
4. As evidenced by Findings of Facts 10-11, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G).
5. As evidenced by Findings of Facts 12-14, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Texas Juvenile Justice Board that:

1. The juvenile supervision officer certification of Chrystal Hilburn is permanently revoked.
2. All requested Findings of Fact and Conclusions of Law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until twenty-five days after a party is notified of TJJJ's order. A party is presumed to have been notified of TJJJ's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJJ. Pursuant to Texas Government Code Section 2001.146(e), the time allotted for TJJJ action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until one hundred days from the date the parties are notified of the Order.

**TEXAS JUVENILE JUSTICE DEPARTMENT**  
Signatures and date affixed by Default Disposition  
Master Order dated October 28, 2016

**AFFIDAVIT OF KACI SINGER**

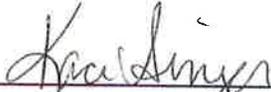
STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

“My name is Kaci Singer. I am of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

1. On behalf of the Texas Juvenile Justice Department, written notice of formal charges, addressed to Chrystal Hilburn, was sent via certified mail, return receipt requested, and via first class mail, postage prepaid, on August 29, 2016, to the most recent address of record for Chrystal Hilburn as registered with the Texas Juvenile Justice Department;
2. The United States Postal Service delivery record shows that Respondent signed for the wrapper sent by certified mail return receipt requested on September 2, 2016.;
3. The wrapper sent by regular mail has not been returned;
4. Notice is presumed received no later than three days after mailing;
5. The written notice and petition indicated that on or about November 20, 2015, Respondent engaged in conduct meeting the definition of abuse in Texas Family Code Section 261.401 and Title 37 Texas Administrative Code Section 358.100 when Respondent intentionally, knowingly, or recklessly engaged in an act or omission that could cause emotional harm to Juvenile 1, to-wit: verbally berating Juvenile 1, a child, while forcing Juvenile 1 to stand on a table in front of other juveniles and discuss Juvenile 1’s personal issues;
6. The written notice and petition indicated that on or about November 20, 2015, Respondent violated Texas Administrative Code Title 37, Section 345.310(c)(1)(J) when Respondent used profane language at and verbally berated Juvenile 1, a child, while forcing Juvenile 1 to stand on a table in front of other juveniles and discuss Juvenile 1’s personal issues;
7. The written notice and petition indicated that on or about May 25, 2016, Respondent violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G) when she was designated as a perpetrator in a TJJD abuse, neglect, or exploitation investigation;
8. The written notice and petition informed Respondent that TJJD was seeking revocation of Respondent’s certification as a juvenile supervision officer;

9. The written notice included in capital letters in 12-point boldface type the statement: 'FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT;'
10. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice;
11. Twenty days have elapsed since September 2, 2016, the effective date of notice, and Respondent has failed to file a written response to the formal charges."

Signed this 26<sup>th</sup> day of September 2016

  
\_\_\_\_\_  
Kaci Singer, Attorney

Before me, the undersigned authority, on this day personally appeared Kaci Singer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26<sup>th</sup> of September 2016



NOTARY WITHOUT BOND

(Notary Seal)

  
\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission expires: 9.1.2019



**DOCKET NO. 16-28919-150276**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE</b>
	<b>§</b>	
<b>REBECCA LEHEW</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO. # 28919</b>	<b>§</b>	<b>JUSTICE BOARD</b>

**DEFAULT ORDER**

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of Texas Juvenile Justice Department’s staff attorney, which were submitted pursuant to Texas Administrative Code Title 37, Section 349.340. The documents indicate sufficient proof that proper notice was provided to Rebecca Lehw (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. On all relevant dates, Respondent held a juvenile supervision officer certification with Texas Juvenile Justice Department (TJJD).
2. On all relevant dates, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect on all relevant dates and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
5. Texas Administrative Code, Title 37, Section 358.100 provides that neglect is defined as in Texas Family Code Section 261.401.

6. Texas Family Code Section 261.401(a)(3) defines neglect as a negligent act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program, including failure to comply with an individual treatment plan, plan of care, or individualized service plan, that causes or may cause substantial emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.
7. On or about June 13, 2015, Respondent negligently failed to report that a juvenile resident stated she would kill herself and failed to conduct room checks, during which time the juvenile attempted suicide by tying a sheet around her neck.
8. Texas Administrative Code Title 37, Section 345.310(c)(1)(A) provides juvenile justice professionals must abide by all federal laws, federal guidelines and rules, states laws, and TJJJ administrative rules.
9. On or about June 13, 2015, Respondent failed to properly perform room checks as required by 37 Texas Administrative Code Section 343.632.
10. On or about June 13, 2015, Respondent failed to communicate Juvenile 1's threat to kill herself, a requirement in the facility's suicide plan adopted pursuant to 37 Texas Administrative Code Section 343.340.
11. Texas Administrative Code Title 37, Section 345.310(c)(2)(G) provides juvenile justice professionals must not be designated as a perpetrator in an abuse, exploitation and neglect investigation conducted by TJJJ.
12. On or about April 7, 2016, Respondent was designated a perpetrator in a TJJJ abuse, exploitation, and neglect investigation.
13. TJJJ effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on August 29, 2016.
14. More than twenty days have elapsed since September 2, 2016, the date Respondent is presumed to have received notice of the formal charges.
15. To date, Respondent has not filed an answer to the formal charges.

#### **CONCLUSIONS OF LAW**

1. As evidenced by Findings of Fact 1-4, TJJJ has jurisdiction to hear this case and to impose the requested discipline.

2. As evidenced by Findings of Facts 5-7, Respondent neglected a child served by a juvenile justice facility or program.
3. As evidenced by Findings of Facts 8-9, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(1)(A).
4. As evidenced by Findings of Facts 8 and 10, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(1)(A).
5. As evidenced by Findings of Facts 11-12, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G).
6. As evidenced by Findings of Facts 13-15, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Texas Juvenile Justice Board that:

1. The juvenile supervision officer certification of Rebecca Lehew is permanently revoked.
2. All requested Findings of Fact and Conclusions of Law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until twenty-five days after a party is notified of TJJJ's order. A party is presumed to have been notified of TJJJ's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJJ. Pursuant to Texas Government Code Section 2001.146(e), the time allotted for TJJJ action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until one hundred days from the date the parties are notified of the Order.

#### **TEXAS JUVENILE JUSTICE DEPARTMENT**

Signatures and date affixed by Default Disposition  
Master Order dated October 28, 2016

**AFFIDAVIT OF KACI SINGER**

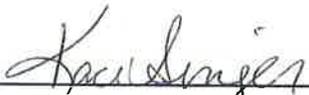
STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

“My name is Kaci Singer. I am of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

1. On behalf of the Texas Juvenile Justice Department, written notice of formal charges, addressed to Rebecca Lehew, was sent via certified mail, return receipt requested, and via first class mail, postage prepaid, on August 29, 2016, to the most recent address of record for Rebecca Lehew as registered with the Texas Juvenile Justice Department.
2. The wrapper sent by certified mail return receipt requested was returned to TJJD marked unclaimed by the United States Postal Services.
3. The wrapper sent by regular mail has not been returned.
4. Notice is presumed received no later than three days after mailing.
5. The written notice and petition indicated that on or about June 13, 2015, Respondent engaged in conduct meeting the definition of neglect under Texas Administrative Code Title 37, Section 358.100 and Texas Family Code Section 261.401 when Respondent negligently engaged in conduct that caused or could have caused physical injury to a child, to wit: failed to report that a juvenile resident stated she would kill herself and failed to conduct room checks, during which time the juvenile attempted suicide by tying a sheet around her neck.
6. The written notice and petition indicated that on or about June 13, 2015, Respondent violated Texas Administrative Code Title 37, Section 345.310(c)(1)(A) when Respondent failed to properly perform room checks as required by 37 Texas Administrative Code Section 343.362.
7. The written notice and petition indicated that on or about June 13, 2015, Respondent violated Texas Administrative Code Title 37, Section 345.310(c)(1)(A) when Respondent failed to communicate Juvenile 1’s threat to kill herself, a requirement in the facility’s suicide plan pursuant to 37 Texas Administrative Code Section 343.340.
8. The written notice and Petition indicated that on or about April 7, 2016, Respondent violated Texas Administrative Code Title 37, Section 345.310(c)(2)(G) when she was designated as a perpetrator in a TJJD abuse, neglect, or exploitation investigation.

9. The written notice and petition informed Respondent that TJJJ was seeking revocation of Respondent's certification as a juvenile supervision officer.
10. The written notice included in capital letters in 12-point boldface type the statement: 'FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.'
11. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice.
12. Twenty days have elapsed since September 2, 2016, the effective date of notice, and Respondent has failed to file a written response to the formal charges."

Signed this 26<sup>th</sup> day of September 2016

  
 \_\_\_\_\_  
 Kaci Singer, Attorney

Before me, the undersigned authority, on this day personally appeared Kaci Singer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26<sup>th</sup> of September 2016



NOTARY WITHOUT BOND  
 (Notary Seal)

  
 \_\_\_\_\_  
 Notary Public in and for the State of Texas

My Commission expires: 9.1.2019



**DOCKET NO. 16-28151-160038**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE</b>
	<b>§</b>	
<b>MICHAEL L. RICHARDS</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO. # 28151</b>	<b>§</b>	<b>JUSTICE BOARD</b>

**DEFAULT ORDER**

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of Texas Juvenile Justice Department’s staff attorney, which were submitted pursuant to Texas Administrative Code Title 37, Section 349.340. The documents indicate sufficient proof that proper notice was provided to Michael L. Richards (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. On all relevant dates, Respondent held a juvenile supervision officer certification with Texas Juvenile Justice Department (TJJD).
2. On or about October 5, 2015, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code Chapter 222 and Texas Administrative Code Title 37, Chapters 341-359.
3. Texas Administrative Code Title 37, Chapter 345 was in effect on all relevant dates and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code Title 37, Section 349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
5. Texas Administrative Code Title 37, Section 345.310(c)(2)(J) provides juvenile justice professionals must not use violence or unnecessary force and must use only the amount and type of force reasonably necessary and appropriate when justified to ensure the security of juveniles or of the facility, program, or department.

6. On or about October 5, 2015, Respondent engaged in slap boxing and struck a juvenile.
7. TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on June 27, 2016.
8. More than twenty days have elapsed since June 30, 2016, the date Respondent is presumed to have received notice of the formal charges.
9. To date, Respondent has not filed an answer to the formal charges.

#### **CONCLUSIONS OF LAW**

1. As evidenced by Findings of Fact 1-4, TJJD has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts, 5-6, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(J).
3. As evidenced by Findings of Fact 7-9, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Texas Juvenile Justice Board that:

1. The juvenile supervision officer certification of Michael L. Richards is permanently revoked.
2. All requested Findings of Fact and Conclusions of Law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until twenty-five days after a party is notified of TJJD's order. A party is presumed to have been notified of TJJD's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJD. Pursuant to Texas Government Code Section 2001.146(e), the time allotted for TJJD action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until one hundred days from the date the parties are notified of the Order.

**TEXAS JUVENILE JUSTICE DEPARTMENT**  
Signatures and date affixed by Default Disposition  
Master Order dated October 28, 2016

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

**AFFIDAVIT OF KACI SINGER**

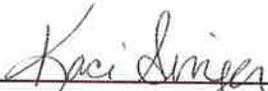
“My name is Kaci Singer. I am of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

1. I have reviewed the file in this matter as the work was performed by an attorney who is no longer employed with the Texas Juvenile Justice Department. All information in this affidavit is based on my review of the file and not on personal memory.
2. On behalf of the Texas Juvenile Justice Department, a written notice and a First Amended Petition for Disciplinary Action containing formal charges, addressed to Michael L. Richards, was sent via certified mail, return receipt requested, and via first class mail, postage prepaid, on June 27, 2016, to the most recent address of record for Michael L. Richards as registered with the Texas Juvenile Justice Department.
3. The wrapper sent by certified mail return receipt requested was returned to TJJD marked unclaimed by the United States Postal Services.
4. The wrapper sent by regular mail has not been returned.
5. Notice is presumed received no later than three days after mailing.
6. The written notice and First Amended Petition for Disciplinary Action indicated that on or about October 5, 2015, Respondent engaged in conduct in violation of the Texas Administrative Code Title 37, Section 345.310(c)(2)(J) when Respondent used violence or unnecessary force and did not use only the amount and type of force reasonably necessary and appropriate when justified to ensure the security of Juvenile 1, to-wit: engaged in slap boxing and struck juvenile.
7. The written notice and First Amended Petition for Disciplinary Action informed Respondent that TJJD was seeking revocation of Respondent’s certification as a juvenile supervision officer.
8. The written notice included in capital letters in 12-point boldface type the statement: **‘FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY**

OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.'

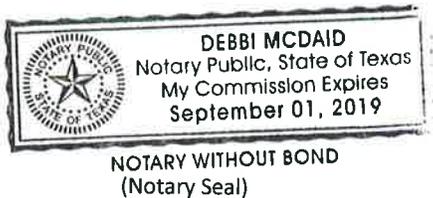
9. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice.
10. Twenty days have elapsed since June 30, 2016, the effective date of notice, and Respondent has failed to file a written response to the formal charges."

Signed this 26<sup>th</sup> day of September 2016

  
\_\_\_\_\_  
Kaci Singer, Attorney

Before me, the undersigned authority, on this day personally appeared Kaci Singer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26<sup>th</sup> day of September 2016



  
\_\_\_\_\_  
Notary Signature

My Commission Expires:  
9-1-2019



**DOCKET NO. 16-17282-160027**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE</b>
	<b>§</b>	
<b>RUDY ROBLES</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO. # 17282</b>	<b>§</b>	<b>JUSTICE BOARD</b>

**DEFAULT ORDER**

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of Texas Juvenile Justice Department’s staff attorney, which were submitted pursuant to Texas Administrative Code Title 37, Section 349.340. The documents indicate sufficient proof that proper notice was provided to Rudy Robles (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. On all relevant dates, Respondent held a juvenile supervision officer certification with Texas Juvenile Justice Department (TJJD).
2. On all relevant dates, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect on or about September 20, 2015, and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
5. Texas Administrative Code, Title 37, Section 358.100 provides that abuse is defined as in Texas Family Code Section 261.401.

6. Texas Family Code Section 261.401(a)(1) defines abuse as an intentional, knowing, or reckless act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program that causes or may cause emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.
7. On or about September 20, 2015, Respondent lifted Juvenile 1 from the ground and threw him onto a concrete floor and placed his knee in juvenile's back, causing him pain.
8. Texas Administrative Code Title 37, Section 345.310(c)(2)(J) provides juvenile justice professionals must not use violence or unnecessary force and must use only the amount and type of force reasonably necessary and appropriate when justified to ensure the security of juveniles or of the facility, program, or department.
9. On or about September 20, 2015, Respondent lifted Juvenile 1 from the ground and threw him onto a concrete floor and placed his knee in juvenile's back, causing him pain. The criteria for using force under 37 Texas Administrative Code Section 343.802 was not present and more force than was necessary to control the situation was used.
10. Texas Administrative Code, Title 37, Section 345.310(c)(2)(G) provides juvenile justice professionals must not be designated as a perpetrator in an abuse, exploitation and neglect investigation conducted by TJJD.
11. On or about July 21, 2016, Respondent was designated a perpetrator in a TJJD abuse, exploitation, and neglect investigation.
12. TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on August 31, 2016.
13. More than twenty days have elapsed since September 6, 2016, the date Respondent is presumed to have received notice of the formal charges.
14. To date, Respondent has not filed an answer to the formal charges.

#### **CONCLUSIONS OF LAW**

1. As evidenced by Findings of Fact 1-4, TJJD has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts 5-7, Respondent abused a child served by a facility or program as defined in Texas Family Code Sections 261.001.

3. As evidenced by Findings of Facts, 8-9, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(J).
4. As evidenced by Findings of Facts 10-11, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G).
5. As evidenced by Findings of Fact 12-14, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Texas Juvenile Justice Board that:

1. The juvenile supervision officer certification of Rudy Robles is permanently revoked.
2. All requested Findings of Fact and Conclusions of Law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until twenty-five days after a party is notified of TJJD's order. A party is presumed to have been notified of TJJD's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJD. Pursuant to Texas Government Code Section 2001.146(e), the time allotted for TJJD action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until one hundred days from the date the parties are notified of the Order.

#### **TEXAS JUVENILE JUSTICE DEPARTMENT**

Signatures and date affixed by Default Disposition  
Master Order dated October 28, 2016

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

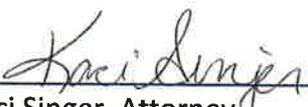
**AFFIDAVIT OF KACI SINGER**

“My name is Kaci Singer. I am of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

1. On behalf of the Texas Juvenile Justice Department, a written notice and a Petition for Disciplinary Action containing formal charges, addressed to Rudy Robles, was sent via certified mail, return receipt requested, and via first class mail, postage prepaid, on August 31, 2016, to the most recent address of record for Rudy Robles as registered with the Texas Juvenile Justice Department.
2. The wrapper sent by certified mail return receipt requested was returned to TJJD marked unclaimed by the United States Postal Services.
3. The wrapper sent by regular mail has not been returned.
4. Notice is presumed received no later than three days after mailing.
5. The written notice and petition indicated that on or about September 20, 2015, Respondent engaged in conduct meeting the definition of abuse in 37 Texas Administrative Code Section 358.100 and Texas Family Code Section 261.401 when Respondent intentionally, knowingly, or recklessly engaged in conduct that caused or may have caused physical injury to Juvenile 1, to wit: lifted Juvenile 1 from the ground and threw him onto a concrete floor and placed his knee in juvenile’s back, causing him pain.
6. The written notice and Petition for Disciplinary Action indicated that on or about September 20, 2015, Respondent engaged in conduct in violation of Texas Administrative Code Title 37, Section 345.310(c)(2)(J) when Respondent used violence or unnecessary force when he lifted Juvenile 1 from the ground and threw him onto a concrete floor and placed his knee in juvenile’s back, causing him pain. The criteria for using force under 37 Texas Administrative Code Section 343.802 was not present and more force than was necessary to control the situation was used.
7. The written notice and petition indicated that on or about July 21, 2016, Respondent violated Texas Administrative Code Title 37, Section 345.310(c)(2)(G) when he was designated as a perpetrator in a TJJD abuse, neglect, or exploitation investigation.

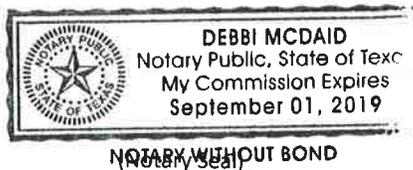
8. The written notice and petition informed Respondent that TJJJ was seeking revocation of Respondent's certification as a juvenile supervision officer.
9. The written notice included in capital letters in 12-point boldface type the statement: 'FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.'
10. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice.
11. Twenty days have elapsed since September 6, 2016, the effective date of notice, and Respondent has failed to file a written response to the formal charges."

Signed this 26<sup>th</sup> day of September 2016

  
 \_\_\_\_\_  
 Kaci Singer, Attorney

Before me, the undersigned authority, on this day personally appeared Kaci Singer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26<sup>th</sup> day of September 2016



  
 \_\_\_\_\_  
 Notary Public in and for the State of Texas

My Commission expires: 9.1.2019



**DOCKET NO. 16-24351-150276**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE</b>
	<b>§</b>	
<b>KAREN TUGGLE</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO. # 24351</b>	<b>§</b>	<b>JUSTICE BOARD</b>

**DEFAULT ORDER**

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of Texas Juvenile Justice Department’s staff attorney, which were submitted pursuant to Texas Administrative Code Title 37, Section 349.340. The documents indicate sufficient proof that proper notice was provided to Karen Tuggle (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. On all relevant dates, Respondent held a juvenile supervision officer certification with Texas Juvenile Justice Department (TJJD).
2. On all relevant dates, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code Chapter 222 and Texas Administrative Code Title 37, Chapters 341-359.
3. Texas Administrative Code Title 37, Chapter 345 was in effect on all relevant dates and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code Title 37, Section 349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
5. Texas Administrative Code, Title 37, Section 358.100 provides that neglect is defined as in Texas Family Code Section 261.401.

6. Texas Family Code Section 261.401(a)(3) defines neglect as a negligent act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program, including failure to comply with an individual treatment plan, plan of care, or individualized service plan, that causes or may cause substantial emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.
7. On or about June 13, 2015, Respondent failed to conduct room checks after a juvenile had attempted to commit suicide.
8. Texas Administrative Code Title 37, Section 345.310(c)(1)(A) provides juvenile justice professionals must abide by all federal laws, federal guidelines and rules, states laws, and TJJJ administrative rules.
9. On or about June 13, 2015, Respondent failed to properly perform room checks as required by 37 Texas Administrative Code Section 343.632.
10. Texas Administrative Code Title 37, Section 345.310(c)(2)(D) provides juvenile justice professionals must not maintain or give the appearance of maintaining an inappropriate relationship with a juvenile, including, but is not limited to, bribery or solicitation or acceptance of gifts, favors, or services from juveniles or their families.
11. On or about June 13, 2015, Respondent allowed the juvenile to repeatedly hug her, touch her, and give her a back massage.
12. Texas Administrative Code Title 37, Section 345.310(c)(2)(G) provides juvenile justice professionals must not be designated as a perpetrator in an abuse, exploitation and neglect investigation conducted by TJJJ.
13. On or about April 7, 2016, Respondent was designated a perpetrator in a TJJJ abuse, exploitation, and neglect investigation.
14. TJJJ effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on August 29, 2016.
15. More than twenty days have elapsed since September 2, 2016, the date Respondent is presumed to have received notice of the formal charges.
16. To date, Respondent has not filed an answer to the formal charges.

## **CONCLUSIONS OF LAW**

1. As evidenced by Findings of Fact 1-4, TJJD has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts 5-7, Respondent neglected a child served by a juvenile justice facility or program.
3. As evidenced by Findings of Facts 8-9, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(1)(A).
4. As evidenced by Findings of Facts 10-11, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(D).
5. As evidenced by Findings of Facts 12-13, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G).
6. As evidenced by Findings of Facts 14-16, the requirements upon which a default order may be granted as provided by Texas Government Code Section 2001.056 and Texas Administrative Code Title 37, Section 349.340 have been met.

## **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Texas Juvenile Justice Board that:

1. The juvenile supervision officer certification of Karen Tuggle is permanently revoked.
2. All requested Findings of Fact and Conclusions of Law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until twenty-five days after a party is notified of TJJD's order. A party is presumed to have been notified of TJJD's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJD. Pursuant to Texas Government Code Section 2001.146(e), the time allotted for TJJD action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until one hundred days from the date the parties are notified of the Order.

## **TEXAS JUVENILE JUSTICE DEPARTMENT**

Signatures and date affixed by Default Disposition  
Master Order dated October 28, 2016

## AFFIDAVIT OF KACI SINGER

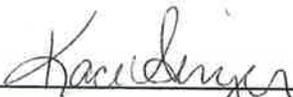
STATE OF TEXAS            §  
  §  
COUNTY OF TRAVIS       §

“My name is Kaci Singer. I am of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

1. On behalf of the Texas Juvenile Justice Department, written notice of formal charges, addressed to Karen Tuggle, was sent via certified mail, return receipt requested, and via first class mail, postage prepaid, on August 29, 2016, to the most recent address of record for Karen Tuggle as registered with the Texas Juvenile Justice Department.
2. The wrapper sent by certified mail return receipt requested was returned to TJJD marked unclaimed by the United States Postal Services.
3. The wrapper sent by regular mail has not been returned.
4. Notice is presumed received no later than three days after mailing.
5. The written notice and petition indicated that on or about June 13, 2015, Respondent engaged in conduct meeting the definition of neglect under Texas Administrative Code Title 37, Section 358.100 and Texas Family Code Section 261.401 when Respondent negligently engaged in conduct that caused or could have caused physical injury to a child, to wit: failed to conduct room checks after a juvenile had attempted to commit suicide.
6. The written notice and petition indicated that on or about June 13, 2015, Respondent violated Texas Administrative Code Title 37, Section 345.310(c)(1)(A) when Respondent failed to properly perform room checks as required by Texas Administrative Code Title 37, Section 343.632.
7. The written notice and petition indicated that on or about June 13, 2015, Respondent violated Texas Administrative Code Title 37, Section 345.310(c)(2)(D) when she maintained or gave the appearance of maintaining an inappropriate relationship with a juvenile by allowing the juvenile to repeatedly hug her, touch her, and give her a back massage.
8. The written notice and Petition indicated that on or about April 7, 2016, Respondent violated Texas Administrative Code Title 37 Section 345.310(c)(2)(G) when she was designated as a perpetrator in a TJJD abuse, neglect, or exploitation investigation.

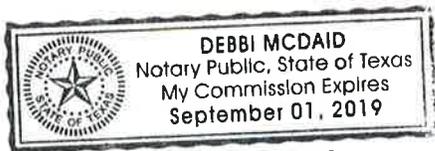
9. The written notice and petition informed Respondent that TJJD was seeking revocation of Respondent's certification as a juvenile supervision officer.
10. The written notice included in capital letters in 12-point boldface type the statement: 'FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.'
11. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice.
12. Twenty days have elapsed since September 2, 2016, the effective date of notice, and Respondent has failed to file a written response to the formal charges."

Signed this 26<sup>th</sup> day of September 2016

  
 \_\_\_\_\_  
 Kaci Singer, Attorney

Before me, the undersigned authority, on this day personally appeared Kaci Singer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26<sup>th</sup> of September 2016



NOTARY WITHOUT BOND  
 (Notary Seal)

  
 \_\_\_\_\_  
 Notary Public in and for the State of Texas

My Commission expires: 9.1.2019





**Texas Juvenile Justice Department  
MASTER DEFAULT ORDER**

**A MASTER DEFAULT ORDER RELATED TO DISCIPLINARY CASES OF CERTIFIED JUVENILE PROBATION OR SUPERVISION OFFICERS**

On this **28<sup>th</sup> day of October 2016**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
<b>Motion:</b>		<b>Second:</b>			

where, among other matters, came up for consideration and adoption the following Default Order(s) in the following matter(s) related to the discipline of certified juvenile probation or supervision officer(s):

	DOCKET NUMBER	NAME, CERTIFICATION NUMBER, LOCATION	RECOMMENDED ORDER TERMS	COUNTY
a.	16-27865-150292	Lisa Baugh, 27865, The Youth Center of the High Plains	Revocation of Certification	Randall
b.	16-28918-160166	Daniel Burch, 28918, Lake Granbury Youth Services	Revocation of Certification	Hood
c.	16-29995-160219	Chakel Charles, 29995, Bexar County Juvenile Detention Center	One-year Probated Suspension of Certification	Bexar
d.	16-28481-16065	Gabriel A. Chavez, 28481 Cyndi Taylor Krier Juvenile Correctional Treatment	One-year Active Suspension of Certification	Bexar
e.	16-21245-160112	Chrystal Hilburn, 21245 John R. Roach Juvenile Detention Center	Revocation of Certification	Collin
f.	16-28919-150276	Rebecca Lehew, 28919 Lake Granbury Youth Services	Revocation of Certification	Hood

g.	16-28151-160038	Michael L. Richards, 28151 Dr. Jerome McNeil Jr. Detention Center	Revocation of Certification	Dallas
h.	16-17282-160027	Rudy Robles, 17282 Bexar County Juvenile Detention Center	Revocation of Certification	Bexar
i.	16-24351-150276	Karen Tuggle, 24351 Lake Granbury Youth Services	Revocation of Certification	Hood

**WHEREAS**, the Board has jurisdiction over these actions pursuant to Texas Human Resources Code §222.053 and Texas Administrative Code, Title 37, §349.305 et seq. and authority to enter a Default Order under Texas Administrative Code, Title 37, §349.340, pursuant to Texas Government Code §2001.056; and

**WHEREAS**, the Board considered each matter and a motion to adopt the recommended findings and facts and conclusions of law as set forth in each Default Order was lawfully moved, duly seconded, and approved by a majority of the present and voting members of the Texas Juvenile Justice Board; and

**WHEREAS** the following Board members recused themselves from participation in a particular matter:

<i>BOARD MEMBER</i>	<i>NAME OF OFFICER(S)</i>

**NOW, THEREFORE BE IT ORDERED THAT** the Final Order in each referenced matter and each referenced matter shall become effective as provided therein according to the date this Order is signed and that a copy of this Order shall be affixed to each Final Order.

Signed this 28th day of October 2016.

**Texas Juvenile Justice Board**

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Scott W. Fisher, Chairman



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

## Memorandum

To: TJJJ Board Members

From: David Reilly, Executive Director

Teresa Stroud, Senior Director of State Programs and Facilities

Subject: Discussion, consideration, and possible approval regarding Board authorization to designate a housing allowance for Chaplains for tax year 2017 (Action)

Date: September 26, 2016

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TJJJ is requesting board approval to designate up to the percentage requested by each Chaplain as a housing allowance for tax year 2017, enabling them to exclude that amount of their gross income from federal income taxes.

**Background:** TJJJ instituted a policy in October 2013 regarding a housing allowance designation for agency Chaplains. The agency created a Chaplain Housing Allowance Request form to be completed by each Chaplain on the date of hire and prior to the beginning of each subsequent calendar year. The form enables a Chaplain to request a specific percentage of their gross salary be designated as a housing allowance.

The Internal Revenue Service has a provision permitting ministers who meet the IRS definition and provide eligible services to exclude a designated amount of their salary from federal income tax. This housing allowance is a reasonable and significant way in which TJJJ can recognize the value our Chaplains bring to our rehabilitation efforts of youth. This policy provides a financial incentive to qualified Chaplains to work for this agency. It is the Chaplains' responsibility to document their housing expenses for income tax purposes.



# CHAPLAIN HOUSING ALLOWANCE REQUEST

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

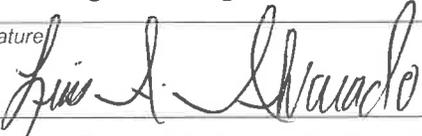
## CHAPLAIN'S INFORMATION

<i>Chaplain's Name</i>	<i>Position Number</i>	<i>Social Security Number</i>	<i>Facility</i>
<b>Luis A. Alvarado</b>	<b>00007245</b>	<b>XXX - XX - 8442</b>	<b>ERJC</b>
<i>Classification Title</i>	<i>Org. Code</i>	<i>Class #</i>	<i>Chaplain's Gross Monthly Salary</i>
<b>Chaplain II</b>	<b>01202723127</b>	<b>5082.00</b>	<b>\$4,055.63</b>

## REQUESTED AMOUNT FOR HOUSING ALLOWANCE

<i>Percentage of Monthly Salary Requested as Housing Allowance</i>	<i>Tax Period Requested (e.g., January 2016 through December 2016)</i>
<b>100 %</b>	<b>1/1/2017 through 12/31/2017</b>

**Note: Chaplains are responsible for filing their own federal income tax returns and documenting their housing expenses according to IRS regulations.**

<i>Chaplain's Signature</i>	<i>Today's Date</i>
<b>X</b> 	<b>8/14/2016</b>

**Return this form to the Manager of Family, Community, and Chaplaincy Programs.**

## APPROVAL OF HOUSING ALLOWANCE DESIGNATION

<i>Percentage of Monthly Salary Designated as Housing Allowance</i>	<i>Tax Period Approved (e.g., January 2016 through December 2016)</i>
<b>%</b>	<b>through</b>

<i>Executive Director's Signature</i>	<i>Date</i>
<b>X</b>	

**Distribution:**

- Original – Employee Personnel File
- Copy – Supervisor, Employee



# CHAPLAIN HOUSING ALLOWANCE REQUEST

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

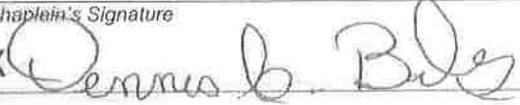
## CHAPLAIN'S INFORMATION

<i>Chaplain's Name</i> <b>Dennis A. Banks</b>	<i>Position Number</i> <b>00042005</b>	<i>Social Security Number</i> <b>XXX - XX - 9046</b>	<i>Facility</i> <b>GNS</b>
<i>Classification Title</i> <b>Chaplain II</b>	<i>Org. Code</i> <b>OBA03023124</b>	<i>Class #</i> <b>5082.00</b>	<i>Chaplain's Gross Monthly Salary</i> <b>\$3,852.07</b>

## REQUESTED AMOUNT FOR HOUSING ALLOWANCE

<i>Percentage of Monthly Salary Requested as Housing Allowance</i> <b>85 %</b>	<i>Tax Period Requested (e.g., January 2016 through December 2016)</i> <b>1/1/2017 through 12/31/2017</b>
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**Note: Chaplains are responsible for filing their own federal income tax returns and documenting their housing expenses according to IRS regulations.**

<i>Chaplain's Signature</i> <b>X</b> 	<i>Today's Date</i> <b>08/29/2016</b>
---	--

Return this form to the Manager of Family, Community, and Chaplaincy Programs.

## APPROVAL OF HOUSING ALLOWANCE DESIGNATION

<i>Percentage of Monthly Salary Designated as Housing Allowance</i> <b>%</b>	<i>Tax Period Approved (e.g., January 2016 through December 2016)</i> <b>through</b>
<i>Executive Director's Signature</i> <b>X</b>	<i>Date</i>

### Distribution:

- Original – Employee Personnel File
- Copy – Supervisor, Employee



# CHAPLAIN HOUSING ALLOWANCE REQUEST

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

## CHAPLAIN'S INFORMATION

<i>Chaplain's Name</i> <b>John R. Boggess</b>	<i>Position Number</i> <b>Chaplain II</b>	<i>Social Security Number</i> <b>XXX - XX - 8910</b>	<i>Facility</i> <b>MCSJCF</b>
<i>Classification Title</i> <b>Chaplain II</b>	<i>Org. Code</i>	<i>Class #</i> <b>5082</b>	<i>Chaplain's Gross Monthly Salary</i> <b>\$4283.66</b>

## REQUESTED AMOUNT FOR HOUSING ALLOWANCE

<i>Percentage of Monthly Salary Requested as Housing Allowance</i> <b>100 %</b>	<i>Tax Period Requested (e.g., January 2016 through December 2016)</i> <b>January 2017 through December 2017</b>
--	---

**Note: Chaplains are responsible for filing their own federal income tax returns and documenting their housing expenses according to IRS regulations.**

<i>Chaplain's Signature</i> <b>X</b>	<i>Today's Date</i> <b>8/16/16</b>
<b>Return this form to the Manager of Family, Community, and Chaplaincy Programs.</b>	

## APPROVAL OF HOUSING ALLOWANCE DESIGNATION

<i>Percentage of Monthly Salary Designated as Housing Allowance</i> <b>%</b>	<i>Tax Period Approved (e.g., January 2016 through December 2016)</i> <b>through</b>
<i>Executive Director's Signature</i> <b>X</b>	<i>Date</i>

### Distribution:

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# CHAPLAIN HOUSING ALLOWANCE REQUEST

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

CHAPLAIN'S INFORMATION			
<i>Chaplain's Name</i> <b>Thomas Merchant</b>	<i>Position Number</i>	<i>Social Security Number</i> <b>XXX - XX - 5186</b>	<i>Facility</i> <b>Giddings State School</b>
<i>Classification Title</i> <b>Chaplain II</b>	<i>Org. Code</i>	<i>Class #</i>	<i>Chaplain's Gross Monthly Salary</i> <b>\$3758.12</b>
REQUESTED AMOUNT FOR HOUSING ALLOWANCE			
<i>Percentage of Monthly Salary Requested as Housing Allowance</i> <b>30 %</b>		<i>Tax Period Requested (e.g., January 2016 through December 2016)</i> <b>01/01/2017 through 12/01/2017</b>	
<b>Note: Chaplains are responsible for filing their own federal income tax returns and documenting their housing expenses according to IRS regulations.</b>			
<i>Chaplain's Signature</i> <b>X</b> <i>Thomas Merchant</i>			<i>Today's Date</i> <b>08/30/2016</b>
<b>Return this form to the Manager of Family, Community, and Chaplaincy Programs.</b>			

APPROVAL OF HOUSING ALLOWANCE DESIGNATION	
<i>Percentage of Monthly Salary Designated as Housing Allowance</i> <b>%</b>	<i>Tax Period Approved (e.g., January 2016 through December 2016)</i> <b>through</b>
<i>Executive Director's Signature</i> <b>X</b>	<i>Date</i>

Distribution:  
 Original – Employee Personnel File  
 Copy – Supervisor, Employee



# CHAPLAIN HOUSING ALLOWANCE REQUEST

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

CHAPLAIN'S INFORMATION			
Chaplain's Name <b>William Shaw</b>	Position Number	Social Security Number <b>2928</b>	Facility <b>Ron Jackson SJCC</b>
Classification Title <b>Chaplain II</b>	Org. Code	Class #	Chaplain's Gross Monthly Salary <b>\$ 3929.11</b>
REQUESTED AMOUNT FOR HOUSING ALLOWANCE			
Percentage of Monthly Salary Requested as Housing Allowance <b>50 %</b>		Tax Period Requested (e.g., January 2016 through December 2016) <b>January 2017 through December 2017</b>	
<b>Note: Chaplains are responsible for filing their own federal income tax returns and documenting their housing expenses according to IRS regulations.</b>			
Chaplain's Signature <b>X</b> <i>William Shaw</i>		Today's Date <b>9/2/16</b>	
<b>Return this form to the Manager of Family, Community, and Chaplaincy Programs.</b>			

APPROVAL OF HOUSING ALLOWANCE DESIGNATION	
Percentage of Monthly Salary Designated as Housing Allowance <b>%</b>	Tax Period Approved (e.g., January 2016 through December 2016) <b>through</b>
Executive Director's Signature <b>X</b>	Date

Distribution:  
 Original – Employee Personnel File  
 Copy – Supervisor, Employee



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR APPROVAL TO DESIGNATE A HOUSING ALLOWANCE FOR TJJD CHAPLAINS FOR THE  
2017 CALENDAR YEAR**

On this **28<sup>th</sup> day of October 2016**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
<b>Motion:</b>		<b>Second:</b>			

where, among other matters, came up for consideration and adoption the following Resolution:

**WHEREAS**, the Internal Revenue Service allows for the official designation of a certain housing allowance for ministers (Chaplains) enabling them to exclude up to that portion from their income for tax purposes;

**WHEREAS**, Chaplains provide a critical service to TJJD youth;

**NOW, THEREFORE BE IT RESOLVED THAT** the Board authorizes up to the percentage of gross salary requested by each Chaplain on the attached Chaplain Housing Allowance Request forms be designated as a housing allowance effective January 1, 2017 for the tax year 2017.

The foregoing Resolution was lawfully moved, duly seconded, and adopted by the Texas Juvenile Justice Board.

**Signed this 28th day of October 2016.**

**Texas Juvenile Justice Board**

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Scott W. Fisher, Chairman





TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

## Memorandum

To: TJJJ Board Members

From: David Reilly, Executive Director

Royce Myers, Director of Human Resources

Subject: Discussion, consideration, and possible approval of the recommendations made in the TJJJ salary study and to support efforts to obtain additional funding to achieve the goals of attracting and retaining qualified juvenile justice employees and reducing turnover (Action)

Date: October 6, 2016

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At the August 2016 meeting of the Finance and Audit Committee, agency staff presented the results of a study recently conducted by the TJJJ Human Resources Department and the Research Department. The study included an extensive analysis of whether TJJJ and county juvenile justice employees are competitively compensated and whether compensation is having an effect on turnover rates in the juvenile justice field.

Although the study was discussed at the August meeting, the board was not asked to take any formal action regarding the study's findings and recommendations. At the request of a member of the board, the TJJJ staff has prepared a resolution for the Board's consideration. The resolution summarizes some of the key findings and expresses support for the recommendations contained in the study.





TEXAS  
JUVENILE ★ JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

# A Study of Salaries and Turnover Rates Among Juvenile Justice Personnel in Texas

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June 2016

# Introduction

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The 82<sup>nd</sup> Legislature created the Texas Juvenile Justice Department (TJJD) under Senate Bill (SB) 653 with the merger of the Texas Juvenile Probation Commission (TJPC) and the Texas Youth Commission in December of 2011. The agency is responsible for the care and supervision of juvenile offenders committed to the state, as well as for providing funding and support to the 166 juvenile probation departments that comprise the state's county-level juvenile justice system.

This report is an examination of salaries and turnover among juvenile justice personnel at both the state and county level. Section I focuses on the state level, comparing salary and turnover information for all TJJD positions to similar positions at other state agencies and in the market overall. Section II focuses on the county level, presenting salaries and turnover rates for county probation and supervision officers by department size and geographic region. Officer salaries are also compared to salaries for similar positions at comparable agencies. This report concludes with recommendations for salary adjustments to improve employee recruitment and retention. Analysts used a compa-ratio - the ratio of an employee's actual salary to the midpoint of the applicable salary range – as the foundation for specific salary adjustment recommendations for both state- and county-level employees.

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## Section I: State-Level Juvenile Justice Employees

### Executive Summary

The Texas Juvenile Justice Department (TJJD) participated in the Survey of Employee Engagement (SEE) in November 2015. This survey produced twelve constructs that capture the concepts most utilized by leadership and drive organizational performance and engagement. Of these twelve constructs, the one that scored significantly lower than all others and was reported as an area of concern was pay. The pay construct captures employees' perceptions about how well the compensation package holds up when compared to other organizations and suggests an area of discontent. This discontent can be reflected in higher turnover if employees feel they are not being compensated equitably compared to other organizations.

In addition to the survey, a report published by the State Auditor's Office (SAO) in December 2015 noted that TJJD had the second highest agency turnover rate of 26.6%. It also noted that the turnover rate of Juvenile Correctional Officers was 31.9%. Low pay is usually a contributing factor in high turnover.

The State Auditor's Office also prepares a biennial report on the State's Position Classification Plan to determine the competitiveness of the plan with similar positions in the private and public sector. This survey establishes the market rate for similar positions which is then compared to the midpoints of corresponding salary ranges. When employees are paid less than the market rate, agencies may face an increased risk of turnover and an inability to compete for and retain qualified employees.

The four key areas of concern are:

- Juvenile Correctional Officer pay
- Parole Officer pay
- Classification of staff compared to those at other state agencies of similar size and responsibility
- Establishment of a compensation plan that will attract and retain employees

## Objective, Scope, and Methodology

The objective of this report was to conduct a study reviewing all Texas Juvenile Justice Department (TJJD) positions and:

- Compare turnover rates of these positions to those at other state agencies.
- Compare the salary of these positions to the market average of similar positions.
- Compare the salary of these positions to similar positions at other state agencies.
- Compare classifications of TJJD staff to staff at other state agencies of similar size and with similar responsibilities.

The scope of this study included 2,465 classified TJJD employees and over 137,000 State of Texas employees. The salary information of other state employees was obtained from the Texas Comptroller of Public Accounts in February 2016. Turnover information for each occupational category for fiscal years 2012-2015 was obtained from the State Auditor's Office E-Class system.

The methodology will be to examine each occupational category within the agency and compare those salaries with the occupational categories in all other state agencies. There are a few positions that are unique to TJJD such as Juvenile Correctional Officers and other correctional series positions. Those positions are compared to similar positions, but different classifications at the Texas Department of Criminal Justice.

## Market Rate

Prior to every biennium, the State Auditor's Office conducts a market analysis to determine the competitiveness of the Classification Plan. This analysis examines private and public sector jobs that match corresponding state jobs in terms of duties, scope and responsibility. The average salary of these jobs is considered the market rate and is compared to the midpoint of the corresponding state salary grade. If the midpoint is within 10% of the market rate, the salary range is generally considered competitive.

## Compa-ratio

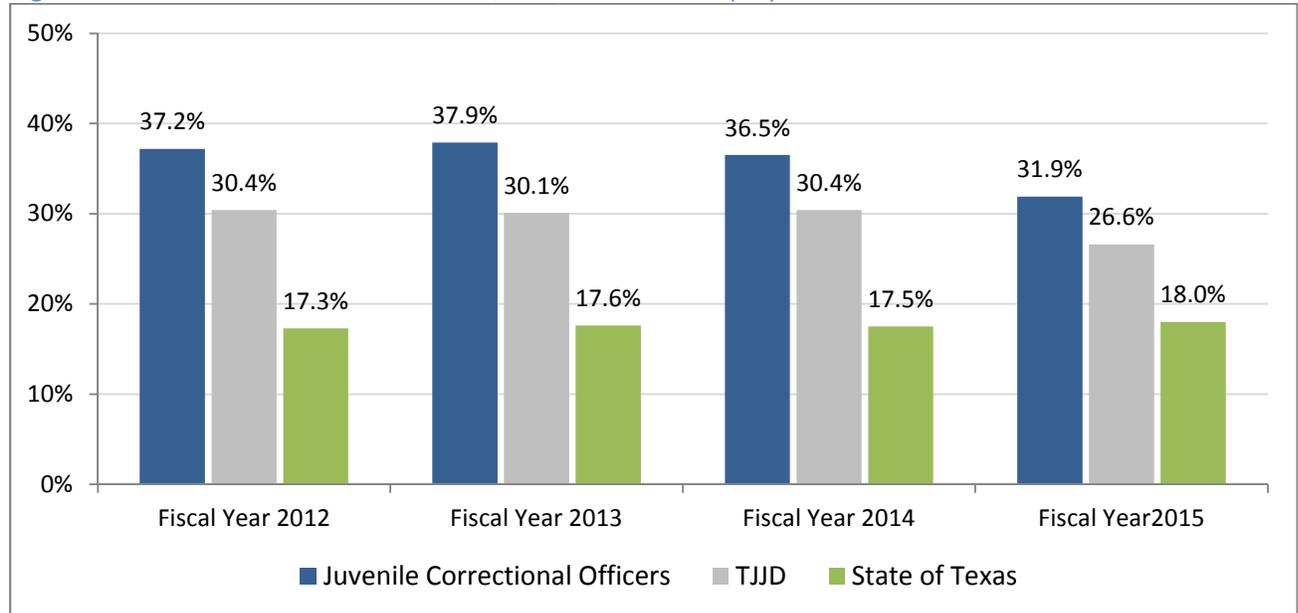
The compa-ratio is the ratio of an employee's actual salary to the midpoint of the applicable salary range. The target salary for state employees is the midpoint of their salary range to remain competitive. A salary at the midpoint has a compa-ratio of 1.00. A salary that is 10% below midpoint has a compa-ratio of 0.90 and any employee whose salary has a compa-ratio below 0.90 is considered to be at risk of leaving for other employment due to low pay.

## Turnover

The 83rd Legislature directed the State Auditor's Office (SAO) to identify each state agency that experienced an employee turnover rate that exceeded 17.0% (approximate overall turnover rate of all state agencies) during the preceding biennium. The SAO report identified twenty-two agencies with 50 or more employees that met that criterion.

The report noted that TJJJ had the second highest turnover rate of all state agencies at 26.6%. It also noted that Juvenile Correctional Officers had a 31.9% turnover rate and accounted for 68.5% of the agency's separations.

Figure 1: Annual Turnover Rates for JCOs, TJJJ, and State Employees Overall



## Turnover by Job Classification Series

The following table lists all job classification series in TJJJ that had an average headcount of 20 or more and turnover rates that exceeded 17.0% in fiscal year 2015.

Table 1: Headcount and Turnover Rate by Job Classification, Fiscal Year 2015

Job Classification Series	Average Headcount	Number of Separations	Turnover Rate
Teacher Aide	37	19	52.10%
Health Specialist	34	12	35.60%
Juvenile Correctional Officer	1,451	463	31.90%
Cook	66	19	28.80%
Human Services Specialist	29	7	23.90%
Investigator	47	11	23.30%
Case Manager	149	29	19.50%
Program Specialist	84	16	19.20%
Clerk	92	17	18.50%
Parole Officer	28	5	18.20%
Network Specialist	23	4	17.60%

Note: Only job classifications with an average headcount of 20 or more and turnover rates exceeding 17% are included.

## Occupational Categories

The following charts list all Occupational Categories at the Texas Juvenile Justice Department and show the number of employees in those categories, median annual salary, the salary penetration into the salary range and the compa-ratio. Each classification is compared to all employees in other agencies in the State of Texas.

### Administrative Support

Occupational Category Turnover Rate FY 2015 (TJJD): 16.3%

Occupational Category Turnover Rate FY 2015 (Statewide): 15.7%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	55	CLERK II	A	7	7	\$24,469	27.89%	0.92
State of Texas	55	CLERK II	A	7	1815	\$22,275	5.94%	0.83
TJJD	57	CLERK III	A	9	46	\$24,375	5.37%	0.83
State of Texas	57	CLERK III	A	9	1610	\$25,229	13.07%	0.86
TJJD	59	CLERK IV	A	11	26	\$27,892	10.38%	0.82
State of Texas	59	CLERK IV	A	11	864	\$28,868	16.88%	0.85
TJJD	150	ADMINISTRATIVE ASST I	A	9	13	\$24,375	5.37%	0.83
State of Texas	150	ADMINISTRATIVE ASST I	A	9	1202	\$25,991	19.95%	0.89
TJJD	152	ADMINISTRATIVE ASST II	A	11	39	\$26,990	4.38%	0.80
State of Texas	152	ADMINISTRATIVE ASST II	A	11	2016	\$29,331	19.96%	0.87
TJJD	154	ADMINISTRATIVE ASST III	A	13	6	\$30,175	4.34%	0.80
State of Texas	154	ADMINISTRATIVE ASST III	A	13	2167	\$34,303	28.70%	0.90
TJJD	156	ADMINISTRATIVE ASST IV	A	15	14	\$34,151	6.16%	0.80
State of Texas	156	ADMINISTRATIVE ASST IV	A	15	1527	\$39,094	32.08%	0.92
TJJD	160	EXECUTIVE ASST I	B	17	6	\$43,418	30.07%	0.91
State of Texas	160	EXECUTIVE ASST I	B	17	271	\$48,154	52.18%	1.01
TJJD	162	EXECUTIVE ASST II	B	19	3	\$54,628	46.35%	0.98
State of Texas	162	EXECUTIVE ASST II	B	19	208	\$58,025	59.07%	1.04
TJJD	164	EXECUTIVE ASST III	B	21	1	\$64,149	51.74%	1.01
State of Texas	164	EXECUTIVE ASST III	B	21	58	\$67,435	62.45%	1.06

## Information Technology

Occupational Category Turnover Rate FY 2015 (TJJD): 23.8%

Occupational Category Turnover Rate FY 2015 (Statewide): 13.3%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	212	DATA BASE ADMINISTRATOR III	B	22	1	\$71,277	59.83%	1.05
State of Texas	212	DATA BASE ADMINISTRATOR III	B	22	23	\$64,184	38.25%	0.94
TJJD	213	DATA BASE ADMINISTRATOR IV	B	24	1	\$80,252	56.34%	1.03
State of Texas	213	DATA BASE ADMINISTRATOR IV	B	24	49	\$82,333	61.85%	1.06
TJJD	223	BUSINESS ANALYST III	B	24	1	\$62,400	9.00%	0.80
State of Texas	223	BUSINESS ANALYST III	B	24	7	\$78,295	51.15%	1.01
TJJD	235	INFO TECH SECURITY ANALYST I	B	23	1	\$56,925	4.94%	0.78
State of Texas	235	INFO TECH SECURITY ANALYST I	B	23	25	\$66,625	32.49%	0.92
TJJD	236	INFO TECH SECURITY ANALYST II	B	25	1	\$63,104	0.00%	0.76
State of Texas	236	INFO TECH SECURITY ANALYST II	B	25	48	\$85,550	55.58%	1.03
TJJD	242	PROGRAMMER III	B	21	1	\$60,000	38.21%	0.94
State of Texas	242	PROGRAMMER III	B	21	68	\$58,134	32.13%	0.91
TJJD	243	PROGRAMMER IV	B	23	2	\$58,418	9.19%	0.80
State of Texas	243	PROGRAMMER IV	B	23	194	\$68,048	36.53%	0.93
TJJD	255	SYSTEMS ANALYST IV	B	22	7	\$67,200	47.42%	0.99
State of Texas	255	SYSTEMS ANALYST IV	B	22	523	\$63,784	37.03%	0.94
TJJD	256	SYSTEMS ANALYST V	B	24	3	\$67,200	21.73%	0.86
State of Texas	256	SYSTEMS ANALYST V	B	24	576	\$78,585	51.92%	1.01
TJJD	285	TELECOM SPEC V	B	24	1	\$70,960	31.70%	0.91
State of Texas	285	TELECOM SPEC V	B	24	25	\$65,892	18.26%	0.85
TJJD	288	NETWORK SPEC II	B	18	5	\$40,509	3.96%	0.78
State of Texas	288	NETWORK SPEC II	B	18	96	\$45,469	23.86%	0.87
TJJD	289	NETWORK SPEC III	B	20	8	\$47,432	7.94%	0.80
State of Texas	289	NETWORK SPEC III	B	20	120	\$51,396	21.79%	0.86
TJJD	290	NETWORK SPEC IV	B	22	4	\$54,773	9.61%	0.80
State of Texas	290	NETWORK SPEC IV	B	22	125	\$63,839	37.20%	0.94
TJJD	291	NETWORK SPEC V	B	24	4	\$66,241	19.19%	0.85
State of Texas	291	NETWORK SPEC V	B	24	68	\$76,650	46.79%	0.98
TJJD	292	NETWORK SPEC VI	B	26	2	\$71,150	3.62%	0.76
State of Texas	292	NETWORK SPEC VI	B	26	17	\$97,138	57.78%	1.04
TJJD	302	WEB ADMINISTRATOR III	B	22	1	\$56,580	15.11%	0.83
State of Texas	302	WEB ADMINISTRATOR III	B	22	39	\$61,438	29.89%	0.90

### Research, Planning and Statistics

Occupational Category Turnover Rate FY 2015 (TJJD): 18.2%

Occupational Category Turnover Rate FY 2015 (Statewide): 14.8%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	517	PLANNER II	B	19	1	\$55,671	50.26%	1.00
State of Texas	517	PLANNER II	B	19	57	\$47,970	21.43%	0.86
TJJD	518	PLANNER III	B	21	1	\$55,350	23.05%	0.87
State of Texas	518	PLANNER III	B	21	36	\$58,477	33.25%	0.92
TJJD	520	PLANNER V	B	25	1	\$67,137	9.99%	0.81
State of Texas	520	PLANNER V	B	25	29	\$83,943	51.60%	1.01
TJJD	602	RESEARCH SPEC II	B	17	1	\$40,480	16.36%	0.85
State of Texas	602	RESEARCH SPEC II	B	17	85	\$45,774	41.07%	0.96
TJJD	606	RESEARCH SPEC IV	B	21	2	\$55,976	25.10%	0.88
State of Texas	606	RESEARCH SPEC IV	B	21	43	\$52,500	13.76%	0.83
TJJD	608	RESEARCH SPEC V	B	23	1	\$59,999	13.68%	0.82
State of Texas	608	RESEARCH SPEC V	B	23	86	\$61,145	16.93%	0.84

### Education

Occupational Category Turnover Rate FY 2015 (TJJD): 50.6%

Occupational Category Turnover Rate FY 2015 (Statewide): 22.3%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	812	TEACHER AIDE I	A	9	6	\$23,781	0.00%	0.81
State of Texas	812	TEACHER AIDE I	A	9	51	\$27,387	32.55%	0.93
TJJD	813	TEACHER AIDE II	A	11	1	\$26,990	4.38%	0.80
State of Texas	813	TEACHER AIDE II	A	11	29	\$30,807	29.79%	0.91
TJJD	814	TEACHER AIDE III	A	13	22	\$30,175	4.34%	0.80
State of Texas	814	TEACHER AIDE III	A	13	8	\$32,167	16.10%	0.85
TJJD	822	EDUCATION SPECIALIST III	B	21	1	\$51,616	10.88%	0.81
State of Texas	822	EDUCATION SPECIALIST III	B	21	2	\$58,149	32.18%	0.91
TJJD	823	EDUCATION SPECIALIST IV	B	23	5	\$63,591	23.88%	0.87

### Accounting, Auditing and Finance

Occupational Category Turnover Rate FY 2015 (TJJD): 16.7%

Occupational Category Turnover Rate FY 2015 (Statewide): 13.7%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	1000	ACCOUNTING TECHNICIAN I	A	11	8	\$30,607	28.46%	0.90
State of Texas	1000	ACCOUNTING TECHNICIAN I	A	11	46	\$28,064	11.53%	0.83
TJJD	1014	ACCOUNTANT II	B	15	3	\$43,200	53.62%	1.02
State of Texas	1014	ACCOUNTANT II	B	15	411	\$36,828	20.20%	0.87
TJJD	1016	ACCOUNTANT III	B	17	1	\$43,541	30.64%	0.91
State of Texas	1016	ACCOUNTANT III	B	17	310	\$44,653	35.83%	0.94
TJJD	1018	ACCOUNTANT IV	B	19	2	\$51,241	33.68%	0.92
State of Texas	1018	ACCOUNTANT IV	B	19	243	\$49,500	27.16%	0.89
TJJD	1022	ACCOUNTANT VI	B	23	2	\$64,198	25.60%	0.88
State of Texas	1022	ACCOUNTANT VI	B	23	147	\$66,494	32.12%	0.91
TJJD	1024	ACCOUNTANT VII	B	25	2	\$75,891	31.66%	0.91
State of Texas	1024	ACCOUNTANT VII	B	25	55	\$81,255	44.94%	0.98
TJJD	1046	AUDITOR III	B	19	4	\$50,924	32.49%	0.92
State of Texas	1046	AUDITOR III	B	19	164	\$48,680	24.09%	0.88
TJJD	1048	AUDITOR IV	B	21	2	\$52,037	12.25%	0.82
State of Texas	1048	AUDITOR IV	B	21	180	\$54,979	21.85%	0.86
TJJD	1050	AUDITOR V	B	23	1	\$60,551	15.24%	0.83
State of Texas	1050	AUDITOR V	B	23	172	\$62,679	21.29%	0.86
TJJD	1052	AUDITOR VI	B	25	1	\$75,300	30.20%	0.90
State of Texas	1052	AUDITOR VI	B	25	81	\$81,549	45.67%	0.98
TJJD	1082	FINANCIAL ANALYST II	B	22	1	\$54,647	9.23%	0.80
State of Texas	1082	FINANCIAL ANALYST II	B	22	73	\$57,605	18.23%	0.85
TJJD	1084	FINANCIAL ANALYST III	B	24	1	\$59,004	0.00%	0.76
State of Texas	1084	FINANCIAL ANALYST III	B	24	67	\$67,159	21.62%	0.86
TJJD	1158	BUDGET ANALYST IV	B	23	4	\$69,816	41.56%	0.96
State of Texas	1158	BUDGET ANALYST IV	B	23	184	\$66,674	32.63%	0.92

### Inspectors and Investigators

Occupational Category Turnover Rate FY 2015 (TJJD): 23.3%  
 Occupational Category Turnover Rate FY 2015 (Statewide): 13.8%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	1351	INVESTIGATOR II	B	14	10	\$39,467	46.27%	0.98
State of Texas	1351	INVESTIGATOR II	B	14	136	\$32,835	9.40%	0.82
TJJD	1352	INVESTIGATOR III	B	16	1	\$40,724	28.72%	0.90
State of Texas	1352	INVESTIGATOR III	B	16	160	\$37,638	13.46%	0.84
TJJD	1353	INVESTIGATOR IV	B	18	3	\$42,920	13.63%	0.83
State of Texas	1353	INVESTIGATOR IV	B	18	412	\$44,733	20.91%	0.86
TJJD	1354	INVESTIGATOR V	B	20	27	\$51,798	23.19%	0.87
State of Texas	1354	INVESTIGATOR V		20	281	\$47,655	8.72%	0.80
TJJD	1355	INVESTIGATOR VI	B	22	1	\$67,340	47.85%	0.99
State of Texas	1355	INVESTIGATOR VI	B	22	308	\$55,021	10.37%	0.81
TJJD	1356	INVESTIGATOR VII	B	24	1	\$75,814	44.57%	0.97
State of Texas	1356	INVESTIGATOR VII	B	24	81	\$67,017	21.24%	0.86

### Program Management

Occupational Category Turnover Rate FY 2015 (TJJD): 15.6%  
 Occupational Category Turnover Rate FY 2015 (Statewide): 12.4%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	1553	STAFF SRVCS OFFCR IV	B	20	7	\$52,969	27.28%	0.89
State of Texas	1553	STAFF SRVCS OFFCR IV	B	20	21	\$54,254	31.77%	0.91
TJJD	1558	PROJECT MANAGER I	B	20	1	\$56,375	39.18%	0.95
State of Texas	1558	PROJECT MANAGER I	B	20	31	\$57,788	44.11%	0.97
TJJD	1561	PROJECT MANAGER IV	B	26	1	\$86,713	36.05%	0.93
State of Texas	1561	PROJECT MANAGER IV	B	26	146	\$93,393	49.97%	1.00
TJJD	1570	PROGRAM SPECIALIST I	B	17	3	\$41,841	22.71%	0.88
State of Texas	1570	PROGRAM SPECIALIST I	B	17	762	\$40,996	18.76%	0.86
TJJD	1571	PROGRAM SPECIALIST II	B	18	25	\$42,243	10.92%	0.81
State of Texas	1571	PROGRAM SPECIALIST II	B	18	700	\$45,479	23.90%	0.87
TJJD	1572	PROGRAM SPECIALIST III	B	19	24	\$46,125	14.53%	0.83
State of Texas	1572	PROGRAM SPECIALIST III	B	19	1149	\$49,200	26.04%	0.88
TJJD	1573	PROGRAM SPECIALIST IV	B	20	16	\$55,618	36.54%	0.94
State of Texas	1573	PROGRAM SPECIALIST IV	B	20	1160	\$53,948	30.70%	0.91

TJJD	1574	PROGRAM SPECIALIST V	B	21	6	\$63,431	49.40%	1.00
State of Texas	1574	PROGRAM SPECIALIST V	B	21	1244	\$60,000	38.21%	0.94
TJJD	1575	PROGRAM SPECIALIST VI	B	23	4	\$69,318	40.14%	0.95
State of Texas	1575	PROGRAM SPECIALIST VI	B	23	792	\$68,714	38.43%	0.94
TJJD	1582	PROGRAM SUPERVISOR III	B	19	6	\$53,969	43.89%	0.97
State of Texas	1582	PROGRAM SUPERVISOR III	B	19	534	\$50,811	32.07%	0.91
TJJD	1584	PROGRAM SUPERVISOR V	B	21	9	\$55,160	22.44%	0.87
State of Texas	1584	PROGRAM SUPERVISOR V	B	21	381	\$58,368	32.89%	0.92
TJJD	1586	PROGRAM SUPERVISOR VI	B	23	9	\$67,107	33.86%	0.92
State of Texas	1586	PROGRAM SUPERVISOR VI	B	23	159	\$68,811	38.70%	0.95
TJJD	1588	PROGRAM SUPERVISOR VII	B	25	3	\$80,609	43.34%	0.97
State of Texas	1588	PROGRAM SUPERVISOR VII	B	25	34	\$79,705	41.11%	0.96
TJJD	1600	MGR I	B	22	12	\$52,904	3.93%	0.78
State of Texas	1600	MGR I	B	22	327	\$61,450	29.93%	0.90
TJJD	1601	MGR II	B	23	3	\$56,563	3.92%	0.78
State of Texas	1601	MGR II	B	23	704	\$65,814	30.19%	0.90
TJJD	1602	MGR III	B	24	1	\$71,739	33.77%	0.92
State of Texas	1602	MGR III	B	24	533	\$73,185	37.60%	0.94
TJJD	1603	MGR IV	B	25	9	\$81,067	44.48%	0.97
State of Texas	1603	MGR IV	B	25	731	\$81,809	46.32%	0.98
TJJD	1604	MGR V	B	26	1	\$94,273	51.81%	1.01
State of Texas	1604	MGR V	B	26	583	\$90,965	44.91%	0.97
TJJD	1620	DIRECTOR I	B	26	9	\$88,194	39.14%	0.94
State of Texas	1620	DIRECTOR I	B	26	293	\$91,839	46.73%	0.98
TJJD	1621	DIRECTOR II	B	27	10	\$97,170	39.43%	0.95
State of Texas	1621	DIRECTOR II	B	27	637	\$101,802	48.21%	0.99
TJJD	1622	DIRECTOR III	B	28	6	\$109,161	43.35%	0.97
State of Texas	1622	DIRECTOR III	B	28	501	\$112,750	49.53%	1.00
TJJD	1623	DIRECTOR IV	B	29	7	\$125,460	51.78%	1.01
State of Texas	1623	DIRECTOR IV	B	29	341	\$125,050	51.14%	1.01
TJJD	1626	DIRECTOR VII	B	32	1	\$135,915	15.23%	0.82
State of Texas	1626	DIRECTOR VII	B	32	36	\$189,274	78.00%	1.14

## Human Resources

Occupational Category Turnover Rate FY 2015 (TJJD): 14.4%

Occupational Category Turnover Rate FY 2015 (Statewide): 14.9%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	1731	HR SPEC II	B	16	16	\$35,791	4.32%	0.79
State of Texas	1731	HR SPEC II	B	16	64	\$38,603	18.23%	0.86
TJJD	1733	HR SPEC III	B	18	7	\$40,509	3.96%	0.78
State of Texas	1733	HR SPEC III	B	18	206	\$40,509	3.96%	0.78
TJJD	1735	HR SPEC IV	B	20	3	\$48,505	11.69%	0.82
State of Texas	1735	HR SPEC IV	B	20	101	\$56,375	39.18%	0.95
TJJD	1737	HR SPEC V	B	22	8	\$60,513	27.08%	0.89
State of Texas	1737	HR SPEC V	B	22	112	\$61,966	31.50%	0.91
TJJD	1739	HR SPEC VI	B	24	2	\$59,004	0.00%	0.76
State of Texas	1739	HR SPEC VI	B	24	26	\$74,415	40.86%	0.96
TJJD	1783	TRAINING SPEC III	B	17	9	\$45,918	41.74%	0.96
State of Texas	1783	TRAINING SPEC III	B	17	90	\$40,371	15.85%	0.85
TJJD	1784	TRAINING SPEC IV	B	19	6	\$48,052	21.74%	0.86
State of Texas	1784	TRAINING SPEC IV	B	19	280	\$49,078	25.58%	0.88
TJJD	1785	TRAINING SPEC V	B	21	2	\$56,375	26.39%	0.89
State of Texas	1785	TRAINING SPEC V	B	21	116	\$57,479	29.99%	0.90
TJJD	1786	TRAINING SPEC VI	B	23	1	\$70,136	42.47%	0.96
State of Texas	1786	TRAINING SPEC VI	B	23	31	\$70,119	42.42%	0.96

### Information and Communication

Occupational Category Turnover Rate FY 2015 (TJJD): 0.0%  
 Occupational Category Turnover Rate FY 2015 (Statewide): 15.8%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	1866	MANAGEMENT ANALYST IV	B	24	1	\$72,227	35.06%	0.93
State of Texas	1866	MANAGEMENT ANALYST IV	B	24	41	\$76,875	47.38%	0.99
TJJD	1870	TECH WRITER I	B	18	1	\$43,050	14.16%	0.83
State of Texas	1870	TECH WRITER I	B	18	1	\$42,534	12.09%	0.82
TJJD	1871	TECH WRITER II	B	20	1	\$47,689	8.84%	0.80
State of Texas	1871	TECH WRITER II	B	20	15	\$46,287	3.94%	0.78
TJJD	1872	TECHNICAL WRITER III	B	22	1	\$59,292	23.36%	0.87
State of Texas	1872	TECHNICAL WRITER III	B	22	18	\$59,348	23.53%	0.87
TJJD	1894	GOV'T RELATIONS SPEC III	B	27	1	\$95,940	37.10%	0.93
State of Texas	1894	GOV'T RELATIONS SPEC III	B	27	16	\$101,407	47.46%	0.99

### Property Management and Procurement

Occupational Category Turnover Rate FY 2015 (TJJD): 15.8%  
 Occupational Category Turnover Rate FY 2015 (Statewide): 15.3%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	1912	INV & STORE SPEC II	A	12	5	\$29,374	9.61%	0.82
State of Texas	1912	INV & STORE SPEC II	A	12	382	\$29,521	10.53%	0.82
TJJD	1914	INV & STORE SPEC IV	A	16	1	\$34,975	0.28%	0.78
State of Texas	1914	INV & STORE SPEC IV	A	16	38	\$40,572	27.97%	0.90
TJJD	1932	PURCHASER III	B	16	5	\$37,762	14.07%	0.84
State of Texas	1932	PURCHASER III	B	16	110	\$44,181	45.83%	0.98
TJJD	1933	PURCHASER IV	B	18	2	\$46,940	29.76%	0.90
State of Texas	1933	PURCHASER IV	B	18	110	\$49,852	41.44%	0.96
TJJD	1980	CONTRACT SPEC II	B	17	1	\$44,094	33.23%	0.92
State of Texas	1980	CONTRACT SPEC II	B	17	170	\$43,300	29.52%	0.91
TJJD	1982	CONTRACT SPEC III	B	19	2	\$50,688	31.61%	0.91
State of Texas	1982	CONTRACT SPEC III	B	19	168	\$51,457	34.49%	0.93
TJJD	1984	CONTRACT SPEC IV	B	21	2	\$55,153	22.41%	0.87
State of Texas	1984	CONTRACT SPEC IV	B	21	161	\$57,672	30.62%	0.91

### Engineering and Design

Occupational Category Turnover Rate FY 2015 (TJJD): 50.0%

Occupational Category Turnover Rate FY 2015 (Statewide): 13.6%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Comparison (Median Salary)
TJJD	2169	CREATIVE MEDIA DESIGN III	B	20	1	\$50,245	17.77%	0.84
State of Texas	2169	CREATIVE MEDIA DESIGN III	B	20	23	\$57,177	41.98%	0.96

### Safety

Occupational Category Turnover Rate FY 2015 (TJJD): 0.0%

Occupational Category Turnover Rate FY 2015 (Statewide): 11.5%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Comparison (Median Salary)
TJJD	2743	RISK MGMT SPEC IV	B	21	3	\$55,741	24.33%	0.88
State of Texas	2743	RISK MGMT SPEC IV	B	21	14	\$52,076	12.38%	0.82

### Employment

Occupational Category Turnover Rate FY 2015 (TJJD): 33.3%

Occupational Category Turnover Rate FY 2015 (Statewide): 15.6%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Comparison (Median Salary)
TJJD	3026	WORKFORCE DEV SPCL V	B	18	3	\$40,509	3.96%	0.78
State of Texas	3026	WORKFORCE DEV SPCL V	B	18	7	\$42,804	13.17%	0.82

## Legal

Occupational Category Turnover Rate FY 2015 (TJJD): 5.1%

Occupational Category Turnover Rate FY 2015 (Statewide): 16.0%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	3503	ATTORNEY III	B	23	2	\$61,561	18.11%	0.85
State of Texas	3503	ATTORNEY III	B	23	151	\$64,605	26.76%	0.89
TJJD	3504	ATTORNEY IV	B	25	7	\$82,048	46.91%	0.98
State of Texas	3504	ATTORNEY IV	B	25	418	\$76,026	32.00%	0.91
TJJD	3505	ATTORNEY V	B	27	1	\$95,140	35.59%	0.93
State of Texas	3505	ATTORNEY V	B	27	283	\$97,887	40.79%	0.95
TJJD	3522	GENERAL COUNSEL III	B	27	1	\$103,984	52.34%	1.01
State of Texas	3522	GENERAL COUNSEL III	B	27	54	\$95,636	36.53%	0.93
TJJD	3524	GENERAL COUNSEL V	B	31	1	\$128,125	21.13%	0.85
State of Texas	3524	GENERAL COUNSEL V	B	31	25	\$141,450	38.38%	0.94
TJJD	3574	LEGAL ASSISTANT II	B	17	1	\$37,900	4.31%	0.79
State of Texas	3574	LEGAL ASSISTANT II	B	17	139	\$41,004	18.80%	0.86
TJJD	3576	LEGAL ASSISTANT III	B	19	3	\$47,257	18.76%	0.85
State of Texas	3576	LEGAL ASSISTANT III	B	19	165	\$50,225	29.87%	0.90
TJJD	3662	OMBUDSMAN II	B	19	7	\$47,700	20.42%	0.86
State of Texas	3662	OMBUDSMAN II	B	19	61	\$44,538	8.59%	0.80
TJJD	3663	OMBUDSMAN III	B	21	3	\$56,268	26.05%	0.88
State of Texas	3663	OMBUDSMAN III	B	21	8	\$58,244	32.49%	0.92
TJJD	3665	OMBUDSMAN IV	B	23	1	\$68,962	39.13%	0.95
State of Texas	3665	OMBUDSMAN IV	B	23	7	\$68,000	36.40%	0.93

## Medical and Health

Occupational Category Turnover Rate FY 2015 (TJJD): 35.2%

Occupational Category Turnover Rate FY 2015 (Statewide): 24.9%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	4017	DIET & NUTRITION SPEC II	B	19	1	\$49,296	26.39%	0.89
State of Texas	4017	DIET & NUTRITION SPEC II	B	19	19	\$49,063	25.52%	0.88
TJJD	4226	HEALTH SPECIALIST I	B	16	4	\$34,918	0.00%	0.78
State of Texas	4226	HEALTH SPECIALIST I	B	16	19	\$37,382	12.19%	0.83
TJJD	4227	HEALTH SPECIALIST II	B	17	8	\$43,050	28.35%	0.90
State of Texas	4227	HEALTH SPECIALIST II	B	17	31	\$39,064	9.75%	0.82
TJJD	4228	HEALTH SPECIALIST III	B	18	15	\$48,879	37.54%	0.94
State of Texas	4228	HEALTH SPECIALIST III	B	18	89	\$41,905	9.56%	0.81
TJJD	4230	HEALTH SPECIALIST V	B	20	8	\$61,107	55.71%	1.03
State of Texas	4230	HEALTH SPECIALIST V	B	20	55	\$49,631	15.62%	0.83
TJJD	4414	NURSE V	B	25	2	\$80,196	42.32%	0.96
State of Texas	4414	NURSE V	B	25	23	\$85,075	54.40%	1.02
TJJD	4464	PSYCHOLOGIST II	B	24	1	\$78,992	53.00%	1.01
State of Texas	4464	PSYCHOLOGIST II	B	24	31	\$72,500	35.78%	0.93
TJJD	4465	PSYCHOLOGIST III	B	26	4	\$85,539	33.61%	0.92
State of Texas	4465	PSYCHOLOGIST III	B	26	9	\$88,062	38.86%	0.94
TJJD	4479	PSYCHIATRIST IV	B	35	1	\$251,652	77.76%	1.14

## Criminal Justice

Occupational Category Turnover Rate FY 2015 (TJJD): 31.1%

Occupational Category Turnover Rate FY 2015 (Statewide): 23.7%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	4520	JUV CORREC OFFCR I	A	9	45	\$30,744	62.85%	1.05
TDCJ	4501	CORREC OFFCR I	A	9	583	\$32,346	77.32%	1.10
TJJD	4521	JUV CORREC OFFCR II	A	11	106	\$32,545	41.36%	0.96
TDCJ	4502	CORREC OFFCR II	A	11	2094	\$34,241	52.65%	1.01
TJJD	4522	JUV CORREC OFFCR III	A	13	322	\$36,405	41.10%	0.96
TDCJ	4503	CORREC OFFCR III	A	13	6142	\$38,302	52.29%	1.01
TJJD	4523	JUV CORREC OFFCR IV	A	14	675	\$39,705	47.59%	0.99
TDCJ	4504	CORREC OFFICER IV	A	14	5869	\$40,546	52.26%	1.01
TJJD	4524	JUVCORREC OFFCR V	A	16	155	\$42,308	36.56%	0.94
TDCJ	4505	CORREC OFFICER V	A	16	8523	\$43,049	40.23%	0.96
TJJD	4525	JUV CORREC OFFCR SUPV	B	18	87	\$47,968	33.88%	0.92
TDCJ	4511	LT OF CORREC OFFCRS	B	18	811	\$47,462	31.86%	0.91
TJJD	4526	DORM SUPERVISOR I	B	19	30	\$49,632	27.65%	0.89
TDCJ	4512	CAPT OF CORREC OFFCRS	B	19	284	\$49,835	28.41%	0.90
TJJD	4530	HW HOUSE ASST SUPT	B	21	7	\$49,485	3.93%	0.78
TJJD	4531	HW HOUSE SUPT	B	23	8	\$59,349	11.83%	0.82
TJJD	4532	YOUTH FAC ASST SUPT	B	24	4	\$78,585	51.92%	1.01
TJJD	4533	YOUTH FACILITY SUPT	B	26	5	\$94,273	51.81%	1.01
TJJD	4542	PAROLE OFFCR III	B	16	26	\$40,391	27.08%	0.90
State of Texas	4542	PAROLE OFFCR III	B	16	276	\$50,371	76.45%	1.12

## Social Services

Occupational Category Turnover Rate FY 2015 (TJJD): 20.0%

Occupational Category Turnover Rate FY 2015 (Statewide): 26.2%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	5082	CHAPLAIN II	B	19	5	\$47,149	18.36%	0.85
State of Texas	5082	CHAPLAIN II	B	19	54	\$43,300	3.95%	0.78
TJJD	5226	CASE MGR I	B	11	8	\$33,618	48.50%	0.99
State of Texas	5226	CASE MGR I	B	11	26	\$30,521	27.89%	0.90
TJJD	5227	CASE MGR II	B	13	41	\$34,113	27.58%	0.90
State of Texas	5227	CASE MGR II	B	13	104	\$31,105	9.83%	0.82
TJJD	5228	CASE MGR III	B	15	77	\$38,132	27.04%	0.90
State of Texas	5228	CASE MGR III	B	15	208	\$34,722	9.16%	0.82
TJJD	5229	CASE MGR IV	B	17	19	\$42,907	27.69%	0.90
State of Texas	5229	CASE MGR IV	B	17	39	\$44,312	34.24%	0.93
TJJD	5235	VOL SERVICES COORD IV	B	19	9	\$47,149	18.36%	0.85
State of Texas	5235	VOL SERVICES COORD IV	B	19	27	\$50,531	31.02%	0.91
TJJD	5404	SOCIAL WORKER III	B	19	4	\$50,394	30.51%	0.91
State of Texas	5404	SOCIAL WORKER III	B	19	65	\$46,317	15.25%	0.83
TJJD	5406	SOCIAL WORKER IV	B	21	4	\$57,560	30.26%	0.90
State of Texas	5406	SOCIAL WORKER IV	B	21	4	\$49,485	3.93%	0.78
TJJD	5700	H/SRVC SPEC I	B	11	9	\$26,990	4.38%	0.80
State of Texas	5700	H/SRVC SPEC I	B	11	235	\$29,521	21.23%	0.87
TJJD	5703	H/SRVC SPEC IV	B	14	9	\$38,052	38.40%	0.95
State of Texas	5703	H/SRVC SPEC IV	B	14	61	\$40,248	50.61%	1.00
TJJD	5704	H/SRVC SPEC V	B	15	6	\$37,519	23.82%	0.88
State of Texas	5704	H/SRVC SPEC V	B	15	64	\$39,483	34.12%	0.93
TJJD	5706	H/SRVC SPEC VII	B	17	7	\$37,900	4.31%	0.79
State of Texas	5706	H/SRVC SPEC VII	B	17	279	\$44,917	37.07%	0.94

### Public Safety

Occupational Category Turnover Rate FY 2015 (TJJD): 34.8%

Occupational Category Turnover Rate FY 2015 (Statewide): 16.2%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	6097	POLICE COMM OPER III	A	15	5	\$33,800	4.32%	0.80
State of Texas	6097	POLICE COMM OPER III	A	15	29	\$38,570	29.34%	0.91

### Custodial

Occupational Category Turnover Rate FY 2015 (TJJD): 23.9%

Occupational Category Turnover Rate FY 2015 (Statewide): 23.6%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	8108	FOOD SRVC MGR I	A	12	1	\$28,536	4.36%	0.80
State of Texas	8108	FOOD SRVC MGR I	A	12	43	\$30,159	14.53%	0.84
TJJD	8110	FOOD SRVC MGR III	A	16	3	\$35,791	4.32%	0.79
State of Texas	8110	FOOD SRVC MGR III	A	16	269	\$43,049	40.23%	0.96
TJJD	8111	FOOD SRVC MGR IV	A	18	2	\$48,816	37.29%	0.94
State of Texas	8111	FOOD SRVC MGR IV	A	18	104	\$49,359	39.47%	0.95
TJJD	8118	COOK III	A	9	65	\$24,375	5.37%	0.83
State of Texas	8118	COOK III	A	9	92	\$25,207	12.87%	0.86

### Maintenance

Occupational Category Turnover Rate FY 2015 (TJJD): 13.5%

Occupational Category Turnover Rate FY 2015 (Statewide): 15.5%

Agency Name	Job Class	Job Title	Salary Schedule	Salary Group	Number	Median Annual Salary	Median Salary Range Penetration	Compa-ratio (Median Salary)
TJJD	9042	MAINT SPECIALIST II	A	10	4	\$25,533	5.34%	0.83
State of Texas	9042	MAINT SPECIALIST II	A	10	205	\$28,762	33.04%	0.94
TJJD	9043	MAINT SPECIALIST III	A	11	26	\$27,530	7.97%	0.81
State of Texas	9043	MAINT SPECIALIST III	A	11	283	\$31,832	36.61%	0.94
TJJD	9045	MAINT SPECIALIST V	A	15	6	\$35,481	13.14%	0.83
State of Texas	9045	MAINT SPECIALIST V	A	15	182	\$39,797	35.77%	0.94
TJJD	9055	MAINT SUPERVISOR IV	A	17	1	\$36,976	0.00%	0.78
State of Texas	9055	MAINT SUPERVISOR IV	A	17	648	\$37,900	4.31%	0.79
TJJD	9056	MAINT SUPERVISOR V	A	19	5	\$50,430	30.64%	0.91
State of Texas	9056	MAINT SUPERVISOR V	A	19	124	\$43,300	3.95%	0.78
TJJD	9804	ELECTRICIAN II	A	16	6	\$35,791	4.32%	0.79
State of Texas	9804	ELECTRICIAN II	A	16	22	\$43,316	41.55%	0.96
TJJD	9814	HVAC MECHANIC II	A	16	4	\$38,750	18.96%	0.86
State of Texas	9814	HVAC MECHANIC II	A	16	46	\$40,668	28.45%	0.90

## Recommendations

This study reviewed and compared salaries of all TJJD employees to the salaries of all other state employees in similar positions and to the market rate of those positions. The findings are that in most cases, TJJD salaries are below that of other state agencies in similar positions and

significantly below the market rate. The SAO concluded in their study that salaries that were 10% below the market rate (salary range midpoint), were generally not competitive and were at risk of higher turnover, which this agency is already experiencing. To reduce turnover and create a more stable workforce, the agency should make the following changes:

1. Increase salaries of Juvenile Correctional Officers (JCOs) to maintain equity with comparable positions at the Texas Department of Criminal Justice (TDCJ). Recent legislation authorizing higher increases to Correctional Officers (TDCJ) than was authorized for JCOs has created inequities in compensation.
2. Create a career ladder for Parole Officers similar to Parole Officers at TDCJ.
3. Adjust salaries for positions other than JCOs, Parole Officers and Teachers, who have their own compensation plan, to become more competitive in the market.
4. Budget and post vacant positions other than JCOs, Parole Officers and Teachers at a minimum of 20% penetration into their salary range to become more competitive and closer to the market rate of the position. (No fiscal impact. Budget reductions to the 20% level when new vacancies occur would offset increases of current vacancies that are below 20%)
5. Ensure all staff are classified appropriately.

These changes will require an increase in funding. However, the anticipated decrease in turnover and overtime would offset much of the cost and create a more stable, tenured and effective workforce to better serve youth.

## **Section II: County-Level Juvenile Justice Employees**

### **Executive Summary**

Section II of this report focuses on county-level probation departments in Texas, presenting findings from an investigation of salaries and turnover rates among juvenile probation and supervision officers across the state.

Key findings from this study include:

- Probation and supervision officer salaries vary widely, but departments of all sizes and in every region of the state report difficulty recruiting and retaining employees due to low officer pay.
- Officer salary generally increases with tenure.
- When officers with less than 3 years of experience are compared, probation and supervision officer salaries are lowest in small departments.
- Overall, higher salaries are associated with lower turnover rates.
- Minimum and starting salaries are lower for probation and supervision officers than for many comparable positions in similar agencies.

The key areas of concern are:

- Minimum salary
- Juvenile Supervision Officer pay
- Juvenile Probation Officer pay
- Funding flexibility to ensure the ability to adjust salaries to remain competitive in the workforce

This section begins with a statement of the study objective, followed by an overview of the community-based juvenile justice system in Texas, including recent reforms and trends. Findings from prior relevant studies are presented, followed by a detailed description of the current study. Study results are then presented by department size and region, and salaries are compared to salaries in comparable agencies. The report concludes with recommendations for improving employee recruitment and retention.

## Objective

This report aims to address the following questions:

- How much are probation and supervision officers paid?
- What are turnover rates among probation department employees?
- To what extent do salaries and turnover vary by department size, geographic region, and officer tenure?
- How do probation and supervision officer salaries compare to salaries for similar positions?
- Is low salary a driver of high turnover?
- How can employee recruitment and retention at county probation departments be improved?

## Texas Community-Based Juvenile Justice System

There are currently 166 juvenile probation departments serving the state's 254 counties. In fiscal year 2015, there were over 60,830 referrals of over 44,000 juveniles to Texas probation departments. The average daily population of juveniles on active deferred prosecution or probation supervision was over 19,500, and more than 38,800 were served in community-based programs. In addition, more than 5,300 youth were placed in one of the 31 county-operated post-adjudication facilities in Texas.

The Texas juvenile justice system has changed rapidly over the past decade. Several reform initiatives in recent years have led to large shifts in the system. Beginning with SB 103 in 2007, the Texas legislature sought to reduce the number of youth committed to state custody and encourage local juvenile probation departments to find alternatives to commitment. Reforms included prohibiting the commitment of youth adjudicated for misdemeanor offenses, lowering the age of jurisdiction from 21 to 19, and allocating more funds to local juvenile probation departments. In 2015 the 84<sup>th</sup> Legislature enacted SB 1630, which aims to further reduce commitments to state facilities and keep youth closer to home through specific commitment reduction goals. SB 1630 also calls for regionalization of services for youth in probation departments, the development of defined, appropriate, research-based programs, and the establishment of performance-based goals related to improved outcomes and recidivism reduction for youth under probation department supervision.

These system reforms have involved changes in the allocation of state funding such that funding in the last three bienniums has increasingly focused on community-based services provided by probation departments instead of commitment to state-run facilities. These increased state funds for probation account for approximately one-quarter of funding for county juvenile probation departments<sup>1</sup>. The totals appropriated by TJJD through its State Aid formula for fiscal years 2016 and 2017 are \$156,236,619 and \$165,128,780, respectively.

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<sup>1</sup> Reflects budgeted amounts for fiscal year 2016 from Texas Juvenile Justice Department Finance Division.

As state funding for probation has increased, so have expectations for implementing research-based practices with evidence of effectiveness. These changes in the types of services provided to youth have led to changes in the role of the probation department staff providing those services. Emphasis on comprehensive assessments, matching services to risk and needs levels, case planning, serving the whole family, and cognitive-behavioral supported programming has increased, which in turn requires increased knowledge, training, and practical experience on the part of direct-care staff. Probation staff must be able to assess each youth's risk and needs and provide appropriate supervision and programming.

Juvenile probation and supervision officers represent the front line of justice reform in Texas, and are essential to the daily operation of the system. Fair compensation and low turnover rates among these critical staff are crucial for an effective system.

## Prior Studies

The current study builds on prior studies conducted by the Texas Juvenile Probation Commission (TJPC) and National Council on Crime and Delinquency (NCCD).

A job satisfaction study conducted by the former TJPC in 1999 showed that while the majority of juvenile probation personnel were satisfied with their jobs, most said they did not expect to still be in the field in five years (Tolbert, Davenport, Friedman, Haghigi, & Schwank, 2000). The primary reason cited was low salaries.

In August 2000, TJPC completed a report on the salary and turnover rates of juvenile probation personnel for fiscal year 1999 entitled *A Study of Salaries and Turnover Rates of Juvenile Probation Department Personnel in Texas* (Tolbert et al, 2000). The turnover rates were 19.7% for line juvenile probation officers and 31.4% for juvenile detention and corrections officers, with an estimated cost between \$5.1 and \$7.7 million. Inadequate salary relative to similar professions was considered the primary contributor to high turnover and decreasing numbers of tenured officers.

Partially in response to the aforementioned TJPC study, the 77<sup>th</sup> Texas Legislature authorized salary supplements starting in fiscal year 2002. The salary supplement was allocated to local probation departments based on \$2,850 for each full-time certified probation officer and \$1,425 for each full-time certified supervision officer. Subsequently, turnover decreased 28.8% for probation officers and 36.0% for detention and corrections officers from fiscal year 1999 to fiscal year 2002, as reported by TJPC in the report entitled, *A Follow-Up Study: Turnover Rates of Juvenile Probation Department Personnel in Texas FY 2002* (TJPC, 2003). The salary supplements were thought to be a contributing factor to the decreased turnover rates.

Using the data collected by TJPC and additional interviews with key personnel from 20 Texas counties, the NCCD (NCCD, 2006) looked at agency-level factors that can affect youth outcomes. While there are many potential reasons youth recidivate, the authors found three factors under the control of the juvenile justice agency that were significantly related to reduced recidivism: lower caseload size, higher number of intake officers per referral, and higher salaries of line officers.

Responses from the NCCD interviews showed some variation by department size and job title. While 80% of line officers said the supplement impacted morale and turnover, the responses by chief probation officers and supervisors varied by department size. Those in large- and medium-sized departments emphasized the impact on retention rates and, for medium departments, on recruitment. Smaller departments indicated the supplement potentially reduced turnover but cited less opportunity for advancement, less funding, and lower overall wages as opposing factors that decrease their ability to attract and retain employees

## Current Study

Two phases comprise the current study: Phase 1 of the study, the TJJJ Annual Resource Survey of juvenile probation departments, focuses on issues related to recruiting, retention, and hiring during fiscal year 2015. With 161 of the state's 166 probation departments responding, the response rate for this survey was 97%. Qualitative responses to the survey's open-end questions are summarized below.

Phase 2 of the current study is based on the prior TJPC studies described above. This study also focuses on juvenile probation and supervision officers and does not include other department positions. Similar groupings of officers are used: chief juvenile probation officer, administrative/supervisory positions, and line officers, however specialized officers were combined with line officers.

Data for Phase 2 of the study reflects fiscal year 2015 terminations and turnover, and fiscal year 2016 salaries. Starting in the 2012-2013 biennium, the number of separate grants that made up funding allocations to departments was reduced and the salary supplement implemented after the 77<sup>th</sup> Texas Legislative Session was discontinued as a separate funding grant. The funding that would have been designated as a salary adjustment was consolidated into a larger grant that allowed departments to decide internally whether to continue the supplement. Therefore, some departments still refer to a salary supplement while others either have discontinued it or incorporated it into their department salary structure. For the current study, separate supplements were included in the base salary for analysis if they were reported.

Individual position and salary information was collected in early 2016 for officers employed by the department on October 1, 2015, hereafter called the October 1, 2015 sample. This date was chosen to reflect fiscal year 2016 salaries. In addition, departments were asked to complete supplemental survey questions in SurveyMonkey regarding starting salaries, benefits, career ladders, and recruitment/retention incentives, hereafter called Supplemental Survey.

The Research and Planning Department sent the request for individual officer salary information to all juvenile probation departments on January 21, 2016, requesting completion by February 12, 2016. Three rounds of follow-up were done to increase the response rate and request clarification or additional information as needed. The response rate was 70% overall (117 of 166

departments), and 65%, 83%, and 70% for small, medium, and large departments<sup>2</sup>, respectively. Some regions do not contain any large probation departments.

To be included in the salary analysis, the individual hire date must have been on or before October 1, 2015. Individuals were included if their title specified a position working with youth and they could be matched with a record in the Integrated Certification Information System (ICIS). An individual is considered “Administrative” if it was explicit in their job title or the county indicated the individual had administrative or supervisory responsibilities. Note, however, that the “Administrative” position category includes individuals identified as either “Administrative” or “Supervisory,” which may have led to the inclusion of individuals in more administrative roles (e.g. facility monitor), without supervisory duties. Line officers are also designated based on their job title and the county position type indicator. Based on the small number of part-time staff in the October 1, 2015 sample (n = 207), and the small number of part-time employees within the complete termination sample (n = 215), full-time staff, particularly full-time line staff, are the focus of the study (n = 3,854).

In order to consider the sample of officers employed on October 1, 2015 in 117 departments as representative of all 166 departments, the average salary for each group (CJPC, Administrative, Line) of probation and supervision officers was compared to the TJJJ Annual Resource Survey results from a year earlier for 161 departments. The average salary for chiefs, administrative/supervisory, and line staff was calculated by weighting the average salary reported for each group by the number of officers reported for the department. Assuming salaries would increase slightly for the October 1, 2015 sample, the salaries by department region and size are similar to the Resource Survey.

Tenure and termination information for the current report was extracted from ICIS. Tenure for officers employed on October 1, 2015 was calculated using either the date of hire or the first certification date, whichever provides the longest tenure. This is intended to reflect the officer’s length of experience in juvenile probation, as officers may move to other positions within juvenile justice and prior positions are counted in work experience for hiring and salary determinations.

Turnover for fiscal year 2015 was calculated using the methodology defined by the Texas State Auditor’s Office (SAO) (2015).<sup>3</sup> The total number of officers for the fiscal year is the list of officers employed on October 1, 2015 (if the hire date was prior to August 31, 2015) plus the terminations documented in ICIS. One county had a detention facility close during the fiscal year; these terminations were excluded from the turnover calculation, as the closure was an unusual circumstance and not related to a particular individual.

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<sup>2</sup> Small: Departments with a juvenile-age population of less than 7,500  
Medium: Departments with a juvenile-age population of 7,500 – 79,999  
Large: Departments with a juvenile-age population of 80,000 or more

<sup>3</sup> Turnover is calculated by dividing the number of terminations during the fiscal year by the average number of officers during the fiscal year, then multiplying by 100.

There were 1,124 terminations across all 166 departments in fiscal year 2015 (full- and part-time). Excluded from the analysis are the 14 individuals who terminated due to the detention facility closure described above. Turnover can only be determined for departments who reported salary information to TJJJ; therefore, additional analysis was completed to determine if this sample of terminations was representative of all fiscal year 2015 terminations. It was determined to be representative,<sup>4</sup> and so all other references to terminations pertain only to full-time position terminations from the 117 responding departments. This analysis focuses on full-time line staff only; after part-time employees from responding departments are removed from the sample (n = 162), 682 individuals comprise the final full-time termination sample.

Results from Phase 2 of the study - salary and tenure, turnover, and comparative analyses - are presented following the qualitative study results below.

## Qualitative Results

**Difficulty recruiting, hiring, and retaining staff.** When asked what makes recruiting, hiring, and retaining staff difficult, Resource Survey respondents cited a variety of factors. Though some factors vary by department size and region, salary is a primary concern for small, medium, and large departments in every region; the majority of respondents noted that relatively low pay adversely affects their ability to recruit and retain employees. Other common concerns include the quality of applicants, other industries competing for staff, and location. Several respondents also described an inability to offer the hours or advancement opportunities necessary to attract and retain good employees.

Salary is a key issue for Texas probation departments. Over half of all respondents noted that low salaries make recruiting and hiring difficult; more than two thirds said good pay was crucial for retaining employees. Many respondents identified specific positions that offer higher salaries to similarly qualified candidates, including adult probation, teaching, and oil field jobs. Examples of comments from respondents include, *“We find ourselves at a disadvantage when competing with adult probation for probation officers. Adult probation can afford to pay officers, both initially and subsequently, more than we can afford. We find ourselves in a position of offering less money for more work,”* *“It is difficult to hire someone with a college degree for a position that pays less than the starting salary of a teacher,”* *“Certified Probation Officer staff are the most difficult to keep and fill because of the low starting rate of pay,”* and *“JPO and counseling have been the most difficult to retain with the vast majority leaving for higher paying jobs.”* One respondent described hiring retirees to improve retention, stating, *“They have retirement to supplement their income. On our salaries young people cannot make a living on what they are paid.”*

Some respondents believe low salaries lead to an under-qualified applicant pool for open positions. One respondent described difficulty *“getting quality candidates for the salary range offered.”* Others commented, *“It is difficult to recruit good people due to the low pay grade,”*

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<sup>4</sup> Reporting counties were determined to be representative of all counties because the percentage of staff who terminated prior to 36 months, as well as the reasons for termination, were similar in reporting counties to the statewide rates.

*“There are not any incentives for degreed individuals to apply,” and “Our department's salary is too low for all positions. We are not getting very many applicants and those we do receive either do not have much experience or they have criminal histories.”*

Nearly a third of respondents from small departments indicated location was an issue when recruiting and hiring employees. Comments include, *“Due to rural setting it can be very difficult to find qualified applicants,” “We are located in a small, rural county and most people do not want to commute,” “Living in a rural community it is always difficult to find experienced employees,”* and *“Being in a rural area, the number of applicants is limited.”*

About 20% of respondents from large departments and 10% of respondents from medium-sized departments mentioned the hours available for JPOs and JSOs among the factors that make hiring difficult. One respondent wrote, *“This position can only be a part-time position. Most people are searching for a full-time job.”* Other respondents described difficulty with *“The non-traditional work schedules,”* and *“Locating quality staff to work part-time hours.”* Nearly a third of respondents from large departments and over 10% of respondents from medium-sized departments also indicated that difficult hours - non-traditional hours or too few hours – hinder retention.

Respondents also noted advancement opportunities for staff are important for retention. Comments include, *“I want our staff to feel they have an opportunity for advancement. I would hope that every employee would want my job. If they do not, I am not too sure I want them working here,” “Opportunities for advancement. Many incoming juvenile supervision officers want to become probation officers right away,”* and *“Tenured staff learn the juvenile justice system and become better equipped to make a positive impact on the rehabilitation process of offenders.”*

**Most important considerations when recruiting and hiring staff.** Experience and qualifications were cited most often as important considerations when hiring new employees, but many respondents also noted the importance of good character and integrity in an applicant. One respondent stated, *“Honesty and integrity are at the top of the list for me. Speaking from over thirty years’ experience in the field, I have found the two most important assets officers have are integrity and credibility. Lose either one and there is very little the officer would have left to offer the department.”* Others wrote, *“The most important consideration when recruiting and hiring staff is reliability, meeting all qualifications, and determination to work with the youth in our county,”* and *“Experience in working with a juvenile population and understanding two key components: 1) adolescent development and 2) mental health issues. The juveniles coming into our system have a myriad of social, mental, medical and economic concerns in which our department is tasked with addressing. This makes it imperative to have highly qualified staff with experience in dealing with our population.”*

Several respondents also noted personality fit among the most important considerations when hiring new staff. One respondent wrote, *“Obviously we consider the applicants qualifications including both education and work experience putting more emphasis on “real world” experience... To the extent possible we attempt to ascertain information regarding a person's*

*character from past employment history and references. Perhaps one of the most crucial considerations we make is how the individual will fit into our current team.”*

**Changes that would help improve quality and retention.** Nearly 40% of respondents listed the climate of a department among the factors that are important for retention, writing *“Personal relationship with the staff. Treating the staff with respect, encouragement, and kindness. They have to feel financially adequate for the stress, time and effort put into the job. An employee that is treated right and adequately paid typically stays if that's what they truly want to do as a career,”* and *“Money never hurts but I do not believe that is the main reason people stay long-term in these jobs. I think giving staff the ability to be innovative is important. As programs and services are developed, I think ideas should come from the bottom up rather than from the top down. I do not believe in micro-management. Once you have quality people, I think you give them the ability and tools they need and then get out of their way.”*

Specific suggestions for improving the quality and longevity of employees include: *“Raise pay. It is also a problem in rural communities to be able to find adequate resources to meet the needs of our juveniles and that leads to frustration for the JPO's who are trying to meet their needs and help make positive changes. It causes "burn out" in the JPO's. Uncertainty with all the changes within the juvenile justice system is also stressful,”* *“Quit cutting our budgets. Award departments for answering the call to send less youth to the state institutions. It serves no purpose when the main job function becomes making sure you have completed a paper or form in the required time, instead of providing true quality supervision to the Youth we [serve],”* and *“Less paperwork, people do the work to interact with kids, not fill out inconsequential forms.”*

## Salary, Tenure, and Turnover

The salary information reported for those employed on October 1, 2015 represents the actual pay at that time, based on departments who submitted salary information. The median salary for full-time staff was \$41,759. With chief and administrative position categories excluded, the median salary decreased to \$40,001. The median salary in Table 1 represents the median for each position.

Tenure for those employed on October 1, 2015 was calculated using either the date of hire or their first ever certification date, whichever provided the longest tenure. The median tenure for all full-time positions was 8.08 years and the median tenure for full-time line staff was 6.91 years (including full-time Supervision and Probation Line Staff only). Chief Probation Officers reported the highest median tenure, followed closely by Probation Administrative (19.83 years and 17.17 years, respectively).

**Table 1: Position by Salary and Tenure Descriptives**

	N	Minimum Salary	Median Salary	Maximum Salary	Median Tenure (years)
<b>Chief Probation Officer</b>	106	\$42,232	\$70,720	\$185,141	19.83
<b>Probation Administrative</b>	326	\$31,972	\$63,315	\$149,656	17.17
<b>Probation Line Officer</b>	1,278	\$27,567	\$46,394	\$85,301	8.42
<b>Supervision Administrative</b>	348	\$21,008	\$55,058	\$111,115	13.54
<b>Supervision Line Officer</b>	1,793	\$18,500	\$36,120	\$58,358	3.75

## Probation Line Officer Salary

To become a juvenile probation officer (JPO), an applicant must have a Bachelor's degree and they must become certified as a juvenile probation officer with the state within six months of hire. The certification process involves 80 hours of mandatory training within six months of hire, and an additional 80 hours of related training topics every 24 months to maintain certification. Individual departments may include department specific requirements such as related experience or a degree in a specific, related field such as social work or criminal justice. In a general sense, JPOs provide supervision and counseling to youth within the juvenile justice system. Specifically, JPOs will manage a caseload, visit with the client and their family, provide necessary programming to youth, and recommend sentencing options at disposition. In addition, JPOs may work irregular hours, provide on-call coverage outside of their scheduled work hours, and are often the first point of contact for a child in crisis.

Based on submitted information, the JPO sample included 1,278 officers employed on October 1, 2015. The overall median salary for full-time JPOs was \$46,394. Large departments reported the highest median salary while medium and small departments reported nearly identical median salaries. There is much more variability within the salary breakdown by region, with no clear regional pattern in salary distributions.

**Table 2: Full-Time Probation Line Officer Salary Range**

	N	Minimum	Median	Maximum
<b>Large</b>	652	\$33,852	\$49,145	\$75,347
<b>Medium</b>	494	\$29,022	\$42,764	\$85,301
<b>Small</b>	132	\$27,567	\$42,306	\$72,390
<b>North</b>	221	\$31,105	\$53,100	\$72,673
<b>West</b>	105	\$30,238	\$47,671	\$75,347
<b>Southeast</b>	398	\$33,675	\$47,408	\$61,616
<b>Panhandle</b>	56	\$32,000	\$47,237	\$85,301
<b>Central</b>	271	\$27,567	\$43,061	\$61,825
<b>South</b>	174	\$29,256	\$42,145	\$66,214
<b>Northeast</b>	53	\$28,840	\$40,202	\$61,224
<b>Total</b>	1,278	\$27,567	\$46,394	\$85,301

Nearly half of all JPOs fell in the \$40,001 to \$50,000 salary category for each department size and overall. The range of salaries varies substantially between departments. However, only 74 of the 1,278 JPOs make over \$60,000, with only one earning over \$80,000 annually and only seven earning over \$70,000 annually. Each of these eight officers had over 20 years of experience in the field. The 66 earning over \$60,000 and less than \$70,000 had a minimum of 13 years' tenure. While the range between the actual minimum and actual maximum salaries is quite large, those making the higher end of the salary spectrum have the longest tenures in the sample and those earning at the lower end of the spectrum tend to have the shortest tenure.

**Figure 1: JPO Full-Time Salary by Department Size**

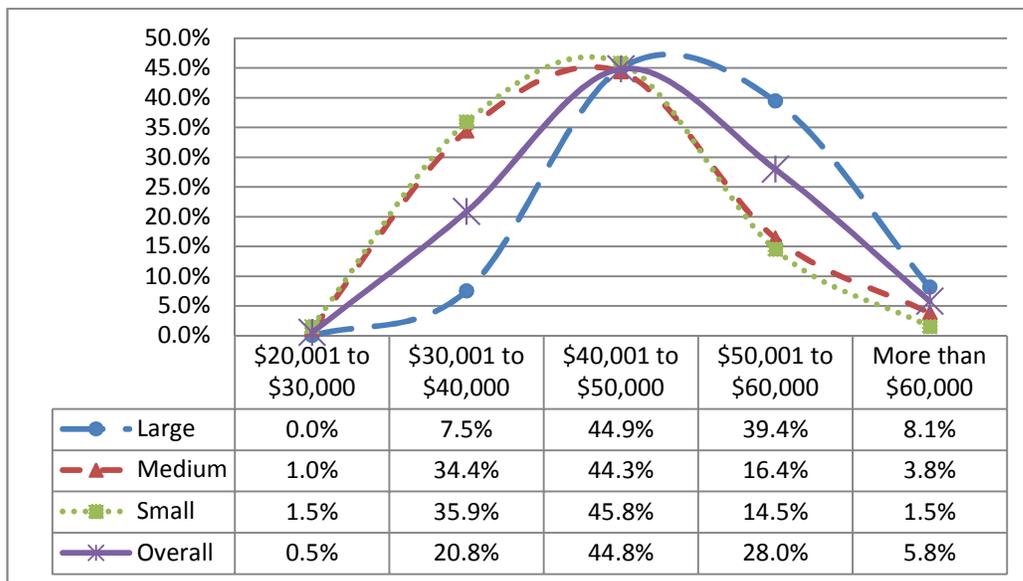
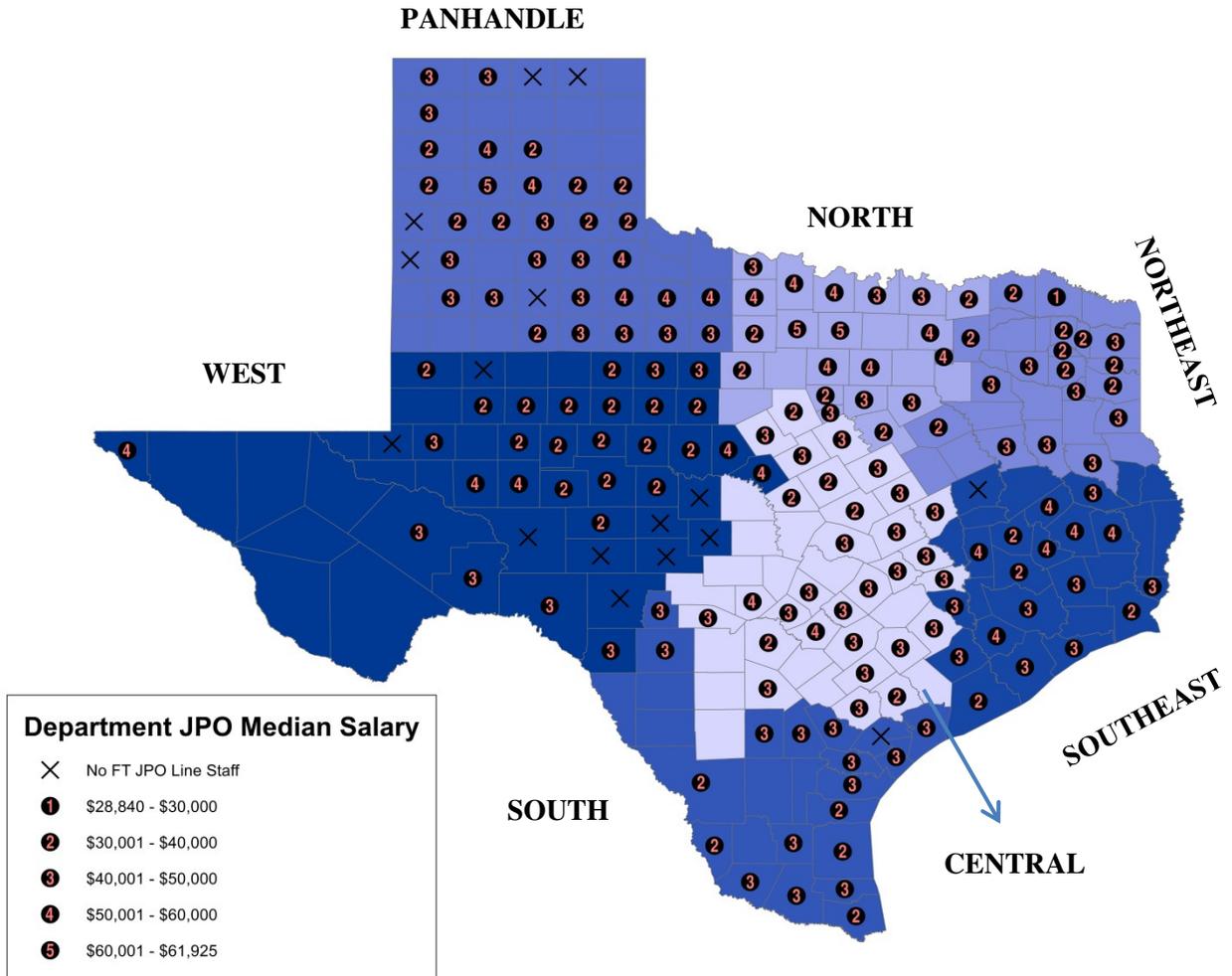


Figure 2 further highlights the variability in JPO salary by region, with some neighboring departments paying different salary levels within the same region. Counties without a salary indicator did not submit any salary information. Counties with an 'X' submitted information, but do not have any full-time probation line officers.

**Figure 2: JPO Salary by Region**



## Probation Line Officer Tenure

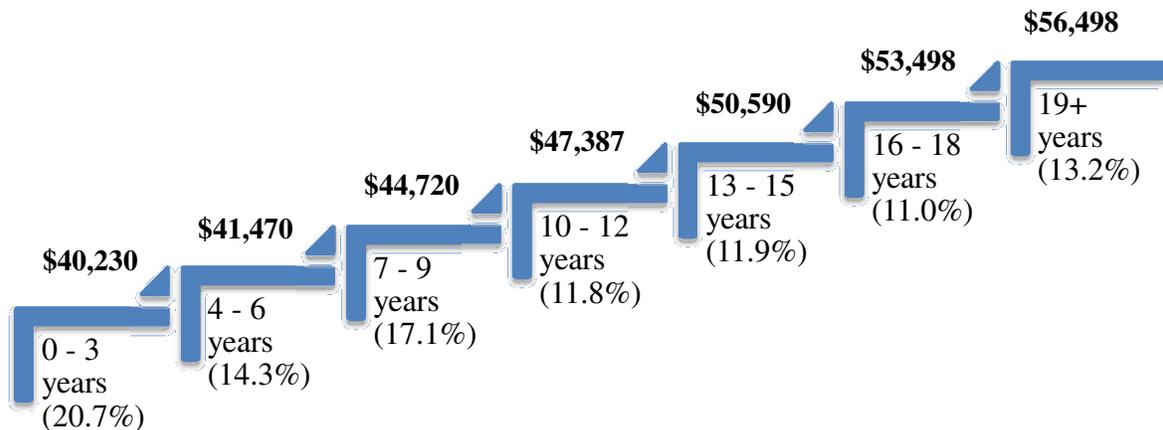
The overall median tenure for full-time JPOs, as of October 1, 2015, was 8.5 years. Contrary to the salary information, small departments reported the longest tenure, followed by large departments. The North region reported the longest median tenure by nearly two years.

**Table 3: Full-Time Probation Line Officer Tenure**

	N	Median	Maximum
<b>Large</b>	652	9.58	44.58
<b>Medium</b>	494	7.00	35.33
<b>Small</b>	132	11.08	34.25
<b>North</b>	221	13.33	30.92
<b>West</b>	105	9.92	44.58
<b>Southeast</b>	398	8.08	35.33
<b>Panhandle</b>	56	11.67	26.42
<b>Central</b>	271	7.25	29.58
<b>South</b>	174	7.50	38.67
<b>Northeast</b>	53	7.50	31.42
<b>Total</b>	1,278	8.50	44.58

The largest proportion of JPOs fell in the 0 to 3 year tenure range, but this is followed closely by the 7 to 9 year tenure category, which includes 17% of JPOs employed on October 1, 2015. The information presented in Figure 3 is consistent with the information presented above in Figure 1 - those with longer tenure tend to earn higher annual salaries.

**Figure 3: Full-Time Probation Line Officer Median Salary by Tenure Category**



It is important to understand the pay range for probation officers with 0 to 3 years of tenure, as this group reflects recruiting and early retention. Newer officers also serve as a reference group for people considering a career as a JPO. Furthermore, one fifth of all JPOs have less than 3 years of experience. Consistent with the pattern seen in JPO salaries overall, within this group of JPOs, median salary is also highest for those in large departments and lowest for those in small departments. Newer officer salaries by region do not align with overall JPO salaries by region, however. Departments in the Southeast report the highest median salary for those with 0 to 3 year tenure though they do not report the highest median overall salary.

**Table 4: Probation Line Officer Salary 0-3 Year Tenure**

	Minimum	Median	Maximum
<b>Large</b>	\$33,852	\$42,603	\$54,032
<b>Medium</b>	\$29,022	\$38,935	\$51,711
<b>Small</b>	\$27,567	\$36,350	\$44,557
<b>Southeast</b>	\$33,675	\$41,340	\$53,498
<b>North</b>	\$31,500	\$40,458	\$50,354
<b>South</b>	\$29,256	\$38,883	\$47,814
<b>Panhandle</b>	\$32,000	\$38,259	\$48,647
<b>Central</b>	\$27,567	\$37,296	\$49,920
<b>West</b>	\$31,168	\$35,650	\$54,032
<b>Northeast</b>	\$28,840	\$35,261	\$43,512
<b>Total</b>	\$27,567	\$40,230	\$54,032

## Probation Line Officer Turnover

The turnover for full-time JPOs for participating departments overall was 12.4% for fiscal year 2015. Medium departments had the highest turnover at 14.8% and small departments had slightly lower turnover than large departments. The higher rate for medium departments is consistent with the turnover reported in the 2003 TJPC study. Turnover varies by region with the northern regions (North, Panhandle, and Northeast) having the lowest turnover.

**Table 5: Full-Time Probation Line Officer Turnover FY 2015**

	Average # of Officers	# of Terminations	Turnover
<b>Large</b>	681.3	74	10.9%
<b>Medium</b>	547.3	81	14.8%
<b>Small</b>	136.0	14	10.3%
<b>North</b>	230.3	16	6.9%
<b>West</b>	111.0	13	11.7%
<b>Southeast</b>	423.8	61	14.4%
<b>Panhandle</b>	62.8	3	4.8%
<b>Central</b>	295.5	46	15.6%
<b>South</b>	184.3	25	13.6%
<b>Northeast</b>	57.0	5	8.8%
<b>Total</b>	1,364.5	169	12.4%

Table 6 shows the comparison of median salary with tenure and turnover. As expected, tenure and turnover appear inversely related with higher tenure associated with lower turnover.

Medium departments have slightly higher median salary than small departments but lower tenure and higher turnover. The North region has the highest median salary, longest median tenure, and next to lowest turnover. The two northern most regions (North and Panhandle) have higher median salaries than the overall median, the longest tenure, and the lowest turnover.

**Table 6: Full-Time Probation Line Officer  
Turnover FY 2015**

	Median Salary	Median Tenure	Turnover
<b>Large</b>	\$49,145	9.58	10.9%
<b>Medium</b>	\$42,764	7.00	14.8%
<b>Small</b>	\$42,306	11.08	10.3%
<b>North</b>	\$53,100	13.33	6.9%
<b>West</b>	\$47,671	9.92	11.7%
<b>Southeast</b>	\$47,408	8.08	14.4%
<b>Panhandle</b>	\$47,237	11.67	4.8%
<b>Central</b>	\$43,061	7.25	15.6%
<b>South</b>	\$42,145	7.50	13.6%
<b>Northeast</b>	\$40,202	7.50	8.8%
<b>Total</b>	\$46,394	8.50	12.4%

JPOs, with 169 terminations from responding departments, comprise just over a quarter of all full-time terminations (26.3%). The most prevalent known reason for JPO termination indicates

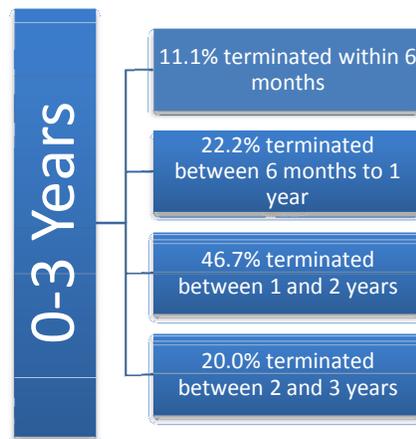
a new job or school (37.6%). Retirement was the next most reported reason (21.4%) followed by “Personal” reasons (13.7%). Only nine JPOs (7.7%) reported moving to a different probation department. Because 30.8% of all terminations indicate an “unknown” reason, it is difficult to describe fully the possible cause of JPO turnover.

Table 7: Probation Line Staff Reasons for Termination

	All		Known	
	N	%	N	%
<b>Coworkers</b>	1	0.6%	1	0.9%
<b>Dismissal for Cause</b>	12	7.1%	12	10.3%
<b>Facility/Position Closure</b>	1	0.6%	1	0.9%
<b>Health Related</b>	2	1.2%	2	1.7%
<b>Job/School</b>	44	26.0%	44	37.6%
<b>Transferred JPD's</b>	9	5.3%	9	7.7%
<b>Other - No Explanation</b>	2	1.2%	2	1.7%
<b>Personal</b>	16	9.5%	16	13.7%
<b>Relocation</b>	1	0.6%	1	0.9%
<b>Resigned</b>	4	2.4%	4	3.4%
<b>Retired</b>	25	14.8%	25	21.4%
<b>Unknown</b>	52	30.8%		
<b>Total</b>	169		117	

Just over a quarter (26.6%) of JPOs from responding departments left their position within three years of their hire date, with most leaving between one and two years from hire. For those leaving within 0 to 3 years, the primary known termination reason was “Job/School.”

Figure 4: JPO Terminations in the First Three Years

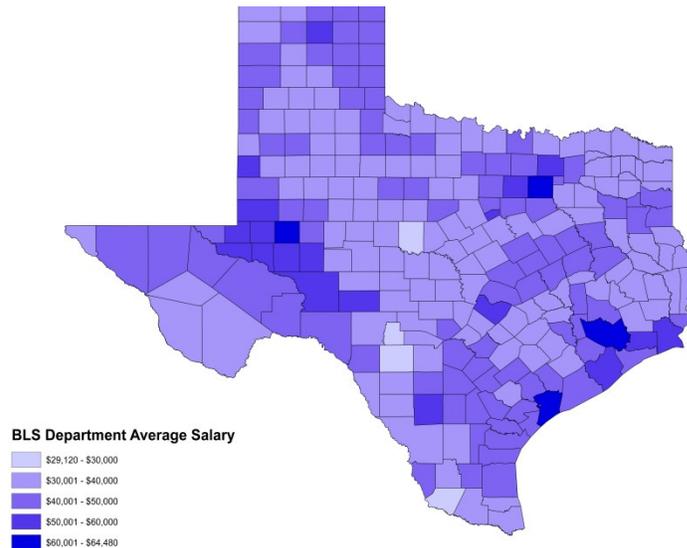


## Probation Line Officer Comparative Analysis

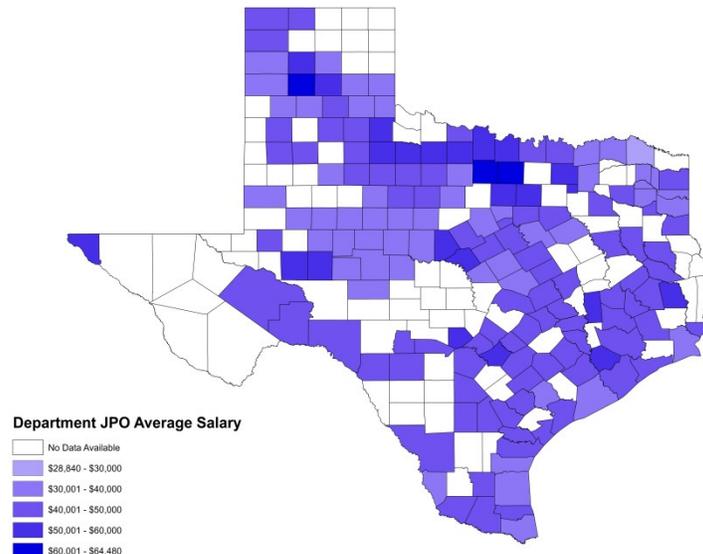
The Bureau of Labor Statistics (BLS) (Bureau of Labor Statistics, 2016) reports quarterly county employment and wages in the United States. BLS data was used to calculate average weekly salary by county; Figure 5 below represents the BLS average salary by department. Whereas the BLS report is by county, and this study addresses departments, the weighted average of all counties in the BLS report within a multi-county department was calculated and used instead of the individual county salary information.

Figure 6 represents the average JPO salary by department. Departments with white shading either did not submit salary information or did not have any full-time JPOs. The maps below demonstrate the difference in the department's overall average salary, based on the BLS report, and what was reported for full-time JPO's employed on October 1, 2015. This again is a demonstration of the variability in salary within and between regions and departments.

**Figure 5: BLS Department Average Salary**



**Figure 6: Department JPO Average Salary**



*Salary range comparison.* Specific comparable professions and salaries were reviewed to determine whether current juvenile probation officer salaries are competitive with positions of similar work and education requirements. The comparable professions examined include teachers, juvenile parole officers, adult parole officers, adult probation officers and child protective services specialist. While all of the comparable professions differ from the functions of juvenile probation in numerous ways, they all generally serve the public and either provide direct services to children or are a part of the Corrections and Community Supervision profession.

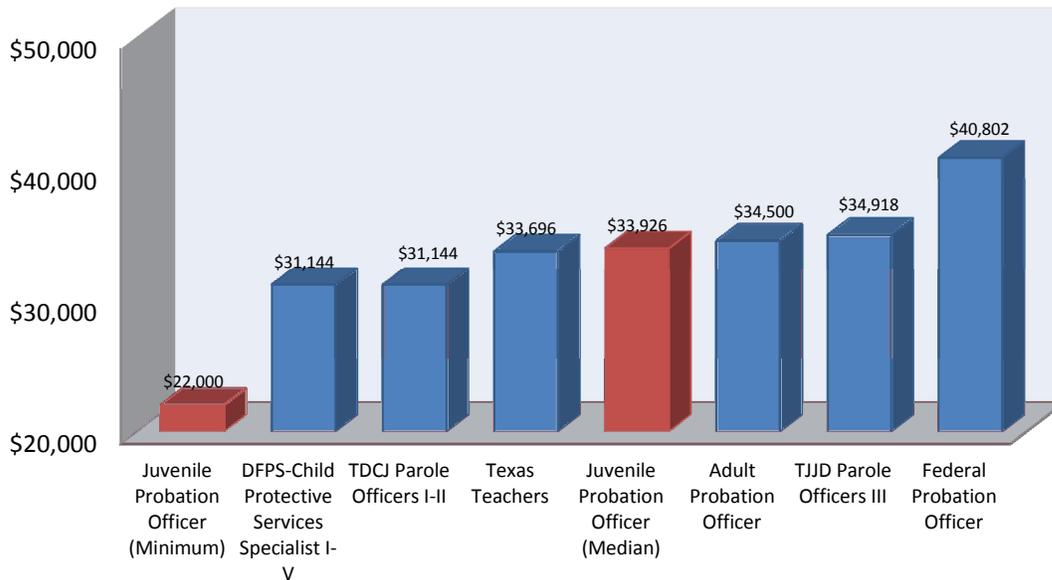
Salary range information was obtained for state positions through the SAO. State pay ranges are reviewed by the SAO regularly to determine market salary competitiveness. The SAO obtains salary information through salary surveys from both the public and private sectors every biennium. Actual salary data for state positions was obtained through the Texas Comptroller of Public Accounts. These positions include TJJJ parole officers, Texas Department of Criminal Justice (TDCJ) parole officers, and Texas Department of Family and Protective Services (DFPS) child protective services specialists. Teacher salary range information reflects the 2015-2016 Minimum Salary Schedule provided by the Texas Education Agency (TEA). Teacher salary information has been annualized to represent a full 12 months of employment as opposed to the 10-month contract salary for this comparison. Adult probation officer salary information was obtained through a convenience sample of vacant position postings and directly from adult probation administrators. Federal probation officer salary range information was obtained through a sampling of vacant positions. JPO salary information was obtained from the Supplemental Survey.

A review of the salary information for comparable positions revealed state employees, including TJJJ parole officers, TDCJ parole officers, and DFPS child protective services specialists along with federal probation officers and teachers all have a salary range that establishes minimum and maximum salary for their positions. Unlike the state and federal positions in large government entities, teachers are employed by independent school districts that institute their own salary schedules, though they must comply with the state minimum salary schedule for classroom teachers. Similarly, adult and juvenile probation officers are employed by independent county jurisdictions that institute their own salary schedules. However, unlike teachers, adult and juvenile probation officers do not have a state minimum salary schedule that establishes a statewide minimum salary for probation officers.

This comparative analysis began by examining the general structure of salaries for the identified job positions. Specifically, Figure 7 focuses on the minimum end of the salary range, as this plays a significant role in the recruitment of qualified applicants. Due to the absence of an established minimum, the JPO minimum value is represented by two measures: the lowest starting pay reported in the Supplemental Survey (\$22,000), and the median of all starting salaries reported (\$33,926). Of the seven professions, the JPO median starting salary ranks in the middle of starting salaries, ahead of child protective services specialist, adult parole officers, and Texas teachers. The JPO lowest starting pay reported (\$22,000) ranks the lowest at \$9,144 less than DFPS and TDCJ. The median starting salary over-represents the competitiveness in actual starting salary for some juvenile probation departments, as seen in Figure 7. The federal probation officer salary range offers the highest starting salary (\$40,802) while DFPS and TDCJ

offer the lowest minimum of the five established pay ranges (\$31,144) when comparing the median of the starting for JPOs.

**Figure 7<sup>5</sup>: FY 2016 Salary Range Minimum**



Note: Juvenile Probation Officer median salary is the median of all reported starting salaries across responding counties. The JPO minimum salary is the lowest starting salary reported from any responding county.

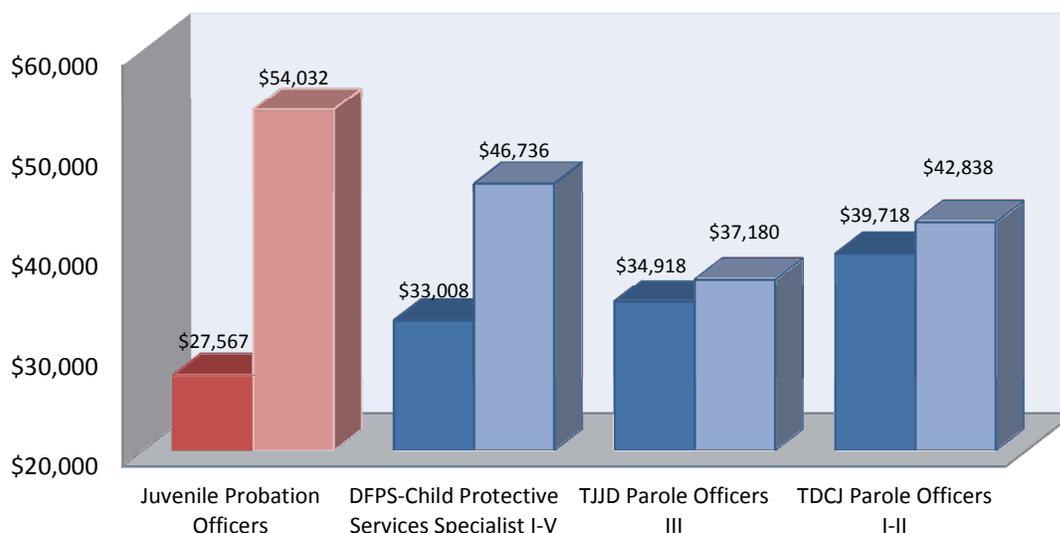
**Actual salary comparison.** While reviewing salary range is helpful to establish a general construct of the salaries offered in this field, reviewing actual salary data allows for a true examination of whether juvenile probation officers are competitively paid. Therefore, additional analysis was completed utilizing actual salary information provided by the Texas Comptroller of Public Accountants along with the JPO salary from the October 1, 2015 sample.

Figure 8 presents the actual pay range for JPOs and comparable positions, each with tenure of 36 months or less. A tenure range of 0 to 36 months was chosen to control for differences in salary that may be the result of differences in levels of experience. Though tenure was controlled for, controlling for all prior experience and estimating its impact on the reported salaries was not possible. Figure 8 reveals JPOs have the largest disparity between the actual salary minimum and maximum among the four groups, as well as the lowest minimum and the

<sup>5</sup> DFPS, TDCJ, TJJJ salary range obtained from SAO, Teacher salary range obtained from TEA, Federal salary range obtained from Court Personnel System Federal Pay Rate Table, Adult probation officer salary obtained through convenience sample of 20 counties, and juvenile probation officer salary represented by the minimum and median of Supplemental Survey (Range \$22,000 to \$47,071).

highest maximum of all four groups. The width of the salary range for JPOs underscores how much variation there is in probation officer salaries across the state.

**Figure 86: Actual Salary MIN/MAX, 0 to 36 Months Tenure**



Further analysis comparing county probation officers and TJJJ juvenile parole officers revealed that JPOs receive a higher annual median salary and have a lower turnover rate than TJJJ parole officers. Furthermore, juvenile probation officers have a higher compa-ratio than do TJJJ parole officers using the parole officer salary range. (A compa-ratio is a ratio of an employee's actual salary to the midpoint of the applicable salary range.) As shown in Table 8, JPOs also have greater salary range penetration than do TJJJ parole officers. Whereas the median salary for juvenile probation officers is at 57% of the applicable range, the median salary for TJJJ parole officers is at 27% of the applicable range.<sup>7</sup>

**Table 8: County and State Salary Comparison FY 2016**

Position Type	FY 16 Salary		Salary Range		Salary Range Penetration	Compa-ratio	Turnover FY15 - FT
	Median	Minimum	Midpoint	Maximum	Median	Median	
<b>Juvenile Probation Officer</b>	\$46,440	No state established range			57.0%	1.03	12.4%
<b>TJJJ Parole Officer III</b>	\$40,391	\$34,918	\$45,024	\$55,130	27.1%	0.90	18.2%

As shown in Table 9 below, JPOs also have a higher median salary, lower turnover, and greater salary range penetration than TDCJ Parole Officers. Whereas the median salary for JPOs was

<sup>6</sup> DFPS, TDCJ, TJJJ salary data obtained from Texas Comptroller of Public Accountants. JPO salary information obtained from the October 1, 2015 sample.

<sup>7</sup> The applicable salary range provided by the SAO.

\$46,440 in fiscal year 2016, the median salary for TDCJ Parole Officers was only \$44,661. JPOs had a turnover rate of 12.4% in fiscal 2015, compared to 17.5% for TDCJ officers.

**Table 9: County and State Salary Comparison FY 2016**

Position Type	FY 16 Salary		Salary Range		Salary Range Penetration	Compa-ratio	Turnover
	Median	Minimum	Midpoint	Maximum	Median	Median	FY15 - FT
<b>Juvenile Probation Officer</b>	\$46,440	No state established range			73.2%	1.12	12.4%
<b>TDCJ Parole Officer I - II</b>	\$44,661	\$31,144	\$41,595	\$52,045	64.7%	1.07	17.5%

A comparison of actual pay practices yields similar results to a comparison of pay ranges. Though median salaries are higher for JPOs than for comparable positions at TJJD or TDCJ, the lack of established minimum salaries means entry-level salaries are lowest and the pay range is widest for JPOs (Figure 8, above). It should be noted that salary range minimums likely understate actual minimums in many agencies. For example, the salary range minimum for child protective services specialist is \$31,144, but the DFPS website advertises a starting salary of \$32,975. Additionally, for TDCJ parole officers, a pay range minimum of \$31,144 is specified as shown in Table 9. However, TDCJ's website advertises an annual salary of \$39,718 for the first year with a pay increase after 12 months of employment. This examination of the actual pay practices of competing employers confirms that low-level entry salaries for probation officers may pose a recruiting problem for some probation departments in the state.

## Supervision Line Officer Salary

The minimum education requirement for juvenile supervision officers (JSO) is graduation from a standard senior high school or its equivalent. Some departments require a higher level of education, based on their own needs. An applicant must also be certified with the state as a JSO within six months of hire by participating in 80 hours of mandatory training, followed by 80 hours of additional related training every 24 months to maintain certification. Generally, a JSO performs his or her duties in a pre- or post-adjudication facility. These duties include monitoring juveniles' activities, programs, and behaviors, performing contraband searches; transporting juveniles as needed; investigating incidents and preparing reports; and assisting with implementing group and individual treatment plans. They often are required to work shift schedules, and on weekends and during holidays to provide 24-hour care for youth in custody. While the majority of supervision officers have the primary function of supervising youth in confined pre-adjudication and post-adjudication secure facility settings, many also supervise youth in less restrictive settings such as day programs, halfway houses, and during other activities conducted in the community.

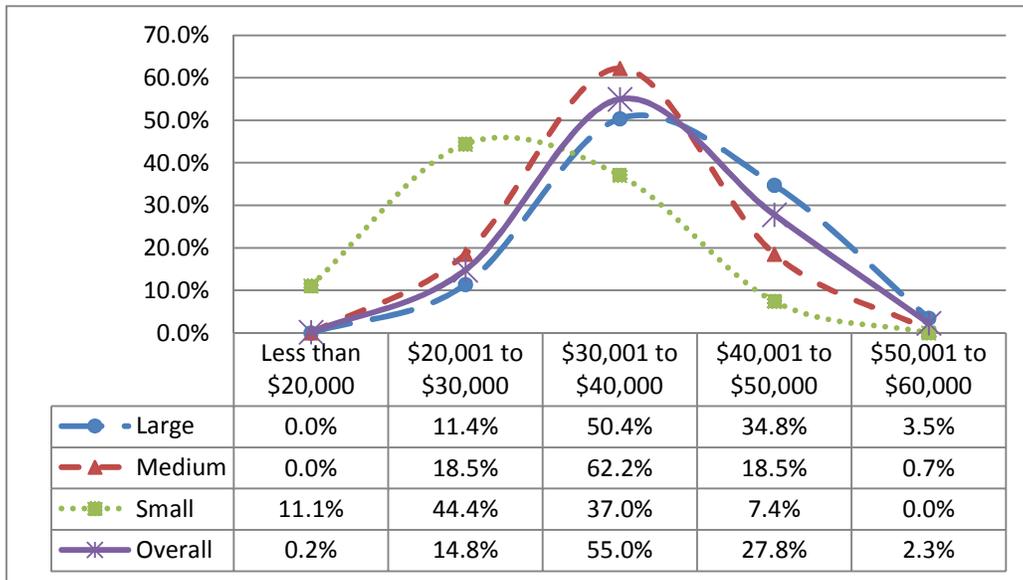
Salary information was collected on 1,793 JSOs who were employed as of October 1, 2015, based on submitted information. The overall median salary for full-time JSOs at this time was \$36,120. Large departments reported the highest median salary followed by medium departments. Similar to probation line officer salaries, no discernable pattern emerged when analyzing salary by region.

**Table 10: Full-Time Supervision Line Officer Salary Range**

	N	Minimum	Median	Maximum
<b>Large</b>	1,038	\$27,180	\$36,610	\$56,243
<b>Medium</b>	728	\$21,985	\$33,694	\$58,358
<b>Small</b>	27	\$18,500	\$25,563	\$49,929
<b>North</b>	137	\$31,060	\$42,094	\$55,901
<b>Panhandle</b>	81	\$27,344	\$38,382	\$58,358
<b>Southeast</b>	675	\$26,170	\$38,337	\$56,243
<b>West</b>	148	\$18,500	\$34,739	\$53,601
<b>Central</b>	485	\$22,602	\$33,516	\$50,274
<b>South</b>	211	\$21,985	\$32,716	\$50,638
<b>Northeast</b>	56	\$23,546	\$28,254	\$42,160
<b>Total</b>	1,793	\$18,500	\$36,120	\$58,358

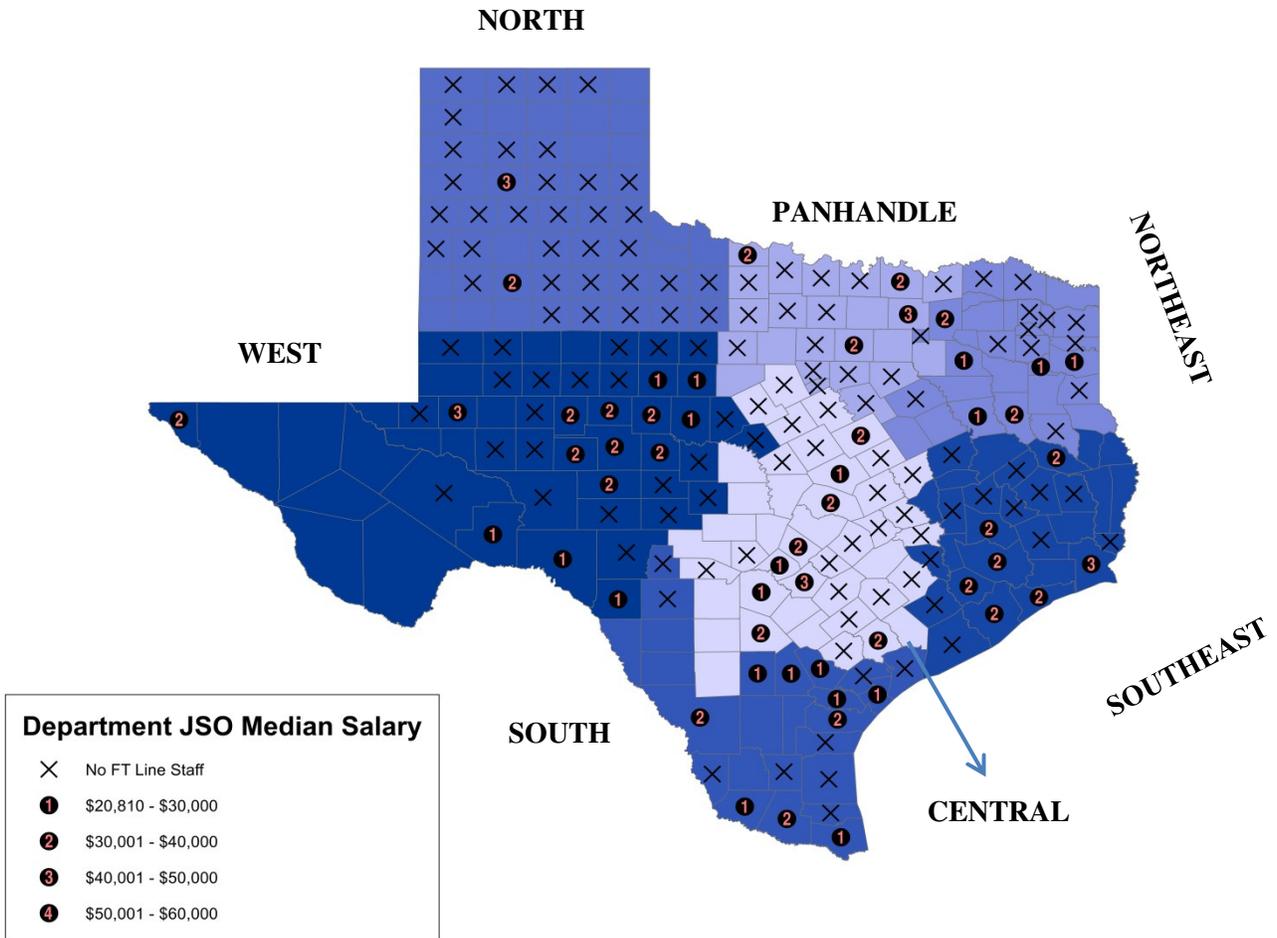
Over half (55.0%) of JSOs fell in the \$30,001 to \$40,000 salary category. A large majority of JSOs (83.1%) fell below the full-time median salary of \$41,759 for all certified officers and 75.9% fell below the full-time line staff median salary of \$40,001, indicating that JSOs are generally lower paid than are other certified personnel in probation departments. As shown in Figure 9, JSOs in small departments are often paid the least. Small departments were the only department size category in which most JSOs did not fall in the \$30,001 to \$40,000 salary range – 56% of small department JSOs are paid less than \$30,000 per year.

**Figure 9: JSO Full-Time Salary by Department Size**



Among departments that employ JSOs, there is variation across departments within a given region, with many neighboring departments paying unequal amounts, as shown in Figure 10. In the Supplemental Survey, some departments described this as posing a threat to retention, as these departments are unable to keep up with the pay offered by neighboring departments for the same or similar positions.

**Figure 10: Department JSO Median Salary**



## Supervision Line Officer Tenure

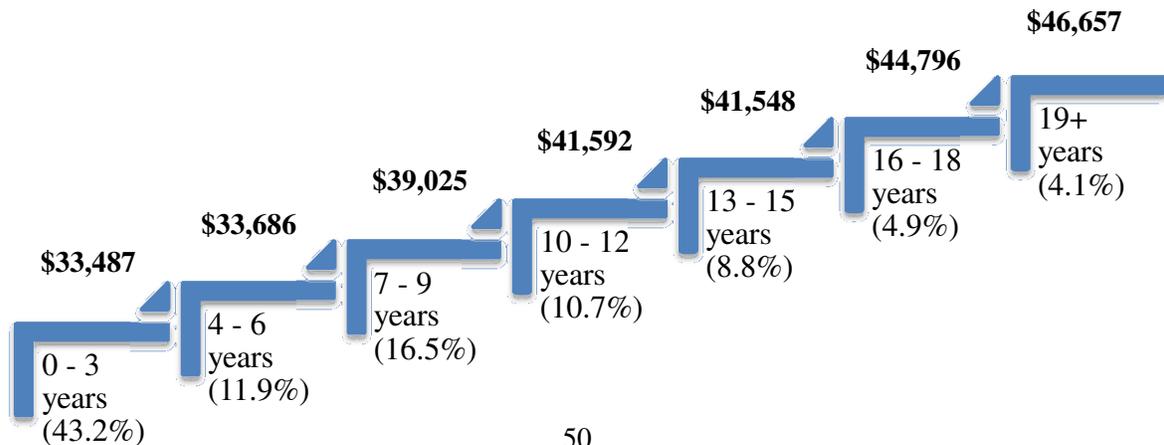
The overall median tenure for full-time JSOs, as of October 1, 2015, was 4.4 years. Large departments reported the longest median tenure while medium and small departments both reported 3.3 years median tenure. The North region reported the longest median tenure. This is consistent with the idea that as tenure increases, so too does salary, as the North region also reported the highest median salary. However, the Panhandle reported the second highest median salary but tied for the fifth longest tenure of all seven regions. This again demonstrates the variability of salary and tenure between and within regions.

**Table 11: Full-Time Supervision Line Officer Tenure**

	N	Median	Maximum
<b>Large</b>	1038	6.79	30.58
<b>Medium</b>	728	3.33	37.33
<b>Small</b>	27	3.33	27.33
<hr/>			
<b>North</b>	137	7.33	22.67
<b>Panhandle</b>	81	3.25	20.75
<b>Southeast</b>	675	6.67	30.58
<b>West</b>	148	7.13	27.33
<b>Central</b>	485	3.25	26.00
<b>South</b>	211	2.67	37.33
<b>Northeast</b>	56	3.13	19.92
<hr/>			
<b>Total</b>	1793	4.42	37.33

Though there is variability by region, overall salaries increase as tenure increases. The largest share of full-time JSOs fell into the 0 to 3 year tenure category (43.2%), suggesting a less experienced work force. The next highest percentage (16.5%) fell into the 7 to 9 year tenure category.

**Figure 11: Full-time Supervision Line Officer Median Salary by Tenure Category**



With 43% of full time JSOs falling into the 0 to 3 year tenure category range, it is important to understand better the pay range for this group. Similar to the overall salary trend, median salary is highest for large departments, followed by medium and then small. However, the pattern does not remain when analyzing median salary by region, where the Panhandle reports the highest median salary for 0 to 3 year salary but the second highest for overall median salary.

**Table 12: Supervision Line Officer Salary 0-3 Year Tenure**

	Minimum	Median	Maximum
<b>Large</b>	\$27,180	\$34,905	\$46,249
<b>Medium</b>	\$21,985	\$32,713	\$53,040
<b>Small</b>	\$22,602	\$31,572	\$38,904
<b>Panhandle</b>	\$27,344	\$38,016	\$43,628
<b>North</b>	\$31,060	\$36,120	\$41,823
<b>Southeast</b>	\$26,170	\$34,905	\$40,161
<b>West</b>	\$24,750	\$33,109	\$53,040
<b>South</b>	\$21,985	\$32,716	\$46,249
<b>Central</b>	\$22,602	\$29,208	\$44,500
<b>Northeast</b>	\$23,546	\$28,254	\$31,371
<b>Total</b>	\$21,985	\$33,487	\$53,040

## Supervision Line Officer Turnover

The turnover for full-time JSOs for participating departments was 25.5% for fiscal year 2015. Medium departments had the highest turnover at 31.2% and large departments had the lowest at 21.1%. The higher rate for medium departments is consistent with the turnover reported in the 2002 study. Turnover varies by region with the North region having the lowest turnover.

Many departments report utilizing part-time JSOs regularly on an as needed basis in facilities. For this reason, part-time terminations are included in Table 13 to demonstrate the effect of part-time employees on turnover. Of the 162 part-time employees at reporting departments that terminated in fiscal year 2015, 96.3% were classified as part-time JSOs. JSO turnover is higher including part-time officers, however the trends by department size and region are the same with medium departments having the highest turnover.

**Table 13: Supervision Line Officer Terminations All Positions vs. Full-Time Turnover**

	Full-Time Only			All Positions		
	Average # of Officers	# of Terminations	Turnover	Average # of Officers	# of Terminations	Turnover
<b>Large</b>	1,108.3	234	21.1%	1,179.0	261	22.1%
<b>Medium</b>	869.8	271	31.2%	1,047.0	385	36.8%
<b>Small</b>	31.5	8	25.4%	59.3	17	28.7%
<b>North</b>	147.3	22	14.9%	167.5	24	14.3%
<b>Panhandle</b>	97.5	29	29.7%	122.3	37	30.3%
<b>Southeast</b>	718.3	163	22.7%	803.3	200	24.9%
<b>West</b>	156.0	33	21.2%	169.0	41	24.3%
<b>Central</b>	555.0	162	29.2%	632.5	220	34.8%
<b>South</b>	264.8	78	29.5%	307.8	109	35.4%
<b>Northeast</b>	70.8	26	36.7%	83.0	32	38.6%
<b>Total</b>	2,009.5	513	25.5%	2,285.3	663	29.0%

Table 14 shows the comparison of median salary with tenure and turnover. In general, higher salaries are associated with longer tenure and lower turnover. Tenure and turnover appear inversely related in results by department size, with higher tenure associated with lower turnover. Large departments have the highest median salary, longest median tenure, and lowest turnover. However, medium departments have median salaries closer to large departments but the highest turnover. Across regions and except for the Panhandle region, median salary is inversely related to turnover with higher median salary associated with lower turnover. The North region has the highest median salary, longest median tenure, and lowest turnover.

**Table 14: Full-Time Supervision Line Officer  
Turnover FY 2015**

	Median Salary	Median Tenure	Turnover
<b>Large</b>	\$36,610	6.79	21.1%
<b>Medium</b>	\$33,694	3.33	31.2%
<b>Small</b>	\$25,563	3.33	25.4%
<b>North</b>	\$42,094	7.33	14.9%
<b>Panhandle</b>	\$38,382	3.25	29.7%
<b>Southeast</b>	\$38,337	6.67	22.7%
<b>West</b>	\$34,739	7.13	21.2%
<b>Central</b>	\$33,516	3.25	29.2%
<b>South</b>	\$32,716	2.67	29.5%
<b>Northeast</b>	\$28,254	3.13	36.7%
<b>Total</b>	\$36,120	4.42	25.5%

JSOs, with 513 terminations from responding departments, made up the largest termination group by position, comprising 76.8% of the entire termination sample and 72.4% of the full-time termination sample. The primary known reason for leaving was for a new job or school (32.7%). The next most common reason for JSO termination was “Dismissal for Cause” (18.4%). Of the known reasons, only five (1.6%) JSOs reportedly left for a different juvenile probation department. Because 204 terminations (39.8%) cited “unknown” reasons for terminations, it is difficult to discern from the reported reasons for termination why this group has the highest turnover.

**Table 15: Supervision Line Staff Reasons for Termination**

	All		Known	
	N	%	N	%
<b>Abandoned Position</b>	4	0.8%	4	1.3%
<b>Dismissal for Cause</b>	57	11.1%	57	18.4%
<b>Health Related</b>	7	1.4%	7	2.3%
<b>Job/School</b>	101	19.7%	101	32.7%
<b>Lack of Opportunity</b>	1	0.2%	1	0.3%
<b>Transferred JPD's</b>	5	1.0%	5	1.6%
<b>Other - No Explanation</b>	12	2.3%	12	3.9%
<b>Personal</b>	56	10.9%	56	18.1%
<b>Relocation</b>	5	1.0%	5	1.6%
<b>Resigned</b>	27	5.3%	27	8.7%
<b>Retired</b>	23	4.5%	23	7.4%
<b>Salary</b>	11	2.1%	11	3.6%
<b>Unknown</b>	204	39.8%		
<b>Total</b>	513		309	

Most full-time JSOs terminated within 0-3 years of their date of hire (69.2%). The 355 full-time JSOs who left within the first three years of hire contributed 87.9% of all terminations within this tenure category and just over half (51.3%) within this broader category terminated within the first year of hire. The primary known reason for termination of those leaving within three years of hire was for another job or for school.

**Figure 12: JSO Terminations in the First Three Years**

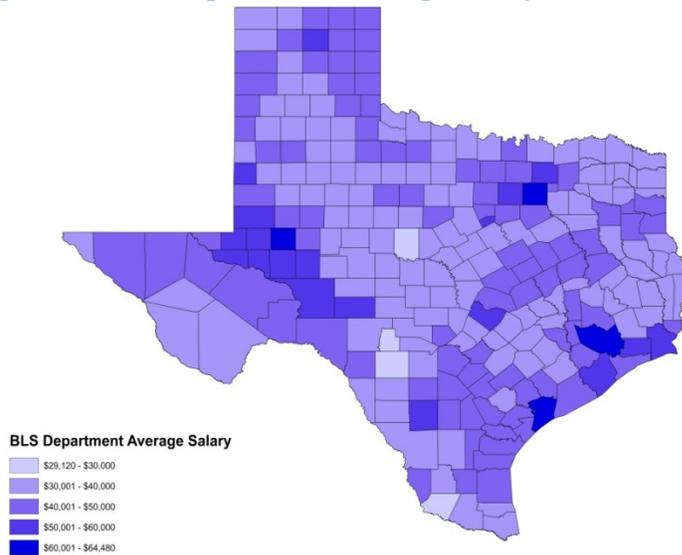


## Supervision Line Officer Comparative Analysis

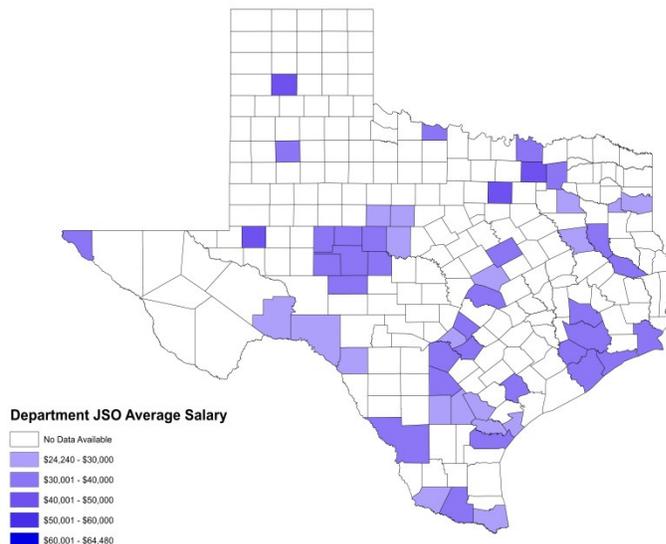
As described previously, the Bureau of Labor Statistics (BLS) reports quarterly county employment and wages in the United States. BLS data was used to calculate average weekly salary by county. Figure 13 represents the BLS average salary by department. Since the BLS report is by county, whereas this study is by department, the weighted average of all counties in the BLS report within a multi-county department was calculated and used instead of the individual county salary information.

Figure 13 represents the same BLS data as the map referenced earlier, but serves to highlight the differences between JSO salary and the BLS averages. Figure 14 shows the average salary for full-time JSOs. Departments shaded with white either did not submit any salary information or had no full-time JSOs. Of note, the average JSO salary was not above \$50,000 in any department in the state.

**Figure 13: BLS Department Average Salary**



**Figure 14: Department JSO Average Salary**

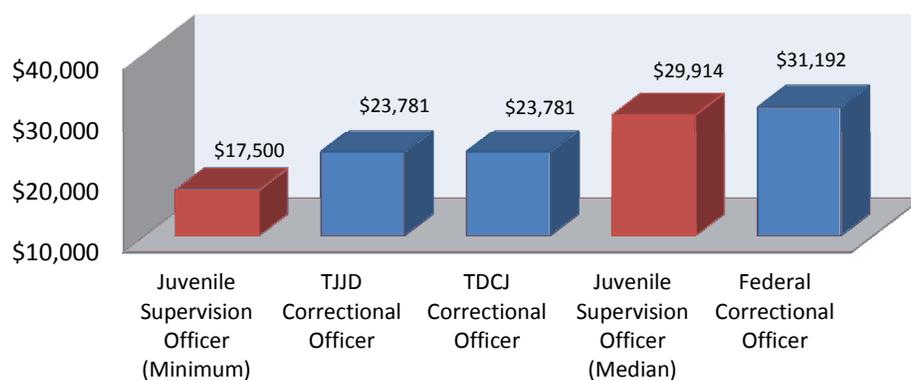


**Salary range comparison.** Specific comparable professions with similar education requirements and primary job functions were reviewed to determine whether JSOs receive competitive pay. Included in the comparisons are correctional officer positions with TJJD, TDCJ and the federal Bureau of Prisons, as they all entail supervising justice involved individuals, primarily in a correctional setting.

Salary range information was obtained for state positions (TJJD and TDCJ Parole) through the SAO. Actual salary information was provided by the Texas Comptroller of Public Accounts. Federal correctional officer salary range information was obtained through the Salary Table 2015-GS from the Office of Personnel Management (OPM). In addition to the general salary scale values, the federal government allows for an additional locality payment percentage increase for the locality pay areas of Dallas-Fort Worth (20.7%) and Houston, Baytown and Huntsville (28.7%). Data used for the JSO minimum salary range includes both the minimum and median starting salary reported in the Supplemental Survey. This allows the entire sample to be represented as well as recognizing the true minimum salaries earned throughout the state.

A review of the salary information for comparable positions revealed state employees along with federal employees have an established minimum and maximum salary range for their position. The majority of certified JSOs are employed by a county level government agency with no state established salary parameters. Figure 15 represents a comparison between the existing pay range minimum salary for state and federal positions along with the median starting salary for JSOs. Of the four groups, the median starting salary for JSOs ranked second highest. However, JSOs reported the lowest potential starting salary of all four groups. The lowest reported minimum starting salary for a JSO (\$17,500) is \$6,281 less than the salary range minimum for a TJJD corrections officer (\$23,781). The difference between the minimum and competitive median salary for JSOs is attributed to the variability in salaries offered across the state. Federal corrections officers represent the highest starting salary in this comparison (\$31,192).

**Figure 15<sup>8</sup>: FY 2016 Salary Range Minimum**

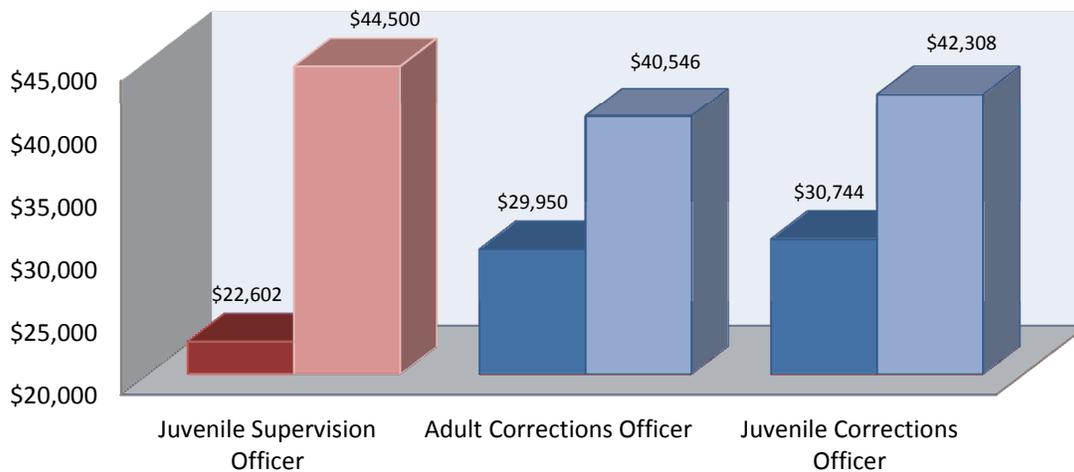


Note: Juvenile Supervision Officer median salary is the median of all reported starting salaries across responding counties. The JSO minimum salary is the lowest starting salary reported from any responding county.

<sup>8</sup> State salary range was obtained from SAO, Federal salary range was obtained from OPM, JSO salary data was obtained from the Supplemental Survey (range from \$17,500 to \$40,383).

**Actual salary comparisons.** Reviewing actual salary data allows for a true examination of whether JSO salaries are competitive. Given the frequent concern expressed by juvenile probation department administrators regarding low pay as one of the primary barriers to hiring and retention, the actual minimum and maximum salaries were compared for those with 36 months or less tenure. The salaries in Figure 16 for TDCJ and TJJJ parole are from the Texas Comptroller of Public Accounts while the JSO salary is from the October 1, 2015 sample. This table indicates JSOs receive the lowest minimum salary as well as the highest maximum salary, reiterating the finding of salary variability within the same certified position across the state. Some JSOs (\$22,602) are paid \$7,348 less than TDCJ correctional officers and \$8,142 less than TJJJ correctional officers when actual minimum salaries are compared.

**Figure 16<sup>9</sup>: Actual Annual Salary MIN/MAX, 0 to 36 Months Tenure**



<sup>9</sup> TDCJ and TJJJ salary data obtained from Texas Comptroller of Public Accountants. JSO salary information obtained from the October 1, 2015 sample.

When comparing JSOs to juvenile correctional officers, regardless of tenure, the salary range penetration for JSOs was less than a juvenile correctional officer employed with TJJJ using the correctional officer salary range. However, JSOs have a lower turnover than do TJJJ correctional officers. A recent change in position classification has occurred within TJJJ which impacts the data represented in Table 16. During fiscal year 2015 TJJJ classified correctional officers I – VI as line officers, thus the fiscal year 2015 turnover figures represent data for TJJJ correctional officers I – VI. Beginning in fiscal year 2016, TJJJ correctional officers VI were considered supervisory positions, thus the fiscal year 2016 salary data represents TJJJ correctional officers I - V.

**Table 16: County and State Salary Comparison FY 2016**

Position Type	FY 16 Salary		Salary Range		Salary Range Penetration	Compa-ratio	Turnover	
	Median	Minimum	Midpoint	Maximum	Median	Median	FY15	FY15 - FT
<b>Juvenile Supervision Officer</b>	\$36,120	No state established range			39.4%	0.92	29.0%	25.5%
<b>TJJJ Correctional Officer I-V</b>	\$38,538	\$23,781	\$39,456	\$55,130	47.1%	0.98	31.9%	32.0%
<b>TDCJ Correctional Officer I-V</b>	\$40,546	\$23,781	\$39,456	\$55,130	53.5%	1.03	26.1%	25.8%

Correctional officer jobs posted with both TJJJ and TDCJ are advertised at a higher starting salary than their actual pay range minimum. TDCJ posts the starting salary for a CO I as \$2,695 for the first two months on the job with periodic pay increases. This annualizes to a salary of \$32,346, which is \$8,565 more than the minimum pay range salary of \$23,781. TJJJ shares the pay range minimum salary of \$23,781 but posts a starting salary of \$30,743 for vacant positions. Given the considerable difference in posted starting salary for some counties there is support to suggest both state entities are strong competitors for departments that are seeking similarly qualified applicants, but are not able to provide comparable pay.

## Discussion and Recommendations

Recruiting, hiring, and retaining qualified juvenile probation staff is important for both state and county government in order to provide juvenile justice services to youth. While not the only reason for difficulties in staff recruitment, hiring, and retention cited by local administrators, salary is a key issue expressed across the state. County juvenile probation departments must compete with other employers, including those in similar fields working with youth or justice-involved individuals, either juvenile or adult, for qualified staff.

This study focused on salary, tenure, and turnover for probation and supervision line officers in county juvenile probation departments. Determining a relationship between salary, tenure, and turnover did not lead to a clear pattern by department size and region for the 117 departments analyzed. In general, larger departments and departments in the North region had higher median salaries, longer median tenure, and lower turnover, particularly for supervision line officers, but the pattern was not consistent across all regions. There was some relationship between median salary and turnover across regions with turnover decreasing as salary increased, particularly for supervision officers, suggesting that salary is important but not the only determining factor. Just over a quarter of probation line officers and 69% of supervision line officers leaving during fiscal year 2015, left their position within three years of their hire date. Of the known responses in the current study, the primary termination reason was a different job or school, which may include salary in the decision to terminate.

When compared to other professions with similar educational requirements and job descriptions, juvenile probation line officers had a median salary competitive with juvenile and adult parole officers and above the market rate as determined by SAO for the state positions. Juvenile supervision line officers had a median salary at the lower end of the acceptable ratio<sup>10</sup> compared to juvenile and adult correctional officers, and below the actual median salaries for each of the state groups. The turnover for full-time JSOs was comparable to adult correctional turnover and lower than juvenile correctional turnover, however the turnover rate is high (25.5%), and the costs associated with this high turnover impact state and county funding for community juvenile justice.

One clear issue emerged for the overall full-time line sample: the newly hired probation and supervision officers at some departments are hired in at a salary much lower than other, similar professions. The median starting salary across the state for JPOs ranked in the middle of the comparison groups, however, JPOs in some departments start at salaries below all other comparison groups. In addition, both the DFPS child protective services specialist and TDCJ parole positions are posted at rates higher than the minimum with TDCJ parole 17% above the JPO median starting salary. For JSOs, the median starting salary across the state was above the state minimum salary for TJJD and TDCJ correctional officers, but below the posted pay. JSOs at some departments start at salaries below these state minimums. Though salary increased as tenure increased for both JPOs and JSOs, one-quarter of JPO and over two-thirds

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<sup>10</sup> As described in more detail in Section I of this report, an employee with a compa-ratio below .9 is considered to be at risk of leaving a job due to low pay.

of JSO terminations occurred within the first three years, indicating many JSOs never move up through the salary groups.

## **Recommendations**

Overall, this study showed that both juvenile probation officer (JPO) and juvenile supervision officer (JSO) salaries had the widest range between the minimum and maximum reported salary when compared to other similar professions for individuals employed for 36 months or less, highlighting the diversity across the state. Additionally, both JPO and JSO actual salary minimums were lower than the posted starting pay for comparable professions.

This brings to the forefront the primary recommendation regarding salary: Provide funding across the state to assist probation departments with salaries for JPOs and JSOs so that salaries are competitive both with other departments and with other agencies and industries. The additional state funding would allow departments to address gaps in salaries for officers where most needed to recruit, hire, and retain qualified staff.

The increased funding will require additional state appropriations passed through TJJJ to local juvenile probation departments. The funding will target caseload-carrying officers since these are the staff working daily with youth. Probation Department Chiefs will have the flexibility to allocate the funding as needed within their department. Addressing individual department needs should contribute to staff stability and ultimately provision of services to youth in the community.

## References

Bureau of Labor Statistics. (2016). County employment and wages in Texas – Third quarter 2015. Retrieved April 15, 2016, from [www.bls.gov/regions/southwest](http://www.bls.gov/regions/southwest)

National Council on Crime and Delinquency. (2006). *Exploring the effect of juvenile justice system functioning and employee turnover on recidivism rates*. Oakland, CA: Author.

State Auditor's Office. (2015). *An annual report on classified employee turnover for fiscal year 2015* (Report No. 16-702). Retrieved January 19, 2016, from <https://www.sao.texas.gov/reports>

Texas Juvenile Probation Commission. (2003). *A follow-up study: Turnover rates of juvenile probation department personnel in Texas*. Austin, TX: Author.

Tolbert, V., Davenport, L. Friedman, K., Haghighi, B. and Schwank, J. (2000). *A study of salaries and turnover rates of juvenile probation department personnel in Texas*. Austin, TX: Texas Juvenile Probation Commission.



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION IN SUPPORT OF THE RECOMMENDATIONS IN TJJD’S SALARY STUDY**

On this **28<sup>th</sup> day of October 2016**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
<b>Motion:</b>		<b>Second:</b>			

where, among other matters, came up for consideration and adoption the following Resolution:

**WHEREAS**, the State Auditor’s Office has found that salaries that are at least 10% below the market rate are generally not competitive and are at risk of higher turnover;

**WHEREAS**, staff from the TJJD Human Resources and Research departments recently conducted a salary study, which included an extensive analysis of whether TJJD and county juvenile justice employees are competitively compensated when compared with similar positions in other state agencies and in the private sector and whether compensation is impacting turnover in the juvenile justice field; and

**WHEREAS**, TJJD’s turnover rate for fiscal year 2015 was 26.6%, which is the second highest turnover rate among all state agencies and is significantly higher than the average turnover rate of 18% for all state agencies; and

**WHEREAS**, in most cases, TJJD salaries are below salaries for similar positions at other state agencies and significantly below the market rate; and

**WHEREAS**, the turnover rate for juvenile supervision line officers in local departments for fiscal year 2015 was 25.5% and this high turnover rate impacts state and county funding for community juvenile justice;

**WHEREAS**, actual salary minimums for juvenile probation and juvenile supervision officers in local departments are lower than comparable professions;

**WHEREAS**, the range between the minimum and maximum reported salaries for juvenile probation and juvenile supervision officers in local departments is greater than similar professions for individuals employed for 36 months or less;

**WHEREAS**, the salary study made the following recommendations to reduce employee turnover within TJJD, subject to additional funding for certain items:

- TJJD should increase salaries of juvenile correctional officers (JCOs) to maintain equity with comparable positions at the Texas Department of Criminal Justice (TDCJ);
- TJJD should create a career ladder for parole officers similar to TDCJ parole officers;
- TJJD should adjust salaries for positions other than JCOs, parole officers, and teachers (which have their own compensation plan) to become more competitive in the job market;
- TJJD should budget and post vacant positions other than JCOs, parole officers, and teachers at a minimum of 20% penetration into the applicable salary range to be more competitive and closer to the market rate for the position; and
- TJJD should ensure all staff are classified appropriately; and

**WHEREAS**, the salary study made the following recommendations to reduce employee turnover in local juvenile probation departments, subject to additional funding for certain items:

- Juvenile probation departments should establish a minimum starting salary for juvenile supervision officers and a minimum starting salary for juvenile probation officers to ensure consistency across the state; and
- Juvenile probation departments should request additional appropriations to establish these minimums and provide additional funding for salaries as needed and thereby remain competitive in the job market.

**NOW, THEREFORE BE IT RESOLVED THAT** the Board endorses the recommendations made in the TJJD salary study and supports efforts to obtain additional funding to achieve the goals of attracting and retaining qualified juvenile justice employees and reducing turnover.

The foregoing Resolution was lawfully moved, duly seconded, and adopted by the Texas Juvenile Justice Board.

**Signed this 28<sup>th</sup> day of October 2016.**

**Texas Juvenile Justice Board**

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Scott W. Fisher, Chairman





TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: David Reilly, Executive Director

Steven Vargas, Director of Construction

Kenneth Ming, Director of Business Operations and Contracts

Subject: Discussion, consideration, and possible approval regarding a construction contract for paving and drainage improvements at McLennan County State Juvenile Correctional Facility (Action)

Date: October 11, 2016

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Per General Administrative Policy, GAP § 385.1101, paragraph d.1(B), any construction contract exceeding \$300,000, and any other contract deemed appropriate for board approval, as determined by the Executive Director, will be presented to the Board for approval.

Therefore, staff respectfully requests consideration and approval for the Executive Director to negotiate and award a construction contract to the respondent considered to be the best value to TJJJ for paving and drainage improvements at McLennan County State Juvenile Correctional Facility. This project will primarily mitigate erosion issues that present safety risks.

The proposed contract will begin on November 15, 2016 and will end on May 31, 2017 with an estimated amount of \$534,084. TJJJ has re-issued the solicitation to obtain a larger respondent pool with a wider range of potential bids.



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR APPROVAL OF CONSTRUCTION CONTRACT AT MCLENNAN COUNTY STATE JUVENILE  
CORRECTIONAL FACILITY/CONFLICT OF INTEREST CERTIFICATION**

On this **28<sup>th</sup> day of October 2016**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
<b>Motion:</b>		<b>Second:</b>			

where, among other matters, came up for consideration and adoption the following Resolution:

**WHEREAS**, the Board Governance Manual and GAP § 385.1101, paragraph d.1(B), requires a majority of the Board to approve, in an open meeting, certain construction contracts with expected values exceeding \$300,000.00 and any other contract deemed appropriate for Board approval as determined by the Executive Director; and

**WHEREAS**, staff has provided information regarding the following FY 17 contract:

<b><u>Construction Contract for McLennan County State Juvenile Correctional Facility</u></b>	<b><u>FY17</u></b>
<ul style="list-style-type: none"> <li>• <b>Best Value Award to Highest Scoring Respondent – TBD</b></li> </ul>	<b><u>\$534,084</u></b>

**NOW, THEREFORE BE IT RESOLVED THAT** the Board approves the Executive Director of the Texas Juvenile Justice Department to select the respondent offering the best value to TJJD, to negotiate and execute a construction contract that is in the best interest of the agency for projects at McLennan County State Juvenile Correctional Facility, committing the agency to this action for FY 2017.

The foregoing Resolution was lawfully moved, duly seconded, and adopted by the Texas Juvenile Justice Board.

Signed this 28th day of October 2016.

**Texas Juvenile Justice Board**

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Scott W. Fisher, Chairman





TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJD Board Members

From: David Reilly, Executive Director

Mike Meyer, Chief Financial Officer

Subject: Discussion, consideration, and possible approval regarding the acknowledgement of gifts (Action)

Date: October 11, 2016

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The Texas Government Code, Chapter 575, provides that for gifts with an actual or estimated value of \$500 or more:

A state agency, that has a governing board, may accept a gift only if the agency has the authority to accept the gift and a majority of the board, in an open meeting, acknowledges the acceptance of the gift no later than the 90th day after the date the gift is accepted.

The Government Code also provides that a state agency may not accept a gift from a person who is a party to a contested case before the agency. TJJD policy (GAP.385.8170) Acceptance of Gifts of \$500 or more, implements these provisions.

Mr. Christopher Peters, President at Everest College, donated the following items with an actual or estimated value of \$500 or more. This donation will allow youth, at Cottrell Halfway House, to experience the setting of a positive learning environment.

5- Learning Desks	2- 5' Tables
3- 9' Bookshelves	1- Medium Bookshelf
2- 4' Metal Magazine Stands	2- Square Wooden Tables
14- Book Stoppers	7- Positive wall posters
8- Magazine Holders	30- Magazines
9- Metal Black Chairs	24- Conference Chairs
1- Small Round Wooden Table	4- Signage Turn Tables
563- Fiction/Nonfiction and Educational Books	1- Rolling Desk Chair

Of the 24 conference room chairs, 10 were donated to the Dallas District Office to be used in a conference room.

Following the Board's acknowledgement of this gift, a letter will be sent to Mr. Peters, notifying him of the acknowledgement in a public meeting and expressing appreciation for his support of the Texas Juvenile Justice Department.

Staff recommends acknowledgement of this gift pursuant to the provisions of the Government Code and TJJJ policy.

Draft Audit Reports are not included with these materials.



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

**Finance and Audit Committee Meeting**

11209 Metric Blvd., Building H,  
Austin, Texas 78758

Thursday, August 4, 2016 - 11:00 a.m.

**BOARD MEMBERS PRESENT:**

Calvin Stephens, Committee Chair  
Scott W. Fisher, Board Chairman  
The Honorable John Brieden III  
Jane King

**EXECUTIVE STAFF PRESENT:**

David Reilly, Executive Director  
Chelsea Buchholtz, Chief of Staff  
Carolyn Beck, Director of Governmental Relations  
Eleazar Garcia, Chief Internal Auditor  
James Williams, Sr. Director of Probation and Community Services  
Jeannette Cantu, Executive Assistant  
Jill Mata, General Counsel  
Jim Southwell, Chief Information Officer  
Mike Meyer, Chief Financial Officer  
Rebecca Walters, Director of Youth Placement and Program Development  
Roland Luna, Office of Inspector General  
Tushar Desai, Medical Director

**OTHER GUESTS PRESENT:**

Buddy Green, Citizens to Improve Navarro County  
Chuck McClanahan, City of Corsicana  
Connie Strandridge, City of Corsicana  
Deidre Hernandez, TJJD  
Emily Anderson, TJJD  
Fred Meinke, TJJD  
Jamyen R. Hall, TJJD  
Jeannette Lepe, TJJD  
John McClung, City of Corsicana  
Kaci Singer, TJJD

Karen Kennedy, TJJD  
Kenneth Ming, TJJD  
Nancy Slott, TJJD  
Nora Oakmon, TJJD  
Shelly McKinnley TJJD  
Stephanie Melot, TJJD  
Steve Roman, TJJD  
Steven Vargas, TJJD  
Susan Hale, City of Corsicana

### **Call to order**

Committee Chairman Calvin Stephens called the meeting to order at 11:15 a.m.

### **Discussion, consideration and possible approval regarding excused absences**

All committee members were present for this meeting.

### **Discussion, consideration and possible approval regarding the May 19, 2016 Meeting Minutes**

Mr. Scott Fisher moved to approve the minutes. Judge John Brieden seconded. The motion passed.

### **Updates from the Chief Information Officer**

Jim Southwell, Chief Information Officer, presented this informational item. IT staff spent significant time within their division, along with multiple divisions across TJJD to identify and prepare IT related needs to be incorporated in the TJJD Legislative Appropriations Request (LAR) package.

Staff have requested to secure funds to address key issues throughout the agency. This included the refreshment of TJJD's aging infrastructure across the board along with network devices, voice communication, servers, key software systems and cyber security issues.

In response to a question asked by Judge Brieden, Mr. Southwell stated approximately 80 percent of TJJD's servers have been refreshed.

In response to a question asked by Mr. Stephens, Mr. Southwell stated staff recently marked the last Windows 2000 server end of life. TJJD managed the process and migration of the data. Data Center Services (DCS) contracted vendors provided the servers and built the platforms needed.

In response to a question asked by Judge Brieden, Mr. Southwell stated TJJD paid a lease service fee for the hardware. TJJD has 79 servers located in the state data center. The vast majority of servers were updated however additional servers would still need to be addressed with potential funds from the LAR process.

TJJD secured a grant from the Governor's office and purchased a small number of new radios primarily distributed to the Office of Inspector General (OIG). The radios allowed staff to create an

inoperability plan so the devices would interact with other agency and local law enforcement radios in the prescribed area.

In response to a question asked by Mr. Stephens, Mr. Southwell stated the cost to purchase a new radio is approximately \$3,500. Simple repairs are now performed in house for approximately \$100 rather than pay the \$600 vendor fee. TJJJD had just over 500 radios. A request to refresh the radio technology had been included in the LAR.

In response to questions asked by Judge Brieden, Mr. Southwell stated the 500 radios mentioned would be used by internal campuses. Radios not assigned to OIG would be campus centered. A radio that would allow inoperability would be located at each campus in the event an incident occurred and staff needed the capability to communicate with outside law enforcement. All radios, regardless if they are interoperable, would have the same cost, however staff have revised cost factors down dramatically. Recent purchases had been made with Motorola.

In response to a comment made by Judge Brieden, Mr. Southwell stated the Harris Radio System and Communication Network was a proprietary network.

In response to a question asked by Mr. Stephens, Mr. Southwell stated IT staff have managed the repair requests for radios on behalf of TJJJD. Spare devices have been kept on hand to issue while repairs were being made.

#### **Updates from the Chief Financial Officer**

Mr. Mike Meyer, Chief Financial Officer, reported on this informational item. The included information is through the end of the third quarter. On a year-to-date basis TJJJD expended 73.1 percent of the agency's amended general revenue budget when excluding probation activities. This was in line with expectations. Over that same period the year-to-date state residential population was 5.2 percent over projections. The third quarter was slightly lower at 4.8 percent above projections. In both cases the population overage occurred in the state facilities while Halfway Houses (HWH) and contract placements remained below the General Appropriations Act (GAA) targets.

In the aggregate, expenditure projections, budget reallocations and cost measures bared out as staff had hoped. TJJD remains on track to finish FY 2016 in the black despite the fiscal head winds the agency faces and significant budgetary pressures staff expect to begin in FY 2017.

Staff received population projections from the Legislative Budget Board (LBB) which indicated a continuation of the general upward trend in populations over the next few years. This will compound fiscal challenges TJJD faces and have added urgency to the conversations staff initiated with Capitol offices in regards to requested supplemental funds for FY 2017.

Contract care expenditures remained below board authorized not-to-exceed amounts. Staff will continue to manage available funds and report to the board on what has been spent relative to the contract amounts.

The planning phase of the implementation of SB1630 provisions affecting general probation grants has now concluded. Staff finalized discretionary state aid protocols at the end of June 2016 and began the process to receive applications. The applications were received through July 18, 2016. TJJD Staff provided technical support and recidivism data during the application period. Now that the planning stage of this project is completed, the Probation & Community Services division will be the owner and Finance staff would continue to provide data and financial analysis assistance.

In response to a question asked by Mr. Stephens, Mr. Meyer stated expenditures were at 75 percent. In the fourth quarter expenditures would come in lower so by the end of the year TJJD would be below available funding. That was because starting toward the third quarter staff prioritized more halfway houses and brought down the contract population which would have an impact on TJJD's total expenditures.

In response to a question asked by Mr. Fisher, Mr. Meyer stated that expenditure information for probation grant strategies in goal A would be difficult to interpret until the end of the fiscal year. This was due to grant distributions being front loaded in the early part of the year. Often a mismatch between how the dollars were distributed and how they were reported back would occur. By the end of the year TJJD would be fully reconciled. Staff projects spending for mental health services grants to be higher than appropriations, approximately \$15 million compared to \$12.8 million, due to departments' movements of funds between areas.

In response to questions asked by Mr. Shaw, Mr. Meyer stated mental health services grants would be 20 percent higher, or some amount higher than appropriations based on how the probation departments chose to spend their state aid. Mr. Meyer stated that in the LAR, staff reported what was projected for FY 2016, and appropriated levels thereafter, while maintaining departments' flexibility to move funds between areas. If staff matched future requested funding levels to projections over time departments would lose some flexibility due to rider requirements in the Appropriations Act. Requests for probation grant funds were included in TJJD's exceptional items. A substantial portion of those funds requested would fall under state aid as it is today which would create some flexibility.

Board members Judge John Brieden and Mr. Shaw stated they have seen an increase in mental health needs at the county level. The severity of the offenses and the severity of the need for mental health has taken its toll and has often left staff in a difficult spot.

#### **Report concerning awarded Discretionary State Aid**

Mr. James Williams, Director of Probation & Community Services, provided this informational report. Phase three of TJJD's implementation of SB1630 to develop the Discretionary State Aid Funding protocols was completed. Applications have been submitted and reviewed for consideration as Counties requested assistance to meet the needs of the youth in their communities. Twenty-six applications have been reviewed for consideration. This is the highest number of applications ever received. Nineteen applications have been approved.

In response to a question asked by Mr. Fisher, Mr. Williams stated the program was a four-year program. In response to a question asked by Judge Brieden, Mr. Williams stated future funds would be dependent on results. Mr. Meyer stated the expectations would be to request funds for up to four years and place a commitment on those four years with ongoing review of success of the program.

Mr. Meyer stated staff have requested funds under one of the exceptional items to avoid drawing funds out of general state aid. In response to a question asked by Chairman Stephens, Mr. Meyer stated the LAR request would build on to the existing \$1.8 million.

Mr. Reilly stated the intent of the program would be to expand every year. Staff intended to ask for other funds to accomplish the expansion without funds being drawn from existing budgets.

### **Discussion Regarding the TJJD Population Commitment Trends**

Ms. Rebecca Walters, Director of Youth Placement and Program Development, presented this informational item. Through the third quarter TJJD saw a three percent overall increase in new admissions as compared to the third quarter of FY 2015. This is a total of 20 additional youth this year compared to last year.

Twelve of those youth were determinate sentenced youth. Eight of those youth were indeterminate sentenced youth. Determinate sentenced youth often stay in secure facilities for a longer period of time.

Staff observed this trend of increased determinate sentenced youth over FY 2015 as well. Last year there was a decrease in the certifications however this year certifications have also increased. This balanced out the increase in sentence offenders and so although the sentenced offender increase has continued, the percentage increase is lower.

The downward trend of revocations continued. There were only eight youth revoked in the month of May 2016. At the same time, the percentage of youth with indeterminate sentences who successfully completed parole increased from the first quarter to the third quarter of FY 2016. This is positive.

Year to date the population overage in residential programs has been approximately six percent. At the time of this report it was 5.8 percent.

Staff were able to assign more youth directly into halfway houses from intake utilizing a pilot approach which adhered more strictly to the risk-need-responsivity principle. Staff will continue to adhere to the risk principal, placing more youth at a lower risk, even though they have been committed with an offense against a person, into halfway houses at intake. As a result of this pilot, staff saw an increase in the HWH population, within the overall distribution of the residential population. Even though fiscal year to date TJJD was under populated at the HWH's, the agency is currently 9.6 percent over the budgeted population at HWH's at the time of this report.

**Discussion, consideration and possible approval regarding contract renewals exceeding \$500,000 (Action)**

Mr. Kenneth Ming, Director of Business Operations and Contracts, presented this action item. Staff requested to renew four contracts and an additional two contracts approved last year for two years.

The not to exceed amounts language would be included in the contracts. The contract would not guarantee any number of referrals that did not indicate that amount of money would be spent. However, should staff anticipate they would exceed that amount it would be brought back to the board for additional approval.

The annual contracts were with the Data Center Services, DIR, Worker's Compensation, and Office of Risk Management. Staff requested the committee recommend to the full board to approve the executive director to enter into these contracts.

Jane King moved to take to the full board for approval, Judge Brieden seconded. The motion passed.

**Discussion, consideration and possible approval regarding amendments to the purchasing approval matrix (Action)**

Mr. Ming stated the purchasing approval matrix is used to determine the threshold required for all purchases and contracts and would require approval by the board. Staff asked the board to make a few modifications to the matrix. One modification would be to allow emergency change orders, allowing the executive director to approve an emergency change order without prior board approval. Information regarding the emergency change order would be presented at the next board meeting. This approval would only happen in case of an emergency.

In response to a question asked by Mr. Stephens, Mr. Ming stated the approval would be made as long as standard guidelines are met.

The Construction and Engineering Department would assess the situation so a determination could be made and to ensure all procurement rules would be followed.

In response to a question asked by Judge Brieden, Mr. Ming stated the Executive Director will approve the contract and sign the change order amendment. Staff requested the board to allow the Executive Director to sign the change order amendment without board approval.

Jane King moved to take to the full board for approval. Judge Brieden seconded. The motion passed.

### **Discussion regarding the FY2017 Contracting Plan**

Mr. Ming stated per GAP policy, staff brought before the board TJJD's annual contract plan for approval.

Accomplishments included over 8000 purchase orders issued in FY 2016, successful migration and transition of information into the CAPPs system, 198 contract renewals and 385 active contracts. In compliance with SB20 staff were required to break down the amounts of the contract starting at \$25,000 and above and included a column for competitive and no-competitive bids. It is a requirement to post this information on TJJD's public website.

HUB information provided is based on third quarter information from the comptroller's office. Staff started out the year where four out of the five goals were met. TJJD made it to the top 10 where over 100,000 was awarded. This information does not include any construction bids and staff anticipate this amount go in FY 2017.

### **Discussion, consideration, and possible approval regarding the FY 2017 Operating Budget (Action)**

Ms. Emily Anderson, Director of Fiscal Affairs & Budget, presented this action item. The proposed budget was based on the General Appropriations Act (GAA) population figures while the actual state residential population remains elevated. Recently published projections showed a continuing increase over the next several years.

As a result of those projections, staff expect operating needs will exceed available funds for FY 2017. Staff expect to request supplemental funds when the legislature convenes in January 2017. TJJD faces significant budgetary pressure due to the elevated residential populations and successfully managed the challenges in FY 2016. This was primarily accomplished through the use of the \$2.5 million MAP funds that were brought forward from FY 2015 and other resource management measures implemented throughout FY 2016.

With the exception of the MAP funds these efforts would continue in FY 2017. However, funds were not anticipated to be enough to close the gap between the projected shortfall. The proposed FY

2017 operating budget would achieve balance by focusing on population figures in the GAA and not the actual population. The projected budgetary shortfall would primarily focus in the institutional supervision and food service strategy. The total FY 2017 operating budget is \$324.7 million of which \$300.6 million is general revenue. Funds for probation activities saw an increase of \$9 million in general revenue which was used primarily for the regional commitment diversion program.

Funding for state services and programs showed a decrease by \$9.6 million or \$6.2 million when construction and renovation bonds were excluded. This decrease was due to budgeting for the population projections in the GAA and not the actual population levels.

Funding for parole services and programs decreased slightly as a result of the lower population projections used in the GAA. Funding for system wide activities, such as training and monitoring, decreased slightly due to the impact of the resource management activities. Central Administration and Information Technology funding decreased slightly due to the resource management activities and the agency expending most of the capital appropriation for vehicles and computer laptop replacements in FY 2016.

The proposed budget was within the boundaries of TJJJ's legislative appropriations while striving to continue the agency's mission. The proposed resolution would approve the budget and authorize the executive director to make reasonable modifications, as necessary, to operate the agency and maintain a balanced budget. The proposed resolution would also authorize the executive director to transfer appropriations between items in accordance with the GAA as necessary to implement the operating budget.

Judge Brieden moved to recommend to the full board. Jane King seconded. The motion passed.

**Discussion, consideration and possible approval regarding the FY 2018-2019 Legislative Appropriations Request (Action)**

Mr. Meyer stated the Administrator's Statement, included in the Legislative Appropriations Request (LAR), gave an overview of the strategic direction of TJJJ and how that would connect to funding priorities. The statement highlights progress made in the current biennium over the areas of agency stability and programmatic improvement. The statement also acknowledged the persistent budgetary challenges faced by TJJJ.

The policy letter that accompanied the LAR instructions directed agencies to include a four percent reduction in baseline general revenue spending, however there were exceptions to that requirement. In TJJD's case, the applicable exception was in behavioral health spending. This brought the total reduction down to \$16.8 million. The total reduction of \$16.8 million was about 2.8 percent of TJJD's current general revenue. Staff's approach to operationalize the required reduction was to look at the strategies where cost reduction measures had already begun and in places where TJJD's expenditures were not as influenced by population.

Five strategies were identified where the expenditures were so driven by population that a baseline reduction was not feasible. Baseline funds would not adequately meet the projected needs of the population over the next couple of years. In that group the baseline general revenue was reduced as required relative to appropriations in the current biennium, but the first exceptional item would take those strategies up to a level to meet the needs of the projected population.

With the other 25 strategies staff were able to integrate the required reductions primarily because of efforts in the current biennium to reduce TJJD's operational cost. If TJJD were to project those out it would only require minor adjustments.

In response to a comment made by Judge Brieden, Mr. Meyer stated the Legislative Budget Board (LBB) has projected a slight decrease in residential population in the second year of the biennium however the overall trend was upward for the next several years.

The exceptional items list has been refined, reorganized and reprioritized with dollar amounts assigned. Staff felt it was important to acknowledge the agency's many needs even though the total request totaled \$168.8 million and 302 FTE's. Out of that total, \$39 million was driven by achieving basic services at the projected population levels. The dollar amounts were based off of cost per day calculations which are typically used in the appropriations process. Staff projected if the state services piece of that item was fully funded, the institutional supervision and food service, would not only meet the needs at the current levels but would also achieve PREA supervision requirements. The calculation was based on an appropriated cost per day but the result would actually meet a couple of objectives since the supervision requirements would go into effect October 2017.

In response to a question asked by Judge Brieden, Mr. Meyer stated if TJJD did not receive funds for state services the agency would not be compliant, at the projected population levels in FY 2017. If

needed, staff would retool the exceptional items request to respond to the introduced version of the appropriations bill, along with updated population projections.

Mr. Meyer provided brief descriptions of the remaining thirteen exceptional items.

In response to a question asked by Judge Brieden, Mr. Meyer stated the appropriations act sets the maximum salary for the Executive Director's salary. This is the process for most agencies, including TJJJD.

In response to a question asked by Judge Brieden, Mr. Meyer stated this was the way executive director's salaries were handled across the majority of state agencies. Each biennium staff request to increase the cap to be closer to the market rate. The State Auditor's Office (SAO) typically conducts a study to determine what the market rates are. A legislative workgroup would determine what, if any, adjustments to make. This position requires legislative action to make an increase possible.

All agencies were instructed to include information for a 10 percent reduction proposal in the LAR. Staff noted most of these elements would not be feasible from statutory or a safety perspective throughout the request.

The proposed resolution is one of approval and would also delegate authority to the board chair to approve final changes. This would enable staff the opportunity to incorporate any final guidance and also make technical corrections identified before the LAR is submitted by August 19<sup>th</sup>.

Jane King moved to take to the full board. Judge Brieden seconded. Motion passed.

**Discussion, consideration and possible final adoption of revisions and rule review for 37 TAC § 385.9975, relating to State Inscription (Action)**

Mr. Meyer stated this was a final adoption of a rule previously submitted concerning which vehicles would be required to show the state inscription. Rule revisions were posted in the Texas Register. No comments were received and no additional changes were recommended by staff. This rule was presented for final adoption.

Judge Brieden moved to take the full board for approval. Mr. Fisher seconded. The motion passed.

## **Discussion regarding A Study of Salaries and Turnover Rates among Juvenile Justice Personnel in Texas**

Mr. Royce Myers, Director of Human Resources, and Mr. Williams stated the Study of Salaries and Turnover Rates consisted of two sections. Section one provided information regarding TJJD employees and a comparison with other state employees. Section two provided information of a study regarding County employees, conducted by TJJD's Research & Planning Department.

Staff utilized information from the Survey of Employee Engagement, conducted in November of last year, an annual turnover report published by the State Auditor's Office in December of last year and salary comparison data obtained through the Public Information Act.

The State Auditor's Office (SAO) prepares reports every biennium on the state position classification plan. The SAO report stated if TJJD is not within 10 percent of the market rate, the agency may have a higher risk of turnover. Lower salaries could be a contributing factor to TJJD's having the second highest turnover rate among state agencies. Staff also had access to actual salary information for 137,000 state employees. Staff compared the median salary for each TJJD position to the median salary of all other state employees in the same position. In almost all comparisons TJJD had the higher turnover rate and TJJD's salaries were indeed lower compared to other state agencies; even worse when compared to the market sector.

After all data was analyzed, staff prepared five recommendations.

- Request funds to increase JCO salaries to maintain equity with TDCJ officers.
- Request funds to create a career ladder for Parole Officers that is equitable with TDCJ Parole Officers.
- Adjust salaries for positions other than Juvenile Correctional Officer's (JCO), Parole Officers and Teachers, who have their own compensation plan, to be more competitive in the market.
- Recommend positions will no longer post at minimum. Instead they will be posted up in the range of 20 percent to make more competitive.
- Ensure all staff are properly classified to ensure salaries will be in line with other state employees.

Staff requested salary information from the County Juvenile Probation Departments for case load carrying officers to conduct the county side of the study. To give the probation departments

flexibility to be competitive, staff recommended offering additional funding of 3 percent of their total salaries to use at their discretion.

Chairman Stephens recommended to adopt this study at the next board meeting.

In response to a question asked by Judge Brieden, Mr. Williams stated 3 percent would give the counties the flexibility to give their employees a competitive advantage. This is just for the case load carrying staff. Mr. Reilly stated staff spent a considerable amount of time on this study and the recommendations. It was determined it would be difficult to get to a point to address everyone. Staff recognized the counties also have the capacity to request county monies to combine with the 3 percent to increase salaries if they so desire. Whereas the state only has one option.

In response to a comment made by Judge Brieden, Mr. Reilly stated staff's intent for these dollars is for use for salaries.

**Discussion and consideration of certain actions concerning transferring the Corsicana Residential Treatment Center, with limitations on its use, the City of Corsicana's request for transfer, and Navarro County's request to postpone consideration of transfer**

Ms. Kathryn Gray, TJJJD staff attorney, stated SB653 from the 82<sup>nd</sup> Legislative Session provides authority for TJJJD to transfer a closed property to the county or city in which it is located. The bill has two requirements. The property must be in a county with a population less than 100,000 and the city or county must use the property for a purpose that benefits the public interest of the State of Texas.

The authority to transfer under SB653 is permissive and TJJJD is not obligated to do so. The Corsicana Regional Treatment Center (CRTC) facility has not been utilized for any programs and youth have not been housed there since the end of 2013. CRTC is located in Navarro County which has a population less than 100,000 as the bill requires. Both the city of Corsicana and the Navarro County have expressed interest to have the property transferred to them. The city passed a resolution and sent TJJJD a letter requesting the transfer. In the event that a transfer was approved staff would work with the Attorney General's Office and the Texas General Land Office to draft a transfer instrument that would address the public purpose requirement in a specific and effective manner that would incorporate the policy considerations of the office of the governor.

In response to a question asked by Chairman Stephens, Ms. Jill Mata, general counsel, stated TJJD had received an email from the officials in Navarro County. Officials asked TJJD staff to delay a decision so they can discuss whether to pursue a request to transfer the property. The email came from the county judge.

Judge Brieden suggested a motion to send to the full board without recommendation from this committee so members could hear the full discussion.

Chairman Stephens stated, for the record, transfer of this facility would be in the best interest of TJJD.

### **Discussion, consideration, and possible approval of the AMIKids Audit (Action)**

Mr. Eleazar Garcia, Chief Internal Auditor, presented this action item. The overall objective of the audit was to evaluate controls over contract care operations as well as the agency's oversight of the program. Staff noted positive outcomes in the course of the audit.

Mr. Garcia described areas where controls could be enhanced to provide more effective practices and compliance with policies and procedures.

Mr. Garcia noted a change to the draft report. In the initial sentence of the background section, it stated AMIKids had been one of six contract care facilities. At the time the audit was conducted, there were seven contract care facilities and six of those had youth. At the time of this report, there are currently eight contract care facilities.

Management concurs with the findings and responses to the recommendations can be found on page 233 of the Board packet.

Jane King moved to recommend to the full board for approval. Judge Brieden seconded. The motion passed.

Meeting adjourned at 1:10 p.m.



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: David Reilly, Executive Director  
Jim Southwell, Chief Information Officer

Subject: Updates from the Chief Information Officer

Date: October 3, 2016

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This memo is for informational purposes; no formal Board action is required.

### **GENERAL UPDATES**

#### **Staffing changes:**

- We continue to work closely with the HR staff to revise the job posting process for vacant IT positions. Working collaboratively we are trying to develop more of a marketing approach for open positions in the hope that it will result in increased numbers of qualified applicants for these slots. While every vacancy is key there are a few positions that are more time sensitive than others – specifically the Deputy CIO and Information Security Officer. The duties of these roles are currently being shared by me and others in efforts to fill the void. Additionally, the vacant Programmer and Database Administrator positions are high on the priority list for us.

### **APPLICATION DEVELOPMENT & OPERATIONS**

#### **Application Development**

- Recently, IT Development staff completed programming work related to several requested system modifications including the PBIS tracking database, the Grant Manager system and a data exchange with the TIERS system run by the Health and Human Services Commission. Staff also worked on defining the quality assurance/Test process for in-house developed applications.
- Ongoing work for this team centers on completing the applications associated with the monthly data reporting from the juvenile probation departments and the application/database remediation necessary to move from Windows 2003/SQL 2005 to Windows 2012/SQL 2014.

#### **Field IT Initiatives:**

- Work continues on the radio interoperability initiative for the new radios purchased earlier this summer. These devices will be deployed to the members of the Office of Inspector General with the expectation

of establishing inter-agency interoperability between TJJJ and other state and local law enforcement agencies and emergency responders. Unfortunately, this is a lengthy and time consuming process as individual MOU's must be prepared, reviewed and executed between TJJJ and each local agency. Progress is happening but at a much slower pace than expected.

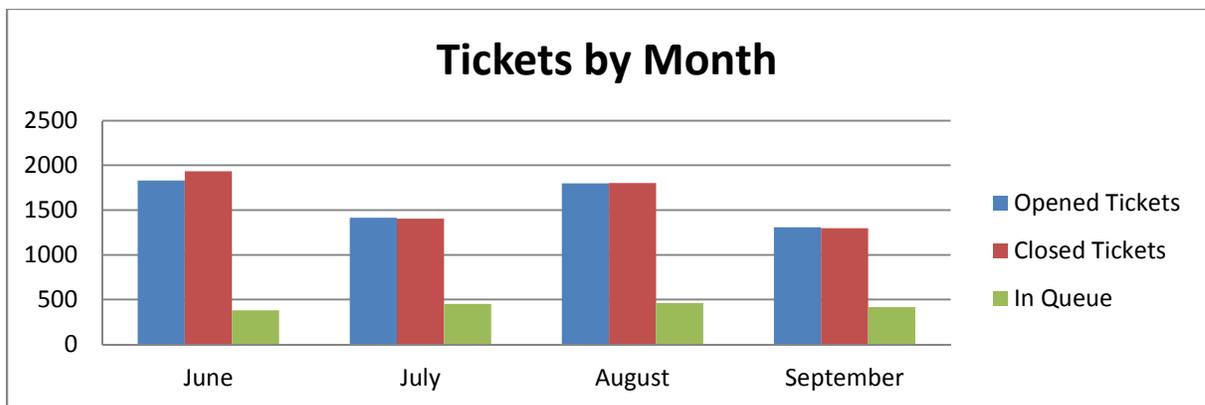
- PREA Video Surveillance installations are underway at Ron Jackson. A limited number of new video surveillance cameras and storage devices were procured under a grant from the Governor's office. These new devices will complement the existing surveillance equipment in the security area at Ron Jackson.

### **Operations Team:**

- The ongoing migration of legacy servers continues to move forward. We have virtually eradicated the Windows 2003 operating system from our environment except for those servers (18 percent / 14 servers) with application dependencies related to the older operating environment. Work to remediate these issues and dependencies is underway. The migration from the Windows 2003 server environment to Windows 2012 has been a primary focus for quite some time and although there were a number of obstacles along the way, the dedication of the IT team to remain focused on this initiative was the primary driver to these successful migrations. Currently the agency has 78 servers in its environment, 82 percent of which are using Windows 2008 or Windows 2012. Since January, 2016, the agency has decommissioned 27 outdated servers.

### **Help Desk Ticket Management:**

- Overall, Help Desk tickets have been somewhat reduced with the four month average showing a slight decrease in relative ticket transactions. The 4-month averages are as follows: 1588 tickets opened; 1609 tickets closed; and 426 tickets in the queue to be processed.



## **SECURITY & ACCESS MANAGEMENT**

### **Security Team:**

- The IT Security team is moving into the production stage of the Information Security awareness training course in collaboration with TJJJ's Training Division. We have reviewed and refined the base input provided previously to ensure with the new players we have in place, that we have a comfort level with the information and its presentation. We look forward to completing this work and providing agency staff an effective Information Security Awareness training course.

# GOVERNANCE & ENTERPRISE PROJECT MANAGEMENT

## Change Management:

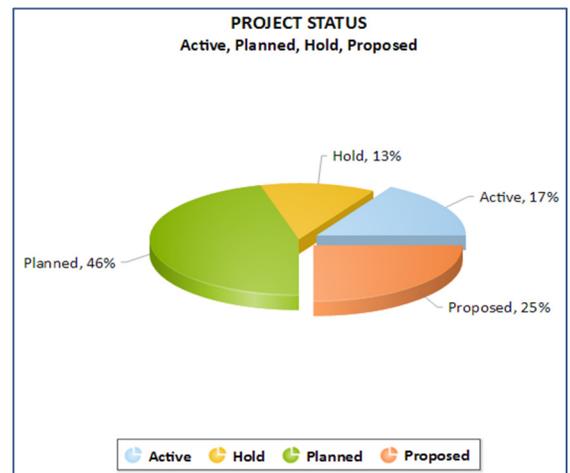
- The Change Management staff is working collaboratively with the Application Development team to help define the agency’s data governance framework and is currently in the research stage to more fully understand the magnitude of this initiative and how to scale it appropriately for TJJJ.
- An audit by the Change Management staff is being conducted on items submitted to the agency’s Change Advisory Board to ensure all needed aspects are accounted for before the initiative is moved forward for implementation.

## Project Management:

- TJJJ’s Project Management staff has been solicited to volunteer on the Communications Committee of the Texas Association of State Systems for Computing and Communications (TASSCC). The agency has long been a part of this organization which is primarily focused on furthering the computing and communications capabilities of State IT organizations. TASSCC provides cost effective training, resources and networking opportunities throughout the year to help IT employees stay on top of the rapidly changing IT landscape.

## Project Summary

- **Active [17%]** – 4 projects
- **On Hold [13%]** – 3 projects
- **Planned [29%]** – 11 projects (*pending resource availability*)
- **Proposed [25%]** – 6 projects (*filed with PMO*)
- **Closed** – 6 projects (*since July 2016*)



## Active Projects – General Timelines

TJJJ- ID	Title	Status	% Complete	Start Date	Estima...	Target ...	Department	Sep 2016	Oct 2016	Nov 2016	Dec 2016
FY16-44	Discipline & Performance Review Extraction Data	Active	96.00%	8/1/2016	141.00	9/30/20...	Human Resources	█	Discipline & Performance Review Extraction Data		
FY16-04	Kronos Reports Extractions	Active	96.37%	1/1/2016	180.00	9/30/20...	Human Resources	█	Kronos Reports Extractions		
FY16-22*	Refresh: Windows Servers 2003	Active	55.41%	6/9/2016	1,500.00	9/30/20...	IT - Multiple	█	Refresh: Windows Servers 2003		
FY12-01	Multiple Commitments	Active	94.16%	8/1/2012	691.50	5/13/20...	Secure Facilities & Operat..	█			

\* Footnote on Multiple Commitments project – Although the project timeline above shows the project at 94%, this related only to the initial implementation of this module which was completed in January, 2016. However, since its implementation, a number of issues have been identified by both State Programs and Research that need to be addressed. A work plan is being developed collaboratively between State Programs, Research and IT to document and prioritize these issues and to determine the appropriate course of action to resolve each. This project will be closed and a new project will be opened for the future work related to this.





TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: David Reilly, Executive Director  
Mike Meyer, Chief Financial Officer

Subject: Updates from the Chief Financial Officer

Date: October 11, 2016

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**FY16 Expenditures and Performance Measures.** The August financial report is included in the Board packet. Highlights from the report will be discussed at the meeting of the Finance and Audit Committee. The report runs through the end of the fiscal year; however, available balances will decrease as remaining obligations are liquidated. For example, some services have yet to be billed, and certain grant funds have yet to be disbursed. Staff continues to project small remaining balances that will be available to partially offset fiscal pressures in fiscal year (FY) 2017. Balances come as a result of cost reduction measures in the current biennium, and staff will provide a more finalized view of FY 2016 at the Board's next meeting.

Fourth quarter performance measures were being compiled at the time of the writing of this memo. Highlights will be distributed and discussed at the meeting of the Finance and Audit Committee. In addition, the Board requested regular updates on expenditures related to contract residential placements, compared to budgeted funds and contract not-to-exceed amounts. Estimated figures through the end of FY 2016 are provided in the table on the following page. Of note, expenditures on each contract were below approved not-to-exceed levels. However, expenditures were above the original placement budget of \$6.0 million as well as the amended placement budget of \$6.2 million. Additionally, bed utilization through the course of the year was below the target in the General Appropriations Act. Both of these are reflective of costs for contract care that were higher than anticipated during the appropriations process. Funding to cover the difference was identified from among available resources.

<b>Amended Placement Budget<sup>1</sup></b>		<b>\$6,237,436</b>
Provider	NTE*	Expended
G4S – The Oaks at Brownwood – Secure	\$3,179,004	\$2,261,586
Cornerstone (Garza County) – Secure	\$2,685,816	\$2,118,122
Associated Marine Institute Kids (AMIKids)	\$1,009,225	\$770,882
Byrd’s Foster Group Home	\$631,596	\$130,753
Gulf Coast Trades Center	\$1,832,008	\$357,994
National Mentor Healthcare, dba Texas Mentor	\$183,559	\$704
Pegasus Schools, Inc.	\$2,759,400	\$390,663
Specialized Alternatives for Families and Youth	\$252,945	\$65,373
Rite of Passage	\$508,000	\$209,452
<b>TOTALs</b>	<b>\$12,533,553</b>	<b>\$6,305,530</b>
*Approved contract Not-to-Exceed amounts		
Expenditures as a Percent of Placement Budget		101.1%

**SB 1630 Provisions Affecting General Probation Funding.** As previously discussed with the Board, Finance and other agency staff engaged in a projected mandated by the General Appropriations Act and Senate Bill 1630 to define Basic Probation, to develop a new State Aid funding formula, and to establish “discretionary funding protocols” for funding not subject to the formula. Implementation of this initiative for the FY 2016-2017 biennium is complete. As noted at the last meeting of the Board, applications for Discretionary State Aid (DSA) were received, evaluated, and awarded. TJJJ’s LAR includes an exceptional item to support the planned expansion of the DSA program with new dollars, rather than by removing additional funds from formula allocations.

**Regular and Supplemental Appropriations Process.** Staff submitted TJJJ’s Legislative Appropriations Request (LAR) by its due date of August 19. The final LAR included only minor changes from the version reviewed by the Board. The most substantive changes were to add a rider request that would authorize TJJJ to pay a stipend to JCO Transporters, and the reprioritization of one Information Technology sub-component on the list of exceptional items.

TJJJ’s LAR hearing was held September 12, hosted by the Governor’s Office with participation by the Legislative Budget Board (LBB) and several Capitol offices. Agency staff have met separately with several offices to discuss the LAR, and have answered questions as they arise. Most of the questions have related to TJJJ’s strategy behind its baseline funding request (especially implementation of required reductions) and explanation/justification of exceptional items.

Over the course of the fall, LBB staff will develop recommendations for the introduced version of the Appropriations Act for consideration by their legislative leadership. These will be filed in

<sup>1</sup> The initial placement budget of \$6,032,396 was increased to accommodate provider rate increases.

the Texas Senate and House on the first day of session, in January. Following this, staff will revise exceptional items as needed in preparation for budget hearings that will likely occur in February.

The staff has also provided Capitol offices with additional information regarding supplemental funding needs for FY 2017. This information is copied identically<sup>2</sup> below. The preliminary projected funding need of \$12.4 million includes \$2.1 million for probation and a net of \$10.4 million for state operations based on updated projected populations in those areas. This total is offset by a mixture of projected savings and available balances of \$2.7 million for a net supplemental request of \$9.7 million. These figures may change during the course of the year as actual population and expenditures become known.

## VII. BUDGET OUTLOOK

### FY 2016 Budgetary Close Out

TJJD's strategies to manage the increased residential population in FY 2016 within available resources were successful. Approximately \$2.5 million in "MAP funds" (see Section V) brought forward from FY 2015 to FY 2016 had the single largest impact; additional revenue collected for food services and education programs was of further help.

The agency also enacted several cost control and budget management measures that are ongoing. Several examples include: reducing division operating budgets, requiring offsetting reductions for changes to agency positions or position salaries, freezing open positions, renegotiating certain contracts, eliminating year-end funding for things such as inventory replenishment or capital purchases, and reallocating funding across items of appropriation.

As a result of these measures TJJD was able to address the needs of the elevated residential population in FY 2016 without a request for spend-forward authority or other gubernatorial or legislative action. These efforts are ongoing but will not be sufficient to counter the impact of the elevated residential population in FY 2017. The next section provides a framework for a supplemental appropriation.

### FY 2017 Fiscal Pressures and Supplemental Needs

The G.A.A. target for total residential population in FY 2017 is 1,237, including 923 in state facilities, 146 in halfway houses, and 168 in contract placements. On the basis of those targets, General Revenue appropriations in Goal B decrease by \$2.4 million comparing FY 2017 to FY 2016, which is the net of a \$4.7 million reduction in strategies supporting state facilities and halfway houses, and a \$2.3 million increase in contract care. However, in its updated projections from July, the Legislative Budget Board now anticipates the total residential population in FY 2017 to be 1,389—more than 12 percent above the G.A.A. target.

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<sup>2</sup> Other than the numbering of the footnote.

The resulting budgetary pressures affect all of TJJJ's Goal B, State Services and Facilities, but are most evident in Strategy B.1.3, Institutional Supervision and Food Service. That strategy predominately supports salaries and overtime for Juvenile Correctional Officers (JCOs). In particular, to meet statutorily required supervision ratios, TJJJ must maintain more JCO positions (and expend more on overtime) than would be needed at G.A.A. projected population levels. Compounding the impact of that difference is a legislative initiative to increase Juvenile Correctional Officer pay by 2.5 percent this year, which increases the cost of staffing and overtime.

Also significant is the current profile of the residential population, which suggests that the brunt of the population overage will continue to be felt in state secure facilities. The number of youth that are appropriate for transitional halfway house settings or medium-security contract placements is limited. There are youth that would be appropriate for secure contract residential placements, but in that area TJJJ faces higher daily rates, and a limited provider base. In the current biennium, efforts to expand that base have been only moderately successful.<sup>3</sup>

The elevated population brings costs in other areas as well, such as youth medical and psychiatric services. Expenditures in other parts of Goal B or elsewhere in TJJJ's budget have a less direct connection to population, though areas such as assessment and orientation, rehabilitative treatment programming, education, and investigative activities do experience a negative impact when the population is above expectations.

On the probation side of the juvenile justice system, the G.A.A. target for supervision populations in FY 2017 is 20,584. The updated projection is 21,629, above the target by more than 5 percent. This increase occurs at a time when many probation departments saw a reduction in state funding as TJJJ sought to implement provisions in Senate Bill 1630 (84[R]). The agency was required to set aside funds for "discretionary" (research/outcomes-driven) grants. This is part of a broader trend wherein state funds have become increasingly targeted; as a result, many probation departments struggle to identify funds for general operations.

Appropriations in certain strategies in TJJJ's bill pattern where expenditures are strongly tied to population levels are typically appropriated based on a cost-per-day (CPD) calculation: the projected population is multiplied by a CPD set by the Legislature, and by the number of days in the fiscal year. This approach is most commonly used in strategies A.1.2 (Basic Probation Supervision), B.1.3 (Institutional Supervision and Food Service), B.1.5 (Halfway House Operations), B.1.9 (Contract Residential Placements), and C.1.1 (Parole Direct Supervision). Although appropriations in strategies B.1.6 and B.1.7 (youth health and psychiatric care) are not typically made from a CPD calculation, those strategies are also strongly impacted by population levels.

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<sup>3</sup> The agency's ongoing Requests for Proposals (RFP) for contract beds have resulted in only one new provider contract this biennium. In an attempt to attract more interest and meet a specific need, the RFP for secure residential placements was amended to specify preference for a location in an urban area, with optimal scoring for a placement in Harris County. To date, it has received no actionable responses.

The attachment provides a preliminary calculation of TJJJ's supplemental funding needs, arriving at a total of \$9.74 million. This is the net of funding needs in strategies A.1.2, B.1.3, B.1.6, and B.1.7; the removal of a portion of the General Revenue in strategy B.1.9; and several sources of projected available funds. The offsetting funds come from a mix of additional projected revenue in other parts of TJJJ's budget and savings from operational adjustments.

Agency staff will closely monitor actual expenditures as FY 2017 unfolds and will stay in close communication with legislative offices regarding supplemental funding needs.

**TJJD Preliminary Supplemental Appropriation Request Summary**

FY 2017 Budgeted (from LAR)	Proj ADP	Gen Rev	Federal	Approp Rec	Total	Calculated CPD	Approp CPD*
A.1.2 Basic Probation Supervision	20,584	\$40,571,064			\$40,571,064	\$5.40	\$5.40
Subtotal, Goal A (Community Juvenile Justice)		\$40,571,064	\$ -	\$ -	\$40,571,064		
B.1.3 Institutional Supervision & Food Service	923	\$54,610,674	\$1,718,940	\$142,952	\$56,472,566	\$167.63	\$167.29
B.1.6 Health Care	923	\$8,691,471	\$ -	\$ -	\$8,691,471	\$25.80	\$19.25
B.1.7 Mental Health (Psychiatric) Care	923	\$784,272	\$ -	\$ -	\$784,272	\$2.33	\$2.01
B.1.9 Contract Residential Placements	168	\$8,166,126	\$730,254	\$ -	\$8,896,380	\$145.08	\$145.57
Subtotal, Goal B (State Services and Facilities)		\$72,252,543	\$2,449,194	\$142,952	\$74,844,689		
<b>TOTAL, FY2017, by MOF</b>		<b>\$112,823,607</b>	<b>\$2,449,194</b>	<b>\$142,952</b>	<b>\$115,415,753</b>		

FY 2017 at Projected Population	Proj ADP	Gen Rev	Federal	Approp Rec	Total	Calculated CPD	Approp CPD*
A.1.2 Basic Probation Supervision	21,629	\$42,630,759	\$ -	\$ -	\$42,630,759	\$5.40	\$5.40
Subtotal, Goal A (Community Juvenile Justice)		\$42,630,759	\$ -	\$ -	\$42,630,759		
B.1.3 Institutional Supervision & Food Service	1,123	\$66,481,734	\$2,060,705	\$28,896	\$68,571,335	\$167.29	\$167.29
B.1.6 Health Care	1,269	\$8,916,312	\$ -	\$ -	\$8,916,312	\$19.25	\$19.25
B.1.7 Mental Health (Psychiatric) Care	1,269	\$931,002	\$ -	\$ -	\$931,002	\$2.01	\$2.01
B.1.9 Contract Residential Placements	120	\$6,308,786	\$521,824	\$ -	\$6,830,610	\$155.95	\$145.57
Subtotal, Goal B (State Services and Facilities)		\$82,637,834	\$2,582,529	\$28,896	\$85,249,259		
<b>TOTAL, FY2017, by MOF</b>		<b>\$125,268,593</b>	<b>\$2,582,529</b>	<b>\$28,896</b>	<b>\$127,880,018</b>		

Surplus(Shortage)	Gen Rev	Total
A.1.2 Basic Probation Supervision	\$(2,059,695)	\$(2,059,695)
Subtotal, Goal A (Community Juvenile Justice)	\$(2,059,695)	\$(2,059,695)
B.1.3 Institutional Supervision & Food Service	\$(11,871,060)	\$(11,871,060)
B.1.6 Health Care	\$(224,841)	\$(224,841)
B.1.7 Mental Health (Psychiatric) Care	\$(146,730)	\$(146,730)
B.1.9 Contract Residential Placements	\$1,857,340	\$1,857,340
Subtotal, Goal B (State Services and Facilities)	\$(10,385,291)	\$(10,385,291)
<b>TOTAL, FY2017, by MOF</b>	<b>\$(12,444,986)</b>	<b>\$(12,444,986)</b>

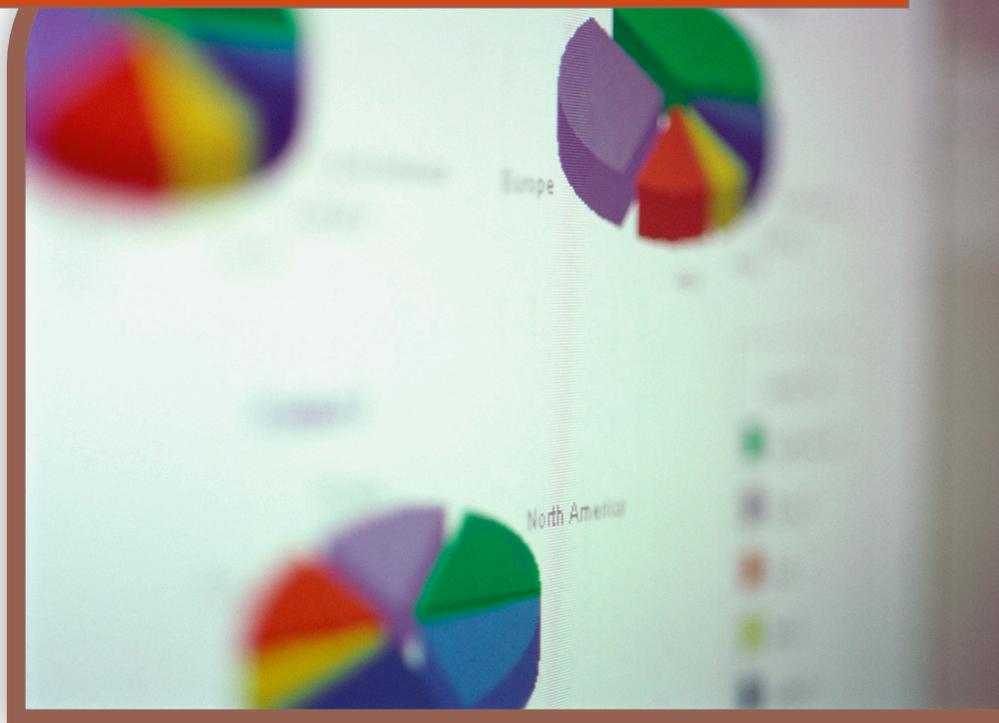
\*Adjusted for legislative statewide pay increases

PRELIMINARY CALCULATION OF FY 2017 SUPPLEMENTAL NEED	
FY 2017 LAR Over(Under) Projection	\$(12,444,986)
Projected Additional Education Revenue (FSP)	\$800,000
Projected Data Center Services Surplus	\$800,000
Projected Remaining MAP Funding	\$400,000
Operational Adjustments	\$700,000
<b>FY 2017 Projected Supplemental Needs</b>	<b>\$(9,744,986)</b>

# Texas Juvenile Justice Department

## Financial Report

### for Fiscal Year 2016





# Texas Juvenile Justice Department

## TJJD Budget Status Highlights Fiscal Year 2016

- ◆ **Population:** The following table compares key residential average daily population (ADP) indicators as of the end of the fourth quarter and across the fiscal year to projections in the General Appropriations Act (GAA):

	GAA Target	Fourth Quarter			Fiscal Year		
		Actual	Over (Under)	Percent	Actual	Over (Under)	Percent
Secure Facilities	998.0	1,063.9	65.9	6.6%	1071.2	73.2	7.3%
Halfway Houses	146.0	157.3	11.3	7.7%	143.3	(2.7)	(1.8%)
Contract Care	120.0	111.6	(8.4)	(7.0%)	116.2	(3.8)	(3.2%)
Total	1,264.0	1,332.8	68.8	5.4%	1,330.7	66.7	5.3%

These figures present a fiscal year total residential population that was above projections, and a fourth quarter total that was above projections by a slightly higher margin. The additional population was housed at state secure facilities, while the use of contract and halfway house beds for the year was slightly below projections. These figures are preliminary as of the production of this report and should not be interpreted to represent officially reported performance measures.

- ◆ **Agency Expenditures:** TJJD expenditures through the end of August totaled \$315.6 million, including \$291.8 million in General Revenue. The following table shows how year-to-date expenditures compare to the agency's amended budget.

Expenditures as a Percentage of Amended Budget	All Goals	Goals B-F
General Revenue Only	99.0%	99.5%
All Methods of Finance	96.6%	96.5%

Fiscal Year (FY) 2016 expenditures were on target with available budget. Beginning in May, the agency took measures to reduce budgets in non-direct care strategies to account for the increased costs associated with the elevated population. Expected post-August FY 2016 expenditures will consume most of the remaining budget.

- ◆ **FTEs and Overtime:** TJJD's appropriated and budgeted full-time equivalent (FTE) caps are 2,873.1 and 2,581.5 respectively. Actual FTEs for August 2016 were 2,556.1 which is 317.0 below the GAA cap and 25.4 below the budgeted FTE cap. The agency expended \$5.5 million in overtime through the end of August, or 122.4% percent of the current budget for this purpose. Juvenile Correctional Officers accounted for 94.3 percent of overtime spent. Over the same time period in FY 2014 and 2015 overtime expenditures totaled \$4.3 million and \$3.8 million, respectively.
- ◆ **Construction Projects:** All appropriations from repair and rehabilitation funding provided by the 81<sup>st</sup> Legislature have been allocated to projects. The bidding process for projects funded by the 83<sup>rd</sup> Legislature is underway.

	FY 2016 - ADP											
	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
Evins Regional Juvenile Center	132.57	131.94	131.67	134.39	135.84	129.21	124.42	113.57	114.42	110.20	116.42	118.81
Gainesville State School	254.23	253.13	259.33	258.23	260.74	262.52	259.26	261.63	256.45	244.37	241.81	253.16
Giddings State School	201.43	194.55	202.77	212.13	219.87	216.52	215.19	224.00	227.29	226.50	220.84	218.06
McLennan County Long-Term	218.67	219.19	214.17	211.39	215.58	220.83	216.48	215.63	219.94	224.73	223.55	221.16
McLennan County Phoenix	8.50	10.42	13.53	11.74	11.26	14.52	13.58	15.73	10.74	10.10	13.58	15.48
McLennan County Residential Treatment Center	<u>51.33</u>	<u>50.52</u>	<u>47.50</u>	<u>48.23</u>	<u>47.13</u>	<u>46.52</u>	<u>45.26</u>	<u>47.57</u>	<u>49.97</u>	<u>47.17</u>	<u>45.68</u>	<u>40.19</u>
Total McLennan County SJCF	278.50	280.13	275.20	271.35	273.97	281.86	275.32	278.93	280.65	282.00	282.81	276.84
Ron Jackson SJCC Short-Term (O&A)	82.80	89.42	96.03	91.68	68.77	76.07	75.29	83.93	94.84	89.10	89.16	84.97
Ron Jackson Young Male Program	6.37	9.97	12.73	12.35	13.90	14.24	11.84	10.83	10.16	9.80	10.97	10.55
Ron Jackson SJCC Long-Term	<u>97.37</u>	<u>98.16</u>	<u>100.07</u>	<u>98.16</u>	<u>100.45</u>	<u>104.90</u>	<u>107.84</u>	<u>104.60</u>	<u>104.16</u>	<u>104.30</u>	<u>101.81</u>	101.58
Total Ron Jackson SJCC	186.53	197.55	208.83	202.19	183.13	195.21	194.97	199.37	209.16	203.20	201.94	197.10
Total, TJJJ Operated Secure	1053.27	1057.29	1077.80	1078.29	1073.55	1085.31	1069.16	1077.50	1087.97	1066.27	1063.81	1063.97
Halfway Houses	<u>144.93</u>	<u>138.94</u>	<u>143.37</u>	<u>142.94</u>	<u>140.35</u>	<u>138.03</u>	<u>138.48</u>	<u>124.90</u>	<u>126.65</u>	<u>166.33</u>	<u>157.71</u>	<u>157.29</u>
Total, TJJJ Operated Facilities	<b>1198.20</b>	<b>1196.23</b>	<b>1221.17</b>	<b>1221.23</b>	<b>1213.90</b>	<b>1223.34</b>	<b>1207.65</b>	<b>1202.40</b>	<b>1214.61</b>	<b>1232.60</b>	<b>1221.52</b>	<b>1221.26</b>
Contract Care	<u>118.37</u>	<u>126.90</u>	<u>118.57</u>	<u>114.61</u>	<u>117.03</u>	<u>116.83</u>	<u>122.74</u>	<u>116.90</u>	<u>114.03</u>	<u>107.47</u>	<u>109.03</u>	<u>111.61</u>
TOTAL RESIDENTIAL	<b>1316.57</b>	<b>1323.13</b>	<b>1339.73</b>	<b>1335.84</b>	<b>1330.94</b>	<b>1340.17</b>	<b>1330.39</b>	<b>1319.30</b>	<b>1328.65</b>	<b>1340.07</b>	<b>1330.55</b>	<b>1332.87</b>

	General Appropriations Act	Amended Budget	Expended/ Disbursed <sup>2</sup> YTD	% Expended	
<b><u>Strategies:</u></b>					
A.1.1	Prevention and Intervention	3,137,684	3,120,767	3,120,758	100.0%
A.1.2	Basic Supervision	41,464,872	39,168,253	38,966,235	99.5%
A.1.3	Community Programs	44,359,374	42,370,055	40,373,370	95.3%
A.1.4	Pre and Post Adjudication Facilities	25,814,997	25,421,874	25,138,869	98.9%
A.1.5	Commitment Diversion Programs	19,492,500	20,269,033	20,184,191	99.6%
A.1.6	JJAEP	6,250,000	6,250,000	5,260,086	84.2%
A.1.7	Mental Health Services	12,804,748	15,993,107	15,934,315	99.6%
A.1.8.	Regional Diversion Alternatives	435,490	1,262,932	282,040	22.3%
A.1.9.	Probation System Support	2,476,954	2,793,944	2,594,183	92.9%
B.1.1	Assessment & Orientation	2,021,924	2,102,852	2,096,837	99.7%
B.1.2	Institutional Operations and Overhead	13,637,898	15,013,912	14,608,656	97.3%
B.1.3	Institutional Supervision and Food Service	58,110,656	60,423,047	64,670,484	107.0%
B.1.4	Education	15,709,509	16,909,228	14,842,342	87.8%
B.1.5	Halfway House Operations	9,738,097	10,014,657	9,815,156	98.0%
B.1.6	Health Care	8,905,512	8,905,512	8,133,718	91.3%
B.1.7	Mental Health (Psychiatric) Care	841,595	841,595	567,245	67.4%
B.1.8	Integrated Rehabilitation Treatment	12,577,591	11,992,576	11,962,906	99.8%
B.1.10	Contract Care	6,514,978	7,156,937	6,376,638	89.1%
B.1.11.	Residential System Support	2,802,214	2,990,839	3,031,924	101.4%
B.2.1	Office of the Inspector General	2,184,961	2,247,617	2,327,046	103.5%
B.2.2	Health Care Oversight	995,233	1,015,327	937,367	92.3%
B.3.1	Construct & Renovate Facilities	302,796	5,647,153	1,892,006	33.5%
C.1.1	Parole Direct Supervision	2,777,638	2,923,918	2,479,221	84.8%
C.1.2.	Parole Programs and Services	1,443,121	1,243,005	947,227	76.2%
D.1.1	Office of Independent Ombudsman	1,007,961	1,034,039	890,876	86.2%
E.1.1.	Training and Certification	1,676,997	1,962,882	1,932,759	98.5%
E.1.2	Monitoring and Inspections	2,296,156	2,821,682	2,881,244	102.1%
E.1.3	Interstate Agreement	260,007	219,934	209,770	95.4%
F.1.1	Central Administration	8,878,871	8,871,486	8,446,057	95.2%
F.1.2	Information Resources	5,936,364	5,374,484	4,654,718	86.6%
<b>TOTAL - Strategy Budget</b>		<b>\$314,856,698</b>	<b>\$326,362,647</b>	<b>\$315,558,242</b>	<b>96.7%</b>
<b><u>Method of Finance:</u></b>					
	General Revenue	292,747,953	294,568,782	291,769,219	99.0%
	Federal Funds	9,594,137	14,101,440	10,607,969	75.2%
	Criminal Justice Grants	0	17,815	17,815	100.0%
	General Obligation Bonds	0	5,329,937	1,668,791	31.3%
	Appropriated Receipts	1,460,413	1,335,281	1,306,173	97.8%
	Interagency Contracts	11,054,195	11,009,392	10,188,276	92.5%
<b>TOTAL - Method of Finance</b>		<b>\$314,856,698</b>	<b>\$326,362,647</b>	<b>\$315,558,242</b>	<b>96.7%</b>

**Notes:**

1. The normal range is +/- 5% of the straight-line projection of 100% for FY 2016.

2. Amounts reflect grant funds disbursed to the counties.

3. Red represents areas  $\geq$  (greater than or equal to) 105%

		General Appropriation Act	Amended Budget	Expended/ Disbursed YTD	% Expended
<b><u>Strategies:</u></b>					
<b>A.1.1. Prevention and Intervention</b>					
General Revenue		3,137,684	3,120,767	3,120,758	
<b>Subtotal</b>		<b>3,137,684</b>	<b>3,120,767</b>	<b>3,120,758</b>	100.0%
<b>A.1.2. Basic Supervision</b>					
General Revenue		41,464,872	39,168,253	38,966,235	
<b>Subtotal</b>		<b>41,464,872</b>	<b>39,168,253</b>	<b>38,966,235</b>	99.5%
<b>A.1.3. Community Programs</b>					
General Revenue		38,476,045	36,486,726	36,105,946	
Federal Funds		4,733,329	4,733,329	3,117,424	
Appropriated Receipts		1,150,000	1,150,000	1,150,000	
<b>Subtotal</b>		<b>44,359,374</b>	<b>42,370,055</b>	<b>40,373,370</b>	95.3%
<b>A.1.4. Pre and Post Adjudication Facilities</b>					
General Revenue		25,814,997	25,421,874	25,138,869	
<b>Subtotal</b>		<b>25,814,997</b>	<b>25,421,874</b>	<b>25,138,869</b>	98.9%
<b>A.1.5. Commitment Diversion Initiatives</b>					
General Revenue		19,492,500	20,269,033	20,184,191	
<b>Subtotal</b>		<b>19,492,500</b>	<b>20,269,033</b>	<b>20,184,191</b>	99.6%
<b>A.1.6. JJAEP</b>					
Interagency Contracts		6,250,000	6,250,000	5,260,086	
<b>Subtotal</b>		<b>6,250,000</b>	<b>6,250,000</b>	<b>5,260,086</b>	84.2%
<b>A.1.7. Mental Health Services</b>					
General Revenue		12,804,748	15,993,107	15,934,315	
<b>Subtotal</b>		<b>12,804,748</b>	<b>15,993,107</b>	<b>15,934,315</b>	99.6%
<b>A.1.8. Regional Diversion Alternatives</b>					
General Revenue		435,490	1,262,932	282,040	
<b>Subtotal</b>		<b>435,490</b>	<b>1,262,932</b>	<b>282,040</b>	22.3%
<b>A.1.9. Probation System Support</b>					
General Revenue		2,476,954	2,574,000	2,455,034	
Federal Funds		-	219,945	139,149	
<b>Subtotal</b>		<b>2,476,954</b>	<b>2,793,944</b>	<b>2,594,183</b>	92.9%
<b>B.1.1. Assessment, Orientation, Placement</b>					
General Revenue		2,021,924	2,102,852	2,096,837	
<b>Subtotal</b>		<b>2,021,924</b>	<b>2,102,852</b>	<b>2,096,837</b>	99.7%
<b>B.1.2. Institutional Operations and Overhead</b>					
General Revenue		13,637,898	15,013,912	14,608,656	
<b>Subtotal</b>		<b>13,637,898</b>	<b>15,013,912</b>	<b>14,608,656</b>	97.3%
<b>B.1.3. Institutional Supervision and Food Service</b>					
General Revenue		56,036,628	56,435,877	61,089,019	
Federal Funds		1,858,615	3,943,070	3,537,365	

		General Appropriation Act	Amended Budget	Expended/ Disbursed YTD	% Expended
<b><u>Strategies:</u></b>					
	Appropriated Receipts	215,413	44,100	44,100	
	<b>Subtotal</b>	<b>58,110,656</b>	<b>60,423,047</b>	<b>64,670,484</b>	<b>107.0%</b>
<b>B.1.4. Education</b>					
	General Revenue	9,586,314	9,720,007	8,746,585	
	Federal Funds	2,010,000	3,120,829	1,792,015	
	Interagency Contracts	4,113,195	4,068,392	4,303,742	
	<b>Subtotal</b>	<b>15,709,509</b>	<b>16,909,228</b>	<b>14,842,342</b>	<b>87.8%</b>
<b>B.1.5. Halfway House Operations</b>					
	General Revenue	9,466,195	9,617,369	9,386,994	
	Federal Funds	271,902	393,108	425,957	
	Appropriated Receipts	-	4,181	2,205	
	<b>Subtotal</b>	<b>9,738,097</b>	<b>10,014,657</b>	<b>9,815,156</b>	<b>98.0%</b>
<b>B.1.6. Health Care</b>					
	General Revenue	8,905,512	8,905,512	8,133,718	
	<b>Subtotal</b>	<b>8,905,512</b>	<b>8,905,512</b>	<b>8,133,718</b>	<b>91.3%</b>
<b>B.1.7. Mental Health (Psychiatric) Care</b>					
	General Revenue	841,595	841,595	567,245	
	<b>Subtotal</b>	<b>841,595</b>	<b>841,595</b>	<b>567,245</b>	<b>67.4%</b>
<b>B.1.8. Integrated Rehabilitation Treatment</b>					
	General Revenue	11,886,591	11,301,576	11,338,459	
	Interagency Contract	691,000	691,000	624,448	
	<b>Subtotal</b>	<b>12,577,591</b>	<b>11,992,576</b>	<b>11,962,906</b>	<b>99.8%</b>
<b>B.1.10. Contract Capacity</b>					
	General Revenue	5,887,864	5,550,593	4,861,923	
	Federal Funds	627,114	1,606,344	1,514,715	
	<b>Subtotal</b>	<b>6,514,978</b>	<b>7,156,937</b>	<b>6,376,638</b>	<b>89.1%</b>
<b>B.1.11. Residential System Support</b>					
	General Revenue	2,802,214	2,908,527	2,951,584	
	Federal Funds	-	82,312	80,341	
	<b>Subtotal</b>	<b>2,802,214</b>	<b>2,990,839</b>	<b>3,031,924</b>	<b>101.4%</b>
<b>B.2.1. Office of the Inspector General</b>					
	General Revenue	2,184,961	2,247,617	2,327,046	
	<b>Subtotal</b>	<b>2,184,961</b>	<b>2,247,617</b>	<b>2,327,046</b>	<b>103.5%</b>
<b>B.2.2. Health Care Oversight</b>					
	General Revenue	995,233	1,015,327	937,367	
	<b>Subtotal</b>	<b>995,233</b>	<b>1,015,327</b>	<b>937,367</b>	<b>92.3%</b>
<b>B.3.1. Construct &amp; Renovate Facilities</b>					
	General Revenue	302,796	317,216	223,214	
	General Obligation Bonds	-	5,329,937	1,668,791	
	<b>Subtotal</b>	<b>302,796</b>	<b>5,647,153</b>	<b>1,892,006</b>	<b>33.5%</b>

	General Appropriation Act	Amended Budget	Expended/ Disbursed YTD	%
				Expended
<b><u>Strategies:</u></b>				
<b>C.1.1. Parole Direct Supervision</b>				
General Revenue	2,777,638	2,923,918	2,479,221	
<b>Subtotal</b>	<b>2,777,638</b>	<b>2,923,918</b>	<b>2,479,221</b>	84.8%
<b>C.1.2. Parole Programs and Services</b>				
General Revenue	1,443,121	1,243,005	947,227	
<b>Subtotal</b>	<b>1,443,121</b>	<b>1,243,005</b>	<b>947,227</b>	76.2%
<b>D.1.1. Office of the Independent Ombudsman</b>				
General Revenue	1,007,961	1,016,224	873,061	
Criminal Justice Grants	-	17,815	17,815	
<b>Subtotal</b>	<b>1,007,961</b>	<b>1,034,039</b>	<b>890,876</b>	86.2%
<b>E.1.1. Training and Certification</b>				
General Revenue	1,581,997	1,825,882	1,822,891	
Appropriated Receipts	95,000	137,000	109,868	
<b>Subtotal</b>	<b>1,676,997</b>	<b>1,962,882</b>	<b>1,932,759</b>	98.5%
<b>E.1.2. Monitoring and Inspections</b>				
General Revenue	2,296,156	2,821,682	2,881,244	
<b>Subtotal</b>	<b>2,296,156</b>	<b>2,821,682</b>	<b>2,881,244</b>	102.1%
<b>E.1.3. Interstate Agreement</b>				
General Revenue	260,007	219,934	209,770	
<b>Subtotal</b>	<b>260,007</b>	<b>219,934</b>	<b>209,770</b>	95.4%
<b>F.1.1. Central Administration</b>				
General Revenue	8,785,694	8,868,983	8,445,053	
Federal Funds	93,177	2,504	1,004	
<b>Subtotal</b>	<b>8,878,871</b>	<b>8,871,486</b>	<b>8,446,057</b>	95.2%
<b>F.1.2. Information Resources</b>				
General Revenue	5,936,364	5,374,484	4,654,718	
<b>Subtotal</b>	<b>5,936,364</b>	<b>5,374,484</b>	<b>4,654,718</b>	86.6%
<b>Total - Strategy Budget</b>	<b>314,856,698</b>	<b>326,362,647</b>	<b>315,558,242</b>	96.7%
<b><u>Method of Finance:</u></b>				
General Revenue	292,747,953	294,568,782	291,769,219	99.0%
Federal Funds	9,594,137	14,101,440	10,607,969	75.2%
Criminal Justice Grants	-	17,815	17,815	100.0%
General Obligation Bonds	-	5,329,937	1,668,791	31.3%
Appropriated Receipts	1,460,413	1,335,281	1,306,173	97.8%
Interagency Contracts	11,054,195	11,009,392	10,188,276	92.5%
<b>Total - Method of Finance</b>	<b>314,856,698</b>	<b>326,362,647</b>	<b>\$315,558,242</b>	96.7%

**Notes:**

1. The normal range is +/- 5% of the straight-line projection of 100% for FY 2016
2. Amounts reflect grant funds disbursed to the counties.
3. Red represents areas ≥ (greater than or equal to) 105%.

<b><u>Location/Program:</u></b>	<b>Amended Budget</b>	<b>Expended/ Disbursed YTD</b>	<b>% Expended</b>
Ron Jackson State School	20,116,706	20,520,082	102.0%
Gainesville State School	19,106,461	19,842,857	103.9%
Giddings State School	20,559,463	21,393,609	104.1%
Evins Regional State School	15,621,362	15,399,346	98.6%
Corsicana State School	112,052	91,470	81.6%
McLennan Cnty State School	20,338,586	21,317,444	104.8%
McLennan Cnty State Treatment Center	7,741,715	7,590,068	98.0%
Phoenix Facility	1,959,885	1,952,508	99.6%
<b>Subtotal - State-Operated Secure Facilities</b>	<b>\$105,556,230</b>	<b>\$108,107,384</b>	<b>102.4%</b>
Halfway House Operations	10,945,712	10,942,278	100.0%
Regions	327,487	252,258	77.0%
Contract Care	6,695,477	6,364,217	95.1%
Parole	3,382,691	3,193,795	94.4%
County Disbursements	153,856,021	149,259,864	97.0%
MAP Funding	2,524,424	1,788,173	70.8%
Austin Office <sup>3</sup>	43,074,605	35,650,273	82.8%
<b>TOTAL</b>	<b>\$326,362,647</b>	<b>\$315,558,242</b>	<b>96.7%</b>

**Notes:**

1. The normal range is +/- 5% of the straight-line projection of 100% for FY 2016.

2. Red represents areas ≥ (greater than or equal to) 105%.

3. Austin Office includes expenses related to direct and indirect administrative functions, construction and capital projects, closed facilities, and other statewide administrative costs such as unemployment, worker's compensation and contingency.

Strategy/Program	Amended Budget	Expended/ Disbursed YTD	% Expended
<b>A.1.1 Prevention and Intervention</b>			
Grants	3,120,767	3,120,758	100.0%
<b>Subtotal - Strategy</b>	<b>3,120,767</b>	<b>3,120,758</b>	<b>100.0%</b>
<b>A.1.2 Basic Supervision</b>	39,168,253	38,966,235	99.5%
<b>Subtotal - Strategy</b>	<b>39,168,253</b>	<b>38,966,235</b>	<b>99.5%</b>
<b>A.1.3 Community Programs</b>	41,220,055	40,373,370	97.9%
County Refunds	1,150,000	-	0.0%
<b>Subtotal - Strategy</b>	<b>42,370,055</b>	<b>40,373,370</b>	<b>95.3%</b>
<b>A.1.4 Pre and Post Adjudication Facilities</b>	25,421,874	25,138,869	98.9%
<b>Subtotal - Strategy</b>	<b>25,421,874</b>	<b>25,138,869</b>	<b>98.9%</b>
<b>A.1.5 Commitment Diversion Programs</b>	20,269,033	20,184,191	99.6%
<b>A.1.6 JJAEP</b>	6,250,000	5,260,086	84.2%
<b>Subtotal - Strategy</b>	<b>6,250,000</b>	<b>5,260,086</b>	<b>84.2%</b>
<b>A.1.7 Mental Health Services</b>	15,993,107	15,934,315	99.6%
<b>A.1.8 Regional Diversion Alternatives</b>	1,262,932	282,040	22.3%
<b>A.1.9 Probation System Support</b>			
Austin Office	864,222	860,819	99.6%
Contingency	115,562	-	0.0%
Title IVE	216,492	135,789	62.7%
JCMS	1,559,271	1,559,270	100.0%
SORM / Unemployment	38,398	38,304	99.8%
<b>Subtotal - Strategy</b>	<b>2,793,944</b>	<b>2,594,183</b>	<b>92.9%</b>
<b>B.1.1 Assessment &amp; Orientation</b>			
Ron Jackson Unit Girls	122,371	122,371	100.0%
Ron Jackson Unit Boys	1,600,701	1,600,711	100.0%
Initial Placement	228,171	228,171	100.0%
Automated Assessment - Assessment.com	86,613	86,613	100.0%
Contingency	5,023	-	0.0%
SORM / Unemployment	59,973	58,971	98.3%
<b>Subtotal - Strategy</b>	<b>2,102,852</b>	<b>2,096,837</b>	<b>99.7%</b>
<b>B.1.2 Institution Operations and Overhead</b>			
Ron Jackson	2,648,084	2,556,378	96.5%
Gainesville State School	2,892,601	2,789,027	96.4%
Giddings State School	2,986,782	2,890,717	96.8%
Evins Regional Juvenile Center	2,048,328	2,013,313	98.3%
Corsicana Treatment Center	112,052	91,470	81.6%
Mart Complex	3,590,228	3,566,132	99.3%
MTC	242,532	242,216	99.9%
Warehouse Operations	49,020	45,916	93.7%
Youth Rights	78,928	77,536	98.2%
Employee Screening	87,007	67,523	77.6%
Information Technology	24,000	15,768	65.7%
Contingency	58	-	0.0%
SORM / Unemployment	254,292	252,661	99.4%
<b>Subtotal - Strategy</b>	<b>15,013,912</b>	<b>14,608,656</b>	<b>97.3%</b>
<b>B.1.3 Institution Supervision and Food Service</b>			
Ron Jackson	9,717,880	10,536,709	108.4%
Gainesville State School	9,792,522	10,840,203	110.7%
Giddings State School	11,182,941	12,491,158	111.7%
Evins Regional Juvenile Center	9,057,127	9,095,864	100.4%
Mart Complex	10,598,500	11,721,960	110.6%
MTC	5,039,303	5,030,325	99.8%
Phoenix Program	1,527,878	1,520,812	99.5%
Contingency	21,911	(3,371)	-15.4%
MAP Funding (JCO Positions)	1,590,284	1,590,284	100.0%
MAP Funding (Projects)	78,806	78,806	100.0%
MAP Funding (Contingency)	-	-	#DIV/0!
SORM / Unemployment	1,815,895	1,767,734	97.3%
<b>Subtotal - Strategy</b>	<b>60,423,047</b>	<b>64,670,484</b>	<b>107.0%</b>

Strategy/Program	Amended Budget	Expended/ Disbursed YTD	% Expended
<b>B.1.4 Education</b>			
Ron Jackson	2,233,001	2,103,708	94.2%
Gainesville State School	2,793,541	2,644,444	94.7%
Giddings State School	3,001,123	2,680,867	89.3%
Evins Regional Juvenile Center	1,997,237	1,997,237	100.0%
Mart Complex	2,188,881	2,188,881	100.0%
MTC	1,212,370	1,070,018	88.3%
Halfway House Services	135,934	134,530	99.0%
Phoenix Program	238,108	238,108	100.0%
Regions	327,309	252,258	77.1%
Austin Office	1,506,448	1,067,155	70.8%
Contingency	780,178	-	0.0%
SORM / Unemployment	495,096	465,136	93.9%
<b>Subtotal - Strategy</b>	<b>16,909,228</b>	<b>14,842,342</b>	<b>87.8%</b>
<b>B.1.5 Halfway House Operations</b>			
Halfway House Services	9,548,123	9,573,314	100.3%
Contingency	-	-	0.0%
MAP Funding (Contingency)	223,907	-	0.0%
SORM / Unemployment	242,627	241,842	99.7%
<b>Subtotal - Strategy</b>	<b>10,014,657</b>	<b>9,815,156</b>	<b>98.0%</b>
<b>B.1.6 Health Care</b>			
Ron Jackson	2,231,730	2,050,376	91.9%
Gainesville State School	1,618,208	1,566,716	96.8%
Giddings State School	1,349,678	1,293,049	95.8%
Evins Regional Juvenile Center	1,381,143	1,157,331	83.8%
Mart Complex	1,964,134	1,936,188	98.6%
Halfway House Services	139,056	130,058	93.5%
Contingency	221,564	-	0.0%
<b>Subtotal - Strategy</b>	<b>8,905,512</b>	<b>8,133,718</b>	<b>91.3%</b>
<b>B.1.7 Mental Health (Psychiatric) Care</b>			
Ron Jackson	198,632	186,462	93.9%
Gainesville State School	63,827	57,551	90.2%
Giddings State School	48,376	47,256	97.7%
Evins Regional Juvenile Center	26,074	24,849	95.3%
Mart Complex	335,781	243,711	72.6%
Halfway House Services	24,995	7,415	29.7%
Contingency	143,911	-	0.0%
<b>Subtotal - Strategy</b>	<b>841,595</b>	<b>567,245</b>	<b>67.4%</b>
<b>B.1.8 Integrated Rehabilitation Treatment</b>			
Ron Jackson	1,364,308	1,363,367	99.9%
Gainesville State School	1,945,762	1,944,916	100.0%
Giddings State School	1,990,563	1,990,563	100.0%
Evins Regional Juvenile Center	1,111,452	1,110,751	99.9%
Mart Complex	1,661,063	1,660,571	100.0%
MTC	1,247,510	1,247,509	100.0%
Phoenix Program	193,899	193,588	99.8%
Halfway House Services	1,097,604	1,096,961	99.9%
Region	178	-	0.0%
Austin Office	982,947	965,984	98.3%
Contingency	-	-	0.0%
SORM / Unemployment	397,291	388,695	97.8%
<b>Subtotal - Strategy</b>	<b>11,992,576</b>	<b>11,962,906</b>	<b>99.8%</b>

Strategy/Program	Amended Budget	Expended/ Disbursed YTD	% Expended
<b>B.1.10 Contract Capacity</b>			
Contract Care Administration/Residential	5,057,070	4,849,502	95.9%
Title IV-E Contract Care	1,638,407	1,514,715	92.5%
Contingency	10,497	-	0.0%
MAP Funding (Contingency)	438,542	-	0.0%
SORM / Unemployment	12,421	12,421	100.0%
<b>Subtotal - Strategy</b>	<b>7,156,937</b>	<b>6,376,638</b>	<b>89.1%</b>
<b>B.1.11 Residential System Support</b>			
Austin	2,251,421	2,368,279	105.2%
MAP Funding (Projects)	179,000	105,198	58.8%
Title IV-E - Austin Office	25,025	23,182	92.6%
Data Center Services	418,030	418,030	100.0%
Contingency	-	-	0.0%
SORM / Unemployment	60,978	60,850	99.8%
PREA Grant	56,385	56,385	100.0%
<b>Subtotal - Strategy</b>	<b>2,990,839</b>	<b>3,031,924</b>	<b>101.4%</b>
<b>B.2.1 Office of the Inspector General</b>			
Office of Inspector General	2,175,408	2,255,722	103.7%
Contingency	-	-	0.0%
SORM / Unemployment	72,209	71,324	98.8%
<b>Subtotal - Strategy</b>	<b>2,247,617</b>	<b>2,327,046</b>	<b>103.5%</b>
<b>B.2.2 Health Care Oversight</b>			
Austin Office	930,352	907,735	97.6%
Contingency	55,343	-	0.0%
SORM / Unemployment	29,633	29,633	100.0%
<b>Subtotal - Strategy</b>	<b>1,015,327</b>	<b>937,367</b>	<b>92.3%</b>
<b>B.3.1 Construct &amp; Renovate Facilities</b>			
Austin Office	206,442	199,211	96.5%
Repair and Rehab	5,329,937	1,668,791	31.3%
MAP Funding (Projects)	13,885	13,885	100.0%
Contingency	86,770	-	0.0%
SORM / Unemployment	10,118	10,118	100.0%
<b>Subtotal - Strategy</b>	<b>5,647,153</b>	<b>1,892,006</b>	<b>33.5%</b>
<b>C.1.1. Parole Direct Supervision</b>			
Parole	2,336,888	2,262,715	96.8%
Vehicle Replacement	154,539	154,539	100.0%
Contingency	370,524	-	0.0%
SORM / Unemployment	61,968	61,968	100.0%
<b>Subtotal - Strategy</b>	<b>2,923,918</b>	<b>2,479,221</b>	<b>84.8%</b>
<b>C.1.2. Parole Programs and Services</b>			
Parole	1,045,803	931,081	89.0%
Contingency	181,056	-	0.0%
SORM / Unemployment	16,146	16,146	100.0%
<b>Subtotal - Strategy</b>	<b>1,243,005</b>	<b>947,227</b>	<b>76.2%</b>

Strategy/Program	Amended Budget	Expended/ Disbursed YTD	% Expended
<b>D.1.1 Office of the Independent Ombudsman</b>			
Austin Office	842,284	790,797	93.9%
Vehicle Replacement	100,000	74,177	74.2%
Contingency	65,853	-	0.0%
SORM / Unemployment	25,901	25,901	100.0%
<b>Subtotal - Strategy</b>	<b>1,034,039</b>	<b>890,876</b>	<b>86.2%</b>
<b>E.1.1 Training and Certification</b>			
Training and Certification	1,910,300	1,880,177	98.4%
Contingency	-	-	0.0%
SORM / Unemployment	52,582	52,582	100.0%
<b>Subtotal - Strategy</b>	<b>1,962,882</b>	<b>1,932,759</b>	<b>98.5%</b>
<b>E.1.2 Monitoring and Inspections</b>			
Monitoring and Inspection	2,739,119	2,798,681	102.2%
Contingency	-	-	0.0%
SORM / Unemployment	82,563	82,563	100.0%
<b>Subtotal - Strategy</b>	<b>2,821,682</b>	<b>2,881,244</b>	<b>102.1%</b>
<b>E.1.3 Interstate Agreement</b>			
Interstate Compact	210,748	204,519	97.0%
Contingency	3,935	-	0.0%
SORM / Unemployment	5,251	5,251	100.0%
<b>Subtotal - Strategy</b>	<b>219,934</b>	<b>209,770</b>	<b>95.4%</b>
<b>F.1.1 Central Administration</b>			
Austin Office	8,305,464	8,186,491	98.6%
Vehicle Replacement	174,008	60,108	34.5%
Contingency	192,557	-	0.0%
SORM / Unemployment	199,457	199,457	100.0%
<b>Subtotal - Strategy</b>	<b>8,871,486</b>	<b>8,446,057</b>	<b>95.2%</b>
<b>F.1.2 Information Resources</b>			
Management Information Resources	2,851,207	2,804,051	98.3%
Data Center Services	1,665,103	1,424,649	85.6%
Desktop/Laptop Replacement	346,462	346,462	100.0%
Contingency	432,155	-	0.0%
SORM / Unemployment	79,556	79,556	100.0%
<b>Subtotal - Strategy</b>	<b>5,374,484</b>	<b>4,654,718</b>	<b>86.6%</b>
<b>TOTAL - TJJD</b>	<b>326,362,647</b>	<b>315,558,242</b>	<b>96.7%</b>

**Method of Finance:**

General Revenue	294,568,782	291,769,219	99.0%
Federal Funds	14,101,440	10,607,969	75.2%
Criminal Justice Grants	17,815	17,815	100.0%
General Obligation Bonds	5,329,937	1,668,791	31.3%
Appropriated Receipts	1,335,281	1,306,173	97.8%
Interagency Contracts	11,009,392	10,188,276	92.5%
<b>TOTAL - Method of Finance</b>	<b>326,362,647</b>	<b>\$315,558,242</b>	<b>96.7%</b>

	Amended Budget	Expended/ Disbursed YTD	% Expended
Goal A: Community Juvenile Justice	156,649,965	151,854,047	96.9%
Goal B: State Services and Facilities	145,261,252	141,262,325	97.2%
Goal C: Parole Services	4,166,924	3,426,448	82.2%
Goal D: Office of Independent Ombudsman	1,034,039	890,876	86.2%
Goal E: Juvenile Justice System	5,004,498	5,023,772	100.4%
Goal F: Indirect Administration	14,245,970	13,100,775	92.0%
<b>TOTAL - Goal Summary</b>	<b>326,362,647</b>	<b>315,558,242</b>	<b>96.7%</b>

1. The normal range is +/- 5% of the straight-line projection of 100% for FY 2016.  
2. Red represents areas greater than or equal to 105%

Facility	Original Budget	Budget Amendments	Amended Budget	Expended JCOs	Expended Non-JCOs	Total Expended	Balance	% Expended
Ron Jackson Unit I (21)	344,000	100,646	444,646	474,835	21,986	496,821	(52,176)	111.7%
Gainesville State School (24)	550,000	164,090	714,090	1,009,950	85,055	1,095,005	(380,915)	153.3%
Giddings State School (25)	650,000	32,677	682,677	766,726	59,200	825,925	(143,249)	121.0%
Evins Regional Juvenile Center (27)	975,000	27,529	1,002,529	914,875	41,296	956,171	46,358	95.4%
McLennan Cnty State Juv Corr Facility (34)	1,135,000	323,168	1,458,168	1,821,744	41,612	1,863,356	(405,188)	127.8%
Halfway Houses (51-61)	175,000	4,447	179,447	188,038	22,567	210,605	(31,158)	117.4%
Central Office (11)	-	-	-	-	13,707	13,707	(13,707)	
Service Regions (41-44)	-	-	-	-	9,125	9,125	(9,125)	
Office of Inspector General	5,000	-	5,000	-	21,542	21,542	(16,542)	430.8%
<b>TOTAL</b>	<b>3,834,000</b>	<b>652,556</b>	<b>4,486,556</b>	<b>5,176,168</b>	<b>316,089</b>	<b>5,492,257</b>	<b>(1,005,700)</b>	<b>122.4%</b>

**NOTES:**

1. The normal range is +/- 5% of the straight-line projection of 100% for FY 2016.
2. Red represents areas greater than or equal to 105%
3. Overtime does not count against FTE cap.

Facility	JCOs			Case Managers			Education			All Other			TOTAL TJJD		
	USPS	Mon FTE	Vacant	USPS	Mon FTE	Vacant	USPS	Mon FTE	Vacant	USPS	Mon FTE	Vacant	USPS	Mon FTE	Vacant
Ron Jackson I	264.00	248.57	15.43	32.00	28.09	3.91	32.00	27.81	4.19	105.50	97.90	7.60	433.50	402.37	31.13
Al Price	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Gainesville	261.60	214.67	46.93	28.00	28.00	-	43.00	34.27	8.73	87.00	75.00	12.00	419.60	351.94	67.66
Giddings	301.60	272.10	29.50	27.00	24.00	3.00	42.00	39.57	2.43	96.00	84.66	11.34	466.60	420.33	46.27
Evins	181.00	167.98	13.02	16.00	11.00	5.00	31.00	28.72	2.28	74.00	67.00	7.00	302.00	274.70	27.30
Crockett	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Corsicana	-	-	-	-	-	-	-	-	-	1.00	1.00	-	1.00	1.00	-
McLennan	410.00	344.14	65.86	42.00	36.05	5.95	63.00	47.71	15.29	140.00	130.74	9.26	655.00	558.64	96.36
Halfway Houses	128.00	123.86	4.14	20.00	17.35	2.65	-	-	-	63.00	52.80	10.20	211.00	194.01	16.99
Contract Care	-	-	-	-	-	-	-	-	-	7.00	5.00	2.00	7.00	7.00	-
Parole	-	-	-	-	-	-	-	-	-	54.00	46.00	8.00	54.00	46.00	8.00
Inspector General Regions	-	-	-	-	-	-	-	-	-	24.00	23.00	1.00	24.00	23.00	1.00
Central Office Regions	-	-	-	-	-	-	-	-	-	7.00	6.00	1.00	7.00	6.00	1.00
Central Office	-	-	-	-	-	-	-	-	-	314.53	271.10	43.43	314.53	271.10	43.43
<b>TOTAL</b>	<b>1,546.20</b>	<b>1,371.32</b>	<b>174.88</b>	<b>165.00</b>	<b>144.49</b>	<b>20.51</b>	<b>211.00</b>	<b>178.08</b>	<b>32.92</b>	<b>973.03</b>	<b>860.20</b>	<b>112.83</b>	<b>2,895.23</b>	<b>2,556.09</b>	<b>339.14</b>

Summary by Month:	USPS	Actual	Vacant
September	2,875.00	2,502.70	372.30
October	2,870.00	2,510.99	359.01
November	2,873.00	2,537.65	335.35
December	2,877.00	2,558.91	318.09
January	2,879.00	2,578.59	300.41
February	2,891.50	2,571.03	320.47
March	2,892.23	2,578.45	313.78
April	2,895.73	2,565.34	330.39
May	2,893.73	2,550.30	343.43
June	2,893.73	2,561.06	332.67
July	2,893.73	2,586.01	307.72
August	2,895.23	2,556.09	339.14

General Appropriations Act (GAA) FTE CAP	2,873.10
Under/(Over) GAA FTE CAP	<b>317.01</b>
Budgeted FTE CAP	2,581.50
Under/(Over) Budgeted FTE CAP	<b>25.41</b>

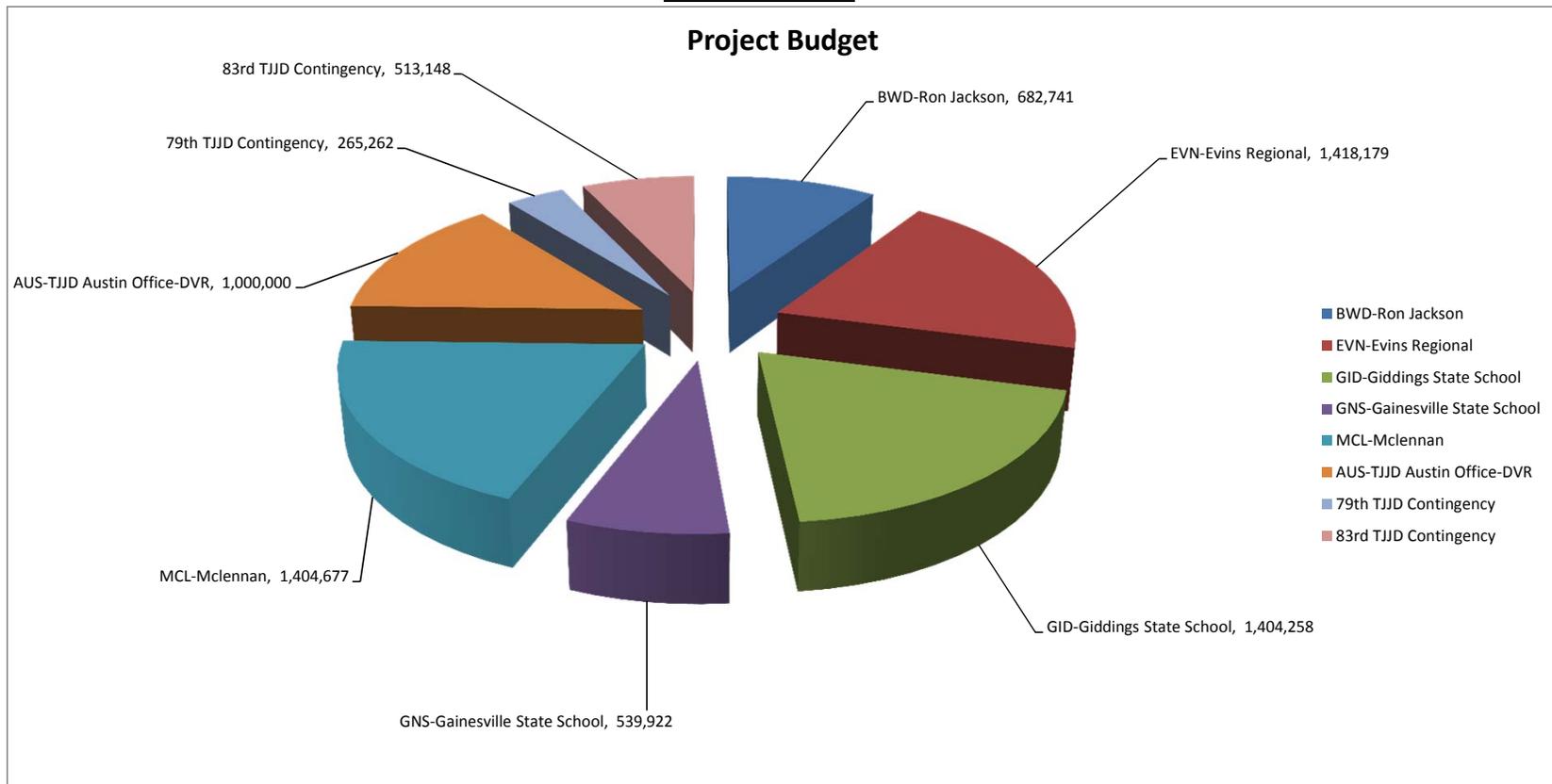
Facility	Original Budget	Budget Amendments	Amended Budget	Expended JCOs	Expended Non-JCOs	Total Expended	Balance	% Expended
Ron Jackson Unit I (21)	344,000	100,646	444,646	474,835	21,986	496,821	(52,176)	111.7%
Gainesville State School (24)	550,000	164,090	714,090	1,009,950	85,055	1,095,005	(380,915)	153.3%
Giddings State School (25)	650,000	32,677	682,677	766,726	59,200	825,925	(143,249)	121.0%
Evins Regional Juvenile Center (27)	975,000	27,529	1,002,529	914,875	41,296	956,171	46,358	95.4%
McLennan Cnty State Juv Corr Facility (34)	1,135,000	323,168	1,458,168	1,821,744	41,612	1,863,356	(405,188)	127.8%
Halfway Houses (51-61)	175,000	4,447	179,447	188,038	22,567	210,605	(31,158)	117.4%
Central Office (11)	-	-	-	-	13,707	13,707	(13,707)	
Service Regions (41-44)	-	-	-	-	9,125	9,125	(9,125)	
Office of Inspector General	5,000	-	5,000	-	21,542	21,542	(16,542)	430.8%
<b>TOTAL</b>	<b>3,834,000</b>	<b>652,556</b>	<b>4,486,556</b>	<b>5,176,168</b>	<b>316,089</b>	<b>5,492,257</b>	<b>(1,005,700)</b>	<b>122.4%</b>

**NOTES:**

1. The normal range is +/- 5% of the straight-line projection of 100% for FY 2016.
2. Red represents areas greater than or equal to 105%
3. Overtime does not count against FTE cap.

Location	Project Budget	Expenditures	Outstanding Work Authorizations	Available Budget
BWD-Ron Jackson	682,741	353,854	314,417	14,470
EVN-Evins Regional	1,418,179	516,363	669,357	232,459
GID-Giddings State School	1,404,258	224,234	879,450	300,574
GNS-Gainesville State School	539,922	94,926	436,761	8,234
MCL-Mclennan	1,404,677	294,632	810,665	299,380
AUS-TJJD Austin Office-DVR	1,000,000	251,104	16,990	731,907
79th TJJD Contingency	265,262	-	-	265,262
83rd TJJD Contingency	513,148	1,226	-	511,922
<b>Total</b>	<b>7,228,186</b>	<b>1,736,338</b>	<b>3,127,639</b>	<b>2,364,209</b>

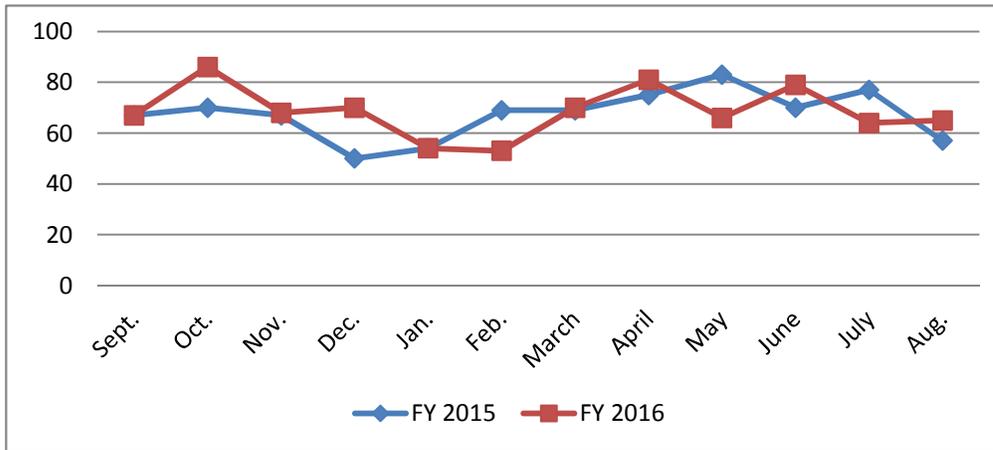
MAP Roof top Rollers (Giddings Pilot project)	13,885.00
79th General Appropriations Act approved Allocation	1,714,301.00
83rd General Appropriations Act approved Allocation	5,500,000.00
	<u>\$ 7,228,186.00</u>



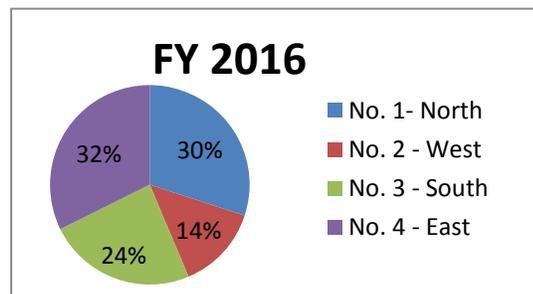
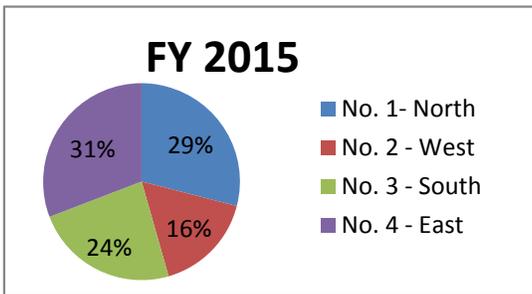
## Summary of Commitment Trends for FY 2016

### New Commitment Data

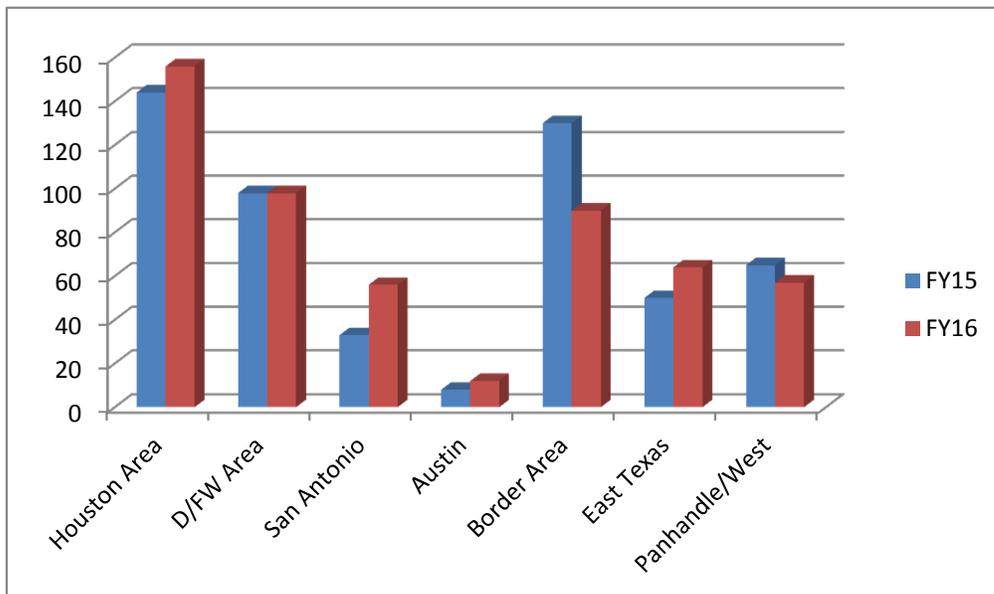
All Counties - FYTD change from FY 2015



### TJJD Regions - FYTD



### Areas of Texas - FYTD Changes



Note: All charts compare commitment data for the current fiscal year to date (FYTD) with the same

County	FY15	FY16
Anderson	1	2
Andrews	0	0
Angelina	6	3
Aransas	1	1
Archer	0	0
Armstrong	0	0
Atascosa	0	2
Austin	0	0
Bailey	0	0
Bandera	0	1
Bastrop	2	5
Baylor	0	0
Bee	1	1
Bell	9	8
Bexar	31	53
Blanco	0	0
Borden	0	0
Bosque	0	0
Bowie	7	8
Brazoria	10	9
Brazos	4	7
Brewster	0	0
Briscoe	0	0
Brooks	0	0
Brown	1	6
Burleson	2	2
Burnet	0	0
Caldwell	3	2
Calhoun	1	2
Callahan	0	0
Cameron	25	40
Camp	0	0
Carson	0	0
County	FY15	FY16

County	FY15	FY16
Cass	1	0
Castro	0	0
Chambers	0	0
Cherokee	1	4
Childress	0	1
Clay	1	0
Cochran	0	0
Coke	0	0
Coleman	0	0
Collin	13	17
Collingsworth	0	0
Colorado	4	2
Comal	2	3
Comanche	0	1
Concho	0	0
Cooke	4	0
Coryell	3	1
Cottle	0	0
Crane	0	0
Crockett	0	0
Crosby	1	0
Culberson	0	0
Dallam	0	0
Dallas	51	46
Dawson	0	0
Deaf Smith	6	3
Delta	0	0
Denton	10	16
DeWitt	2	1
Dickens	0	0
Dimmit	0	0
Donley	0	1
Duval	0	0
County	FY15	FY16

County	FY15	FY16
Eastland	0	0
Ector	17	12
Edwards	0	0
Ellis	6	1
El Paso	35	21
Erath	2	0
Falls	5	2
Fannin	2	0
Fayette	0	0
Fisher	0	0
Floyd	1	0
Foard	0	0
Fort Bend	23	13
Franklin	0	0
Freestone	0	1
Frio	0	0
Gaines	0	0
Galveston	10	8
Garza	0	0
Gillespie	1	0
Glasscock	0	2
Goliad	0	0
Gonzales	1	2
Gray	2	1
Grayson	4	7
Gregg	4	6
Grimes	1	0
Guadalupe	2	0
Hale	2	2
Hall	0	0
Hamilton	0	0
Hansford	0	0
Hardeman	1	0
County	FY15	FY16

County	FY15	FY16
Hardin	1	4
Harris	144	156
Harrison	0	2
Hartley	0	0
Haskell	0	1
Hays	0	2
Hemphill	0	0
Henderson	3	2
Hidalgo	52	13
Hill	6	4
Hockley	3	3
Hood	2	0
Hopkins	1	1
Houston	0	0
Howard	2	4
Hudspeth	0	0
Hunt	3	1
Hutchinson	0	0
Irion	0	0
Jack	0	0
Jackson	2	1
Jasper	3	1
Jeff Davis	0	0
Jefferson	13	16
Jim Hogg	0	0
Jim Wells	0	0
Johnson	0	0
Jones	0	0
Karnes	0	0
Kaufman	6	3
Kendall	0	1
Kenedy	0	0
Kent	0	0
County	FY15	FY16

Kerr	6	4	Milam	3	2	Rockwall	0	1	Uvalde	0	0	
Kimble	0	0	Mills	0	0	Runnels	0	0	Val Verde	4	3	
King	0	0	Mitchell	1	0	Rusk	0	1	Van Zandt	0	0	
Kinney	0	0	Montague	0	0	Sabine	0	1	Victoria	6	3	
Kleberg	0	0	Montgomery	20	28	San Augustine	0	0	Walker	2	2	
Knox	0	0	Moore	5	2	San Jacinto	2	0	Waller	0	0	
Lamar	5	4	Morris	0	0	San Patricio	1	1	Ward	0	3	
Lamb	0	1	Motley	0	0	San Saba	0	0	Washington	2	1	
Lampasas	1	0	Nacogdoches	1	4	Schleicher	0	0	Webb	4	7	
La Salle	0	0	Navarro	2	0	Scurry	0	0	Wharton	2	0	
Lavaca	0	0	Newton	0	0	Shackelford	0	0	Wheeler	3	1	
Lee	0	1	Nolan	1	0	Shelby	0	0	Wichita	2	8	
Leon	0	0	Nueces	5	11	Sherman	0	0	Wilbarger	0	0	
Liberty	0	1	Ochiltree	0	0	Smith	15	19	Willacy	0	2	
Limestone	1	0	Oldham	0	0	Somervell	0	0	Williamson	5	8	
Lipscomb	1	0	Orange	4	8	Starr	6	3	Wilson	1	1	
Live Oak	0	0	Palo Pinto	0	1	Stephens	0	1	Winkler	0	0	
Llano	0	0	Panola	0	1	Sterling	0	0	Wise	0	1	
Loving	0	0	Parker	4	4	Stonewall	0	0	Wood	1	1	
Lubbock	17	15	Parmer	0	0	Sutton	0	1	Yoakum	0	0	
Lynn	0	0	Pecos	0	0	Swisher	0	1	Young	0	0	
Madison	0	1	Polk	1	1	Tarrant	47	52	Zapata	0	0	
Marion	0	1	Potter	10	6	Taylor	10	16	Zavala	0	0	
Martin	0	0	Presidio	0	0	Terrell	2	0				
Mason	0	0	Rains	0	0	Terry	0	1	<b>Totals</b>	<b>808</b>	<b>823</b>	
Matagorda	1	5	Randall	2	4	Throckmorton	0	0	<b>% Change</b>	<b>2%</b>		
Maverick	2	3	Reagan	0	0	Titus	0	0				
McCulloch	0	0	Real	0	0	Tom Green	1	1				
McLennan	16	18	Red River	1	0	Travis	3	2				
McMullen	0	0	Reeves	0	1	Trinity	0	0				
Medina	3	0	Refugio	0	1	Tyler	0	0				
Menard	0	0	Roberts	0	0	Upshur	2	3				
Midland	11	8	Robertson	0	1	Upton	0	0				
<b>County Total</b>	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.
<b>% Change '14</b>	5%	8%	-7%	17%	6%	18%	9%	25%	-12%	14%	8%	-16%
<b>% Change '15</b>	0%	23%	1%	40%	0%	-23%	1%	8%	-20%	13%	-17%	14%

<b>FY14</b>	64	80	73	60	51	45	64	65	75	69	59	77
<b>FY15</b>	67	70	67	50	54	69	69	75	83	70	77	57
<b>FY16</b>	67	86	68	70	54	53	70	81	66	79	64	65

<b>TJJD Regions</b>	FY15	%	FY16	%	% Change
No. 1- North	234	29%	247	30%	6%
No. 2 - West	134	17%	112	14%	-16%
No. 3 - South	191	24%	198	24%	4%
No. 4 - East	249	31%	266	32%	7%

<b>Probation Regions</b>	FY15	%	FY16	%	% Change
Central	117	14%	129	16%	10%
North	158	20%	161	20%	2%
Northeast	49	6%	62	8%	27%
Panhandle	54	7%	43	5%	-20%
South	98	12%	85	10%	-13%
Southeast	247	31%	264	32%	7%
West	85	11%	78	9%	-8%

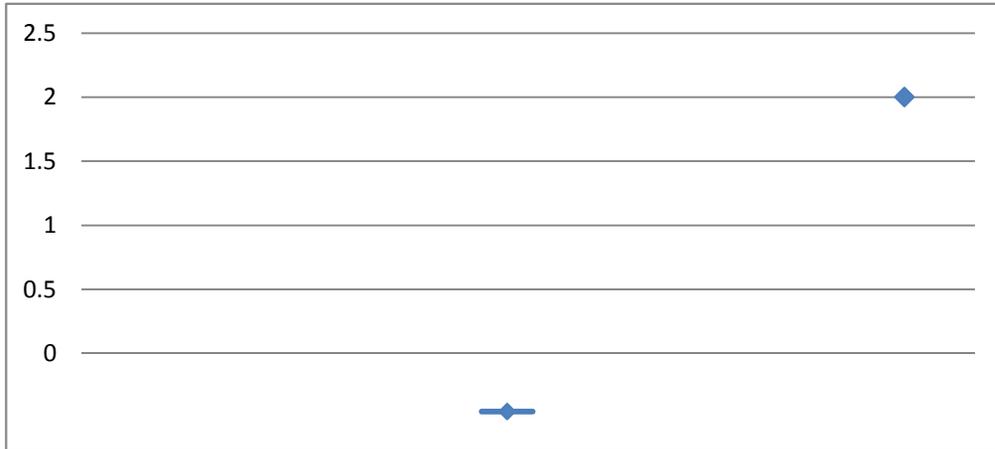
<b>Texas Areas</b>	FY15	FY16	% Change
Houston Area	144	156	8%
D/FW Area	98	98	0%
San Antonio	33	56	70%
Austin	8	12	50%
Border Area	130	90	-31%
East Texas	50	64	28%
Panhandle/West	65	57	-12%

timeframe from the previous fiscal year.

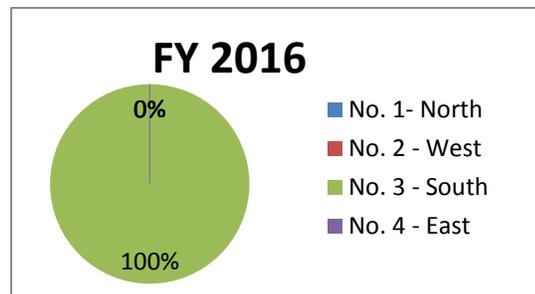
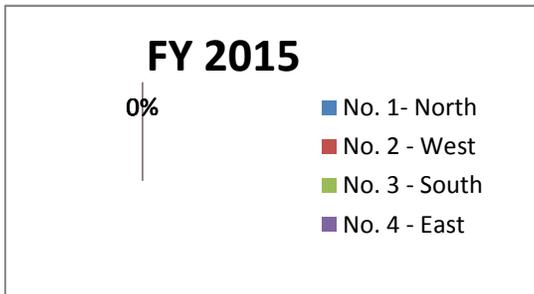
## Summary of Commitment Trends for FY 2016

### Recommitment Data

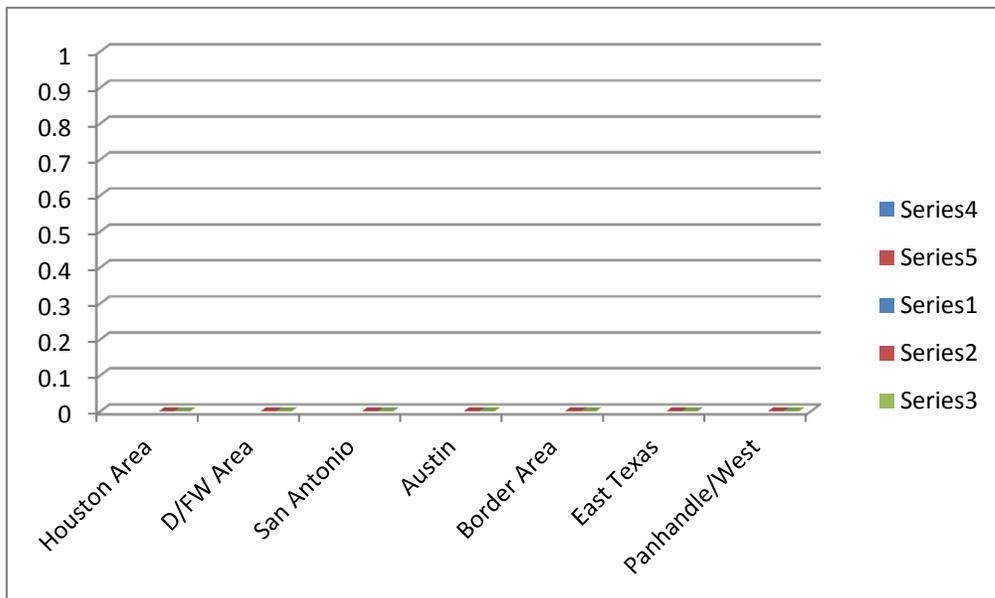
All Counties - FYTD change from FY 2015



TJJD Regions - FYTD



Areas of Texas - FYTD Changes



County	FY15	FY16
Anderson		
Andrews		
Angelina		
Aransas		
Archer		
Armstrong		
Atascosa		
Austin		
Bailey		
Bandera		
Bastrop		
Baylor		
Bee		
Bell		
Bexar		
Blanco		
Borden		
Bosque		
Bowie		
Brazoria		
Brazos		
Brewster		
Briscoe		
Brooks		
Brown		1
Burleson		
Burnet		
Caldwell		
Calhoun		
Callahan		
Cameron		
Camp		

County	FY15	FY16
Cass		
Castro		
Chambers		
Cherokee		
Childress		
Clay		
Cochran		
Coke		
Coleman		
Collin		
Collingsworth		
Colorado		
Comal		
Comanche		
Concho		
Cooke		
Coryell		
Cottle		
Crane		
Crockett		
Crosby		
Culberson		
Dallam		
Dallas		
Dawson		
Deaf Smith		
Delta		
Denton		
DeWitt		
Dickens		
Dimmit		
Donley		

County	FY15	FY16
Eastland		
Ector		
Edwards		
Ellis		
El Paso		
Erath		
Falls		
Fannin		
Fayette		
Fisher		
Floyd		
Foard		
Fort Bend		
Franklin		
Freestone		
Frio		
Gaines		
Galveston		
Garza		
Gillespie		
Glasscock		
Goliad		
Gonzales		
Gray		
Grayson		
Gregg		
Grimes		
Guadalupe		
Hale		
Hall		
Hamilton		
Hansford		

County	FY15	FY16
Hardin		
Harris		
Harrison		
Hartley		
Haskell		
Hays		
Hemphill		
Henderson		
Hidalgo		
Hill		
Hockley		
Hood		
Hopkins		
Houston		
Howard		
Hudspeth		
Hunt		
Hutchinson		
Irion		
Jack		
Jackson		1
Jasper		
Jeff Davis		
Jefferson		
Jim Hogg		
Jim Wells		
Johnson		
Jones		
Karnes		
Kaufman		
Kendall		
Kenedy		

Carson		
<b>County</b>	<b>FY15</b>	<b>FY16</b>
Kerr		
Kimble		
King		
Kinney		
Kleberg		
Knox		
Lamar		
Lamb		
Lampasas		
La Salle		
Lavaca		
Lee		
Leon		
Liberty		
Limestone		
Lipscomb		
Live Oak		
Llano		
Loving		
Lubbock		
Lynn		
Madison		
Marion		
Martin		
Mason		
Matagorda		
Maverick		
McCulloch		
McLennan		
McMullen		
Medina		

Duval		
<b>County</b>	<b>FY15</b>	<b>FY16</b>
Milam		
Mills		
Mitchell		
Montague		
Montgomery		
Moore		
Morris		
Motley		
Nacogdoches		
Navarro		
Newton		
Nolan		
Nueces		
Ochiltree		
Oldham		
Orange		
Palo Pinto		
Panola		
Parker		
Parmer		
Pecos		
Polk		
Potter		
Presidio		
Rains		
Randall		
Reagan		
Real		
Red River		
Reeves		
Refugio		

Hardeman		
<b>County</b>	<b>FY15</b>	<b>FY16</b>
Rockwall		
Runnels		
Rusk		
Sabine		
San Augustine		
San Jacinto		
San Patricio		
San Saba		
Schleicher		
Scurry		
Shackelford		
Shelby		
Sherman		
Smith		
Somervell		
Starr		
Stephens		
Sterling		
Stonewall		
Sutton		
Swisher		
Tarrant		
Taylor		
Terrell		
Terry		
Throckmorton		
Titus		
Tom Green		
Travis		
Trinity		
Tyler		

Kent		
<b>County</b>	<b>FY15</b>	<b>FY16</b>
Uvalde		
Val Verde		
Van Zandt		
Victoria		
Walker		
Waller		
Ward		
Washington		
Webb		
Wharton		
Wheeler		
Wichita		
Wilbarger		
Willacy		
Williamson		
Wilson		
Winkler		
Wise		
Wood		
Yoakum		
Young		
Zapata		
Zavala		
<b>Totals</b>	<b>0</b>	<b>2</b>
<b>% Change</b>	<b>#DIV/0!</b>	

Menard												
Midland												
<b>County Total</b>	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.
<b>% Change</b>	#DIV/0!											
<b>FY15</b>												
<b>FY16</b>										2		

<b>TJJD Regions</b>	FY15	%	FY16	%	% Change
No. 1 - North	0	#DIV/0!	0	0%	#DIV/0!
No. 2 - West	0	#DIV/0!	0	0%	#DIV/0!
No. 3 - South	0	#DIV/0!	2	100%	#DIV/0!
No. 4 - East	0	#DIV/0!	0	0%	#DIV/0!

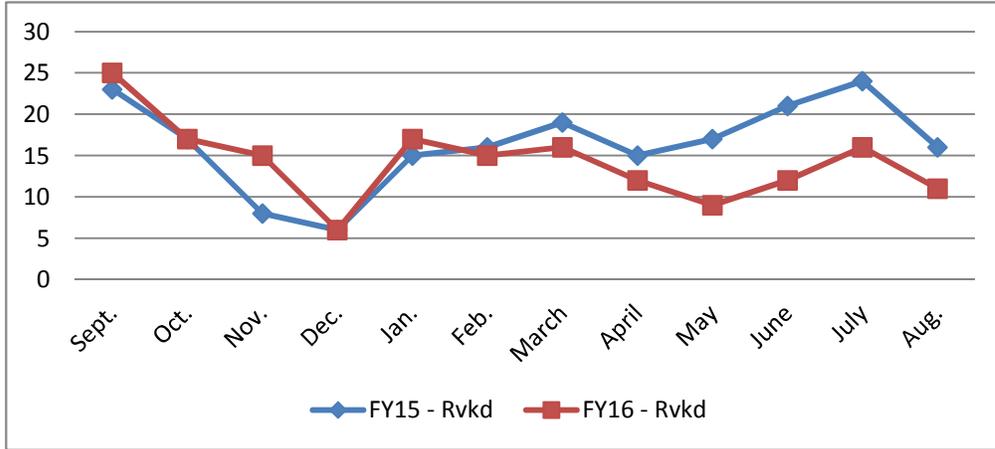
<b>Texas Areas</b>	FY15	FY16	% Change
Houston Area	0	0	#DIV/0!
D/FW Area	0	0	#DIV/0!
San Antonio	0	0	#DIV/0!
Austin	0	0	#DIV/0!
Border Area	0	0	#DIV/0!
East Texas	0	0	#DIV/0!
Panhandle/West	0	0	#DIV/0!

Note: All charts compare commitment data for the current fiscal year to date (FYTD) with the same timeframe from the previous fiscal year.

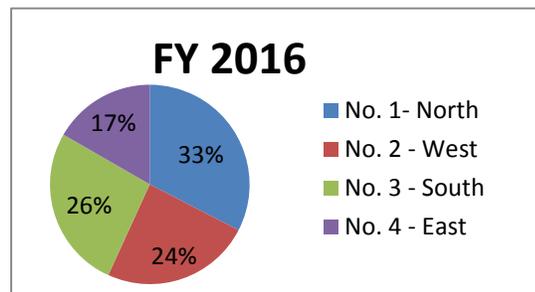
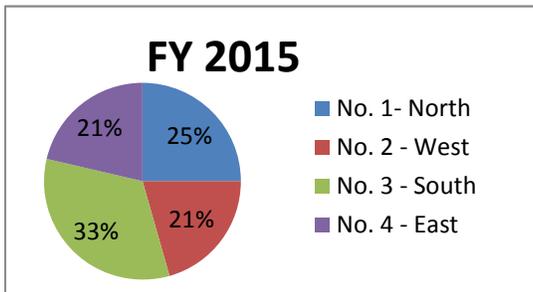
## Summary of Commitment Trends for FY 2016

### Revocation Data

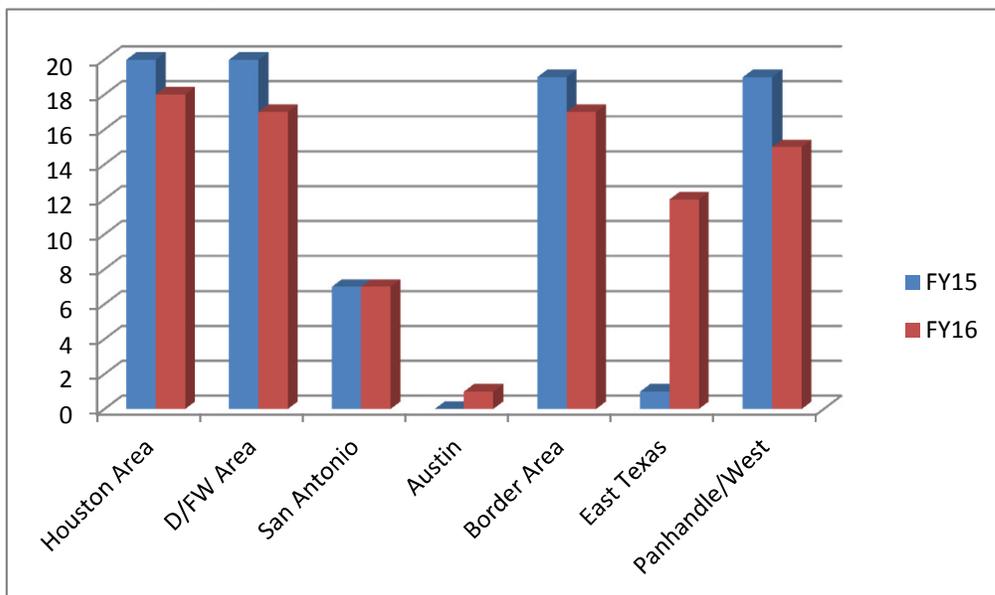
All Counties - FYTD change from FY 2015



TJJD Regions - FYTD



Areas of Texas - FYTD Changes

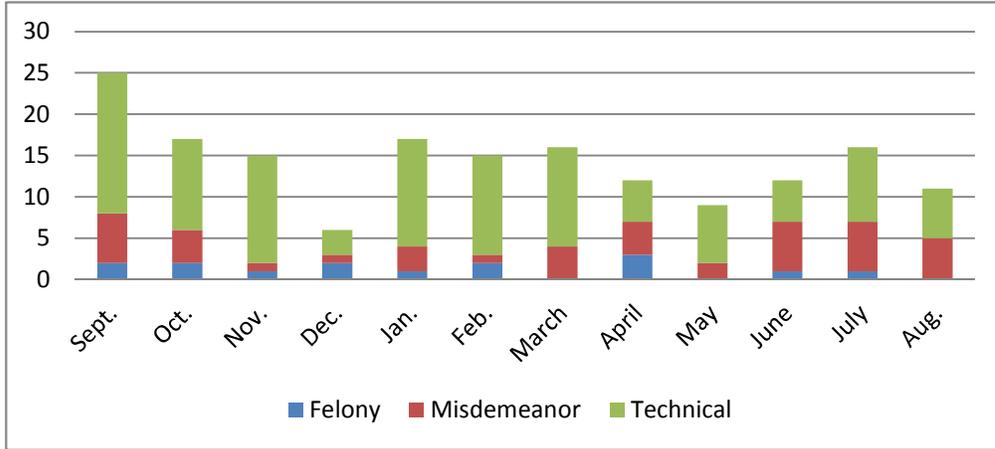


Note: All charts compare commitment data for the current fiscal year to date (FYTD) with the same timeframe from the previous fiscal year.

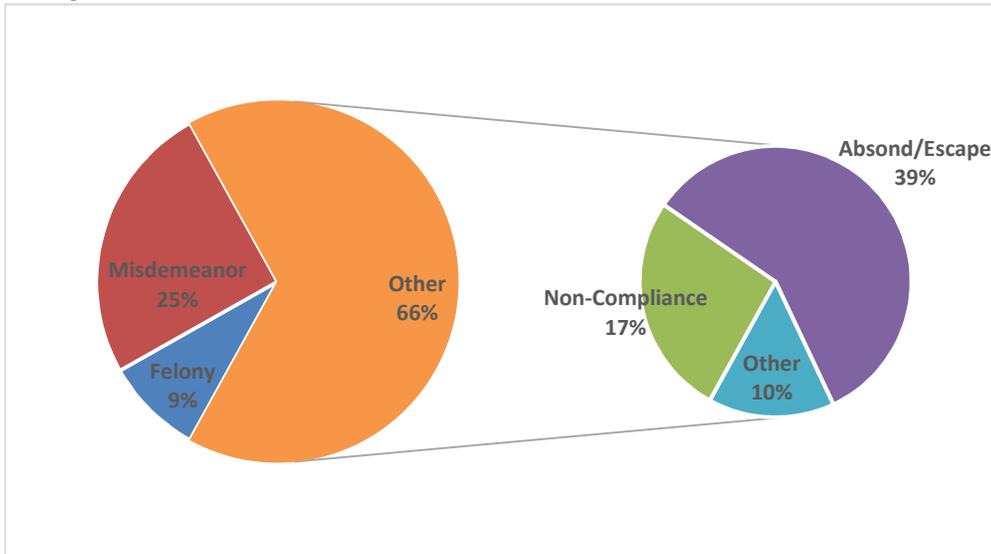
## Summary of Commitment Trends for FY 2016

### Revocation Data, Cont.

Charges Proven in Revocation Hearings - FY 2016



### Charges Proven FYTD 2016



County	FY15	FY16	County	FY15	FY16	County	FY15	FY16	County	FY15	FY16
Anderson		1	Cass			Eastland			Hardin		
Andrews	1	1	Castro		8	Ector		6	Harris	30	14
Angelina	1	2	Chambers			Edwards			Harrison		
Aransas			Cherokee		1	Ellis		8	Hartley		
Archer			Childress		8	El Paso		8	Haskell		
Armstrong			Clay			Erath			Hays		
Atascosa			Cochran		1	Falls		1	Hemphill		
Austin			Coke	1		Fannin		1	Henderson		
Bailey			Coleman	1	1	Fayette			Hidalgo	3	4
Bandera			Collin	1	1	Fisher			Hill		1
Bastrop	3		Collingsworth			Floyd			Hockley		1
Baylor			Colorado			Foard			Hood	1	2
Bee			Comal	1		Fort Bend	2	1	Hopkins		
Bell	9	6	Comanche			Franklin			Houston		
Bear	8	10	Concho			Freestone			Howard		1
Blanco			Cooke			Frio			Hudspeth		
Borden			Coryell		2	Gaines			Hunt		3
Bosque	1		Cottle			Galveston	3	4	Hutchinson		1
Bowie			Crane			Garza			Irion		
Brazoria	2	3	Crockett			Gillespie			Jack		
Brazos	1	1	Crosby			Glasscock			Jackson		
Brewster			Culberson			Goliad			Jasper		
Briscoe			Dallam			Gonzales	1		Jeff Davis	1	
Brooks			Dallas	15	7	Gray	2	1	Jefferson	1	3
Brown	1	2	Dawson		2	Graves	1	2	Jim Hogg		
Burleson			Deaf Smith			Graet			Jim Wells		
Burnet			Delta			Grimes	1		Johnson		
Caldwell	1	1	Denton	1	1	Guadalupe	2		Jones		2
Calhoun			DeWitt	1		Hale	2		Karnes		1
Callahan	1		Dickens			Hall	1		Kaufman	1	
Cameron	6	4	Dimmit	1		Hamilton			Kendall		
Camp			Donley			Hansford			Kenedy		
Carson		31	Duval			Hardeman			Kent		
County	FY15	FY16	County	FY15	FY16	County	FY15	FY16	County	FY15	FY16
Kerr	2	2	Milam	2		Rockwall			Uvalde		
Kimble			Mills			Runnels			Val Verde	1	1
King			Mitchell			Rusk			Van Zandt		
Kinney			Montague			Sabine			Victoria	6	
Kleberg			Montgomery	1		San Augustine			Walker	1	
Knox			Moore	1		San Jacinto			Waller		
Lamar	4		Morris	1		San Patricio	1		Ward		
Lamb			Motley			San Saba			Washington		
Lampasas	1	1	Nacogoches	1		Schleicher			Webb	1	1
La Salle			Navarro	1		Scurry			Wharton	1	
Lavaca			Newton			Shackelford			Wheeler		1
Lee			Nolan			Shelby			Wichita	1	2
Leon			Nueces	2	3	Sherman			Wilbarger		
Liberty			Ochiltree			Smith	1	4	Willacy		
Limestone			Oldham			Somervell			Williamson		1
Lipscomb			Orange	2		Starr	3	1	Wilson	1	
Live Oak			Palo Pinto			Stephens			Winkler		
Llano			Panola			Sterling			Wise		
Loving			Parker	1		Stonewall			Wood		
Lubbock	2	1	Parmer			Sutton			Yoakum		
Lynn			Pecos	1	1	Swisher			Young		1
Madison			Polk			Tarrant	18	16	Zapata		
Marion			Potter	2	2	Taylor	6	5	Zavala		
Martin			Presidio	1		Terrell					
Mason			Rains			Terry					
Matagorda	1	1	Randall			Throckmorton					
Maverick	2	1	Reagan			Titus		1			
McCulloch			Real			Tom Green	1	2			
McLennan	5	3	Red River			Travis		1			
McMullen			Reeves	1		Trinity					
Medina			Refugio			Tyler					
Menard			Roberts			Upshur					
Midland	8	3	Robertson			Upton					

County Total	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.
% Change	0%	0%	88%	0%	13%	-6%	-16%	-20%	-47%	-43%	-33%	-31%
FY15 - Rvkd	23	17	8	6	15	16	19	15	17	21	24	16
FY15 - No Rvk	3	2	1	1	1	1	5	3	1	2	4	0
FY15 - Total	26	19	9	7	16	17	24	18	18	23	28	16
FY16 - Rvkd	25	17	15	6	17	15	16	12	9	12	16	11
FY16 - No Rvk	0	1	1	0	3	1	2	2	3	8	4	3
FY16 - Total	25	18	16	6	20	16	18	14	12	20	20	14

FY2016 Charges	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.	Total														
Felony	2	8%	2	12%	1	7%	2	33%	1	6%	2	13%	0	0%	3	25%	0	0%	1	8%	1	6%	0	0%	0%	15	9%
Misdemeanor	6	24%	4	24%	1	7%	1	17%	3	18%	1	7%	4	25%	4	33%	2	22%	6	50%	6	38%	5	45%	43	25%	
Technical	17	68%	11	65%	13	87%	3	50%	13	76%	12	80%	12	75%	5	42%	7	78%	5	42%	9	56%	6	55%	113	66%	
Non-Compliance	4	24%	5	49%	7	54%	1	33%	3	23%	4	33%	3	23%	1	20%	0	0%	1	20%	3	13%	1	17%	30	18%	
Absent/Escaped	5	13%	5	45%	7	54%	2	67%	3	69%	4	50%	3	60%	7	100%	2	40%	5	56%	5	56%	5	83%	66	39%	
Other	4	24%	1	9%	2	15%	0	0%	1	8%	2	17%	1	25%	1	20%	0	0%	2	40%	1	11%	0	0%	17	10%	

TJJD Regions	FY15	%	FY16	%	% Change
No. 1 - North	54	27%	54	32%	0%
No. 2 - West	43	22%	42	25%	-2%
No. 3 - South	58	29%	44	26%	-24%
No. 4 - East	42	21%	31	18%	-26%

Texas Areas	FY15	FY16	% Change
Houston Area	30	18	-40%
D/FW Area	33	23	-30%
San Antonio	9	10	11%
Austin	0	2	#DIV/0!
Border Area	25	21	-16%
East Texas	3	14	367%
Panhandle/West	24	19	-21%

	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.
FY15 - Rvkd	23	17	8	6	15	16	19	15	17	21	24	16
FY16 - Rvkd	25	17	15	6	17	15	16	12	9	12	16	11

FY2016 Charges	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.
Felony	2	2	1	2	1	2	0	3	0	1	1	0
Misdemeanor	6	4	1	1	3	1	4	4	2	6	6	5
Technical	17	11	13	3	13	12	12	5	7	5	9	6





TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

To: Texas Juvenile Justice Department Board of Directors  
David Reilly, Executive Director

From: Eleazar Garcia, Chief Auditor

Subject: Internal Quality Assessment, Project No. 16-3

Date: October 27, 2016

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Attached is the annual Internal Quality Assessment of the Office of Internal Audit (OIA) for Fiscal Year 2016. The internal assessment is a requirement of the Institute of Internal Auditor's (IIA) Standard 1311, the results of which must be communicated to Senior Management and the Board in accordance with Standard 1320.

The internal assessment for Fiscal Year 2016 included a review of the Audit Charter; review of the Audit Manual; review of work papers; review and discussion of industry best practices; customer satisfaction survey results; review of OIA staff; Fiscal Year 2016 Performance Measure Results; External Quality Assurance Review; and establishes Fiscal Year 2017 Performance Measures and Goals.

The results of the assessment identified that the OIA is meeting the requirements of professional standards, as well as providing the agency with value-added information to assist the Texas Juvenile Justice Department (TJJD) in improving the effectiveness and efficiency of operations.

The assessment concludes with a list of performance measures and goals for Fiscal Year 2016 as the Office of Internal Audit continues to emphasize compliance with standards and strives for continuous improvement. The OIA welcomes suggestions and feedback from the Board, management, as well as all stakeholders within TJJD, as we continue to assist the agency in accomplishing its mission of working to "transform young lives and create safer communities."

cc Chelsea Buchholtz

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## **Background**

The Institute of Internal Auditors (IIA) International Standards for the Professional Practice of Internal Auditing (*Standards*) require the Chief Audit Executive (CAE) to develop and maintain a quality assurance and improvement program that covers all aspects of the internal audit activity. The quality assurance program must include both internal and external assessments.

Internal assessments include ongoing monitoring of the performance of the internal audit, including periodic self-assessments and assessments by other persons within the organization with sufficient knowledge of internal audit practices. Internal assessments must evaluate the internal audit activity's conformance with the IIA's International Professional Practices Framework (IPPF) Mandatory Guidance which consists of: the Definition of Internal Auditing, the Code of Ethics, and the *Standards*.

External assessments are conducted in accordance with the *Standards* and the Government Accountability Office's Generally Accepted Government Auditing Standards (GAGAS), in that every three (3) years a qualified, independent assessment team from outside the organization reviews the internal audit activity's quality control system in order to provide the audit organization with reasonable assurance of conformance with applicable professional standards.

## **Review of the Charter**

The *Standards* require the purpose, authority, and responsibility of the internal audit activity must be formally defined in an internal audit charter (Charter), consistent with the Definition of Internal Auditing, the Code of Ethics, and the *Standards*. The CAE must periodically review the internal audit charter and present it to senior management and the board for approval.

The Charter currently in place was adopted by the Texas Juvenile Justice Department (TJJD) Board of Directors (Board) on November 15, 2015. The Charter has been reviewed and will be presented to the Board for approval on October 28, 2016. The Charter contains all of the elements required by the *Standards*, including the internal audit activity's purpose, authority, and responsibility; the internal audit activity's position within the organization, including the CAE's functional reporting relationship with the board; access to records, personnel, and physical properties relevant to the performance of engagements; and the scope of internal audit activities. Final approval of the Charter resides with the Board.

## **Review of the Audit Manual**

The OIA Manual (Audit Manual) currently in use was approved September 2016. The Audit Manual was reviewed and policies needing revision were identified and addressed.

## **Review of Work Papers**

Working papers are reviewed and coaching notes are given by the CAE, Deputy Chief Auditor, and team leads as audit work progresses. Additionally, a final working paper review is conducted by a staff member not specifically involved in the audit project. Although work papers consistently met the standards over the past year, opportunities for improvement exist and are addressed as they are identified. Furthermore, the timeliness of the final workpaper review could be improved and is an area being addressed by the CAE and the Deputy Chief Auditor. Analysis and ongoing review continues to result in training sessions throughout the year.

## **Review and Discussion of Industry Best Practices**

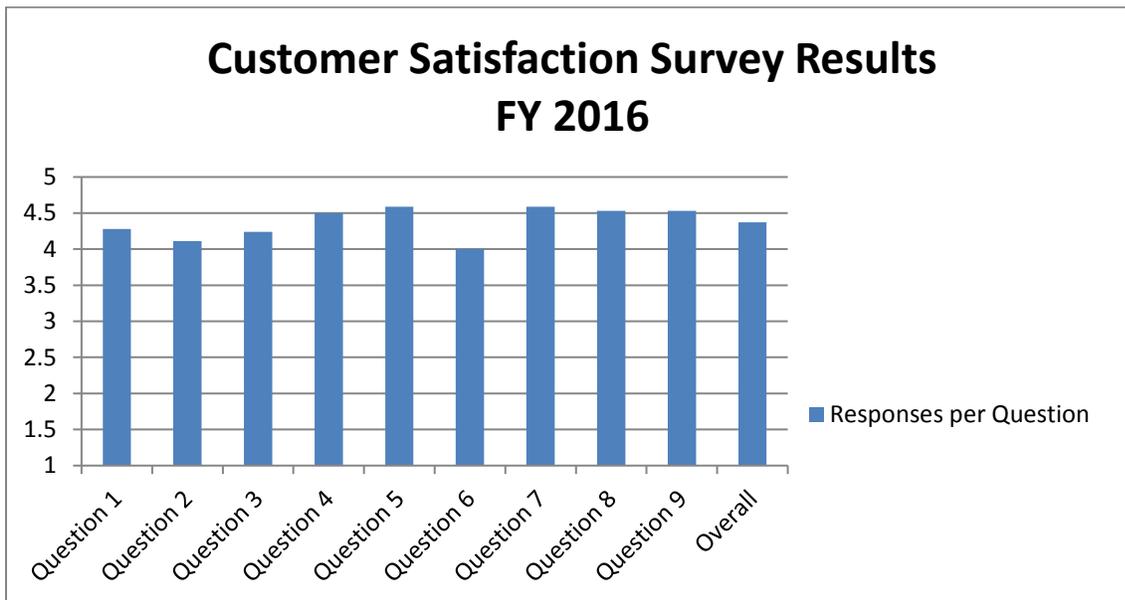
Internal Audit routinely reviews and discusses professional standards and guidance, industry best practices, journal articles, and other literature during staff meetings. Specific discussion topics in Fiscal Year 2016 included:

- PBIS – Positive Behavioral Interventions and Supports
- Risk Assessments
- Gauge Your Analytics
- Contracts
- Reputation Risk
- Corrective Action Plans
- Workpaper Elements
- Internal Audit Fundamentals
- Collaborative Risk Management
- Upholding the Code of Ethics
- The Value of Context
- Communicating Results
- Importance of Data
- What the Future Holds

## Customer Satisfaction Survey Results

Internal Audit distributed a survey to the Executive Management Team (EMT) and agency staff that participated in audits during Fiscal Year 2016. Responses to the survey questions were scored (with responses ranging from strongly disagree to strongly agree). The results of the survey reflected an overall total average of 4.37, up from the 4.18 reported for FY 2015. Questions 5 and 7 yielded the highest ratings at 4.36 and 4.27, respectively. Additionally, Question 6 received the exact rating as FY 2015 of 4.0.

The following chart displays the results of the survey:



- Question 1: The Office of Internal Audit (OIA) demonstrates independence and objectivity.
- Question 2: The OIA demonstrates proficiency and competence.
- Question 3: The objectives and scope of the audit(s) are clearly communicated.
- Question 4: The OIA demonstrates courtesy.
- Question 5: The OIA provides opportunity for management's feedback regarding the findings identified.
- Question 6: Audit results are reported objectively and with appropriate perspective.
- Question 7: The OIA is willing to provide advice and assistance when needed.
- Question 8: The OIA follows up on prior audits.
- Question 9: The OIA adds value to the agency.

## Review of Internal Audit Department Staff

Internal Audit began Fiscal Year 2016 with seven staff members, and ended the year with six.

During Fiscal Year 2016, four (4) staff members held at least one professional designation. The certifications and number of staff who hold them are as follows:

Certification	Number
Certified Internal Auditor (CIA)	2
Certified Government Auditing Professional (CGAP)	3
Certification in Risk Management Assurance (CRMA)	2

In calendar year 2016, staff have attended 480 hours of training, for a total of 1058 hours for the two-year period 2015 and 2016, meeting the Continuing Professional Education (CPE) requirements set forth by both GAGAS and the IIA.

Internal Audit staff members have also actively participated in professional organizations such as the Institute of Internal Auditors local Austin chapter and the State Agency Internal Audit Forum (SAIAF).

## Fiscal Year 2016 Performance Measure Results

For Fiscal Year 2016, Internal Audit set goals for seven (7) performance measures, of which Internal Audit was successful in meeting three (43%) for the fiscal year. Overall, Internal Audit met goals related to the percentage of staff time spent on planned audit activities; rating on the customer satisfaction survey; and the percentage of staff meeting professional education requirements. The performance measures, goals, and results for Fiscal Year 2016 are illustrated in the following table:

Measure	FY 2016 Goal	FY 2016 Actual
1. The percent of the approved audit plan completed.	>=80%	57%
2. The percent of audits completed within 110% of budget.	>=75%	30%
3. The percentage of high-risk areas	>=60%	50%

<b>included in audit work.</b>		
<b>4. The percent of time spent on planned audit activities.</b>	>=70%	83%
<b>5. The average overall score on customer satisfaction survey.</b>	>=4.0	4.37
<b>6. The percent of staff holding at least one professional certification.</b>	>=60%	50%
<b>7. The percent of staff meeting professional education requirements.</b>	100%	100%

### External Quality Assurance Review

The most recent External Quality Assurance Review for Internal Audit was completed in November 2015 and received a rating of “Pass” with the Institute of Internal Auditors (IIA) *Internal Standards for the Professional Practice of Internal Auditing (Standards)*, the United States Government Accountability Office (GAO) *Government Auditing Standards*, and the Texas Internal Auditing Act (*Texas Government Code, Chapter 2102*). This opinion is the highest of the three possible ratings and means that the Internal Audit Department has achieved their major objectives in the provision of the internal audit function.”

GAGAS requires each audit organization to have an external peer review at least once every three (3) years.

### Fiscal Year 2017 Performance Measures and Goals

The following table represents the Internal Audit Department’s performance measures and goals for Fiscal Year 2017:

<b>Measure</b>	<b>FY 2016 Goal</b>	<b>Reported</b>
<b>1. The percent of the approved audit plan completed.</b>	>=80%	Committee Meetings
<b>2. The percent of audits completed within 110% of budget.</b>	>=75%	Committee Meetings
<b>3. The percentage of high-risk areas included in audit work.</b>	>=60%	Committee Meetings
<b>4. The percent of time spent on planned audit activities.</b>	>=70%	Committee Meetings
<b>5. The average overall score on customer</b>	>=4.0	Annual

<b>satisfaction survey.</b>		
<b>6. The percent of staff holding at least one professional certification.</b>	<b>&gt;=60%</b>	<b>Annual</b>
<b>7. The percent of staff meeting professional education requirements.</b>	<b>100%</b>	<b>Annual</b>



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

Safety and Security Committee Meeting  
11209 Metric Blvd. Bldg. H Ste. A, Lone Star Conference Room  
Austin, TX, 78758  
Thursday, August 04, 2016, 1:30 p.m.

**BOARD MEMBERS PRESENT:**

Riley Shaw, Presiding Chair  
The Honorable Becky Gregory  
Board Chairman Scott Fisher (Non-Committee member)

**BOARD MEMBERS ABSENT:**  
The Honorable Laura Parker

**EXECUTIVE STAFF PRESENT:**

David Reilly, Executive Director  
Chelsea Buchholtz, Chief of Staff  
Jill Mata, General Counsel  
Roland Luna, Chief Inspector General  
Kevin DuBose, Director of Administrative  
Investigations Division

Jeannette Cantu, Executive Assistant  
Teresa Stroud, Senior Director of State  
Programs and Facilities  
Luther Taliaferro, Interim Superintendent of  
Education Service  
Dr. Tushar Desai, Medical Director

**OTHER GUESTS PRESENT:**

Kevin DuBose, TJJD  
Steve Roman, TJJD  
Lesly Jacobs, TJJD  
Lizet Hinojosa, TJJD  
Karen Kennedy, TJJD  
Xavier Casares, TJJD

Kaci Singer, TJJD  
Debbi McDaid, TJJD  
Stephanie Merlot, TJJD  
Shaun Thompson, TJJD

**Call to Order**

Presiding Chairman Riley Shaw called the meeting to order at 1:40 p.m.

**Discussion, consideration, and possible approval regarding the May 19, 2016 meeting minutes (Action)**

Safety & Security Committee  
August 04, 2016

Mr. Shaw tabled the discussion and approval of the May 19, 2016 meeting minutes due to lack of a quorum.

### **Office of the Inspector General Update**

Roland Luna, Chief Inspector General, reported comprehensive program analysis and summary indicators for a fiscal year comparison for FY 15 to FY 16 through the third quarter. The Incident Reporting Center (IRC) received 9,962 complaints which equates to approximately a 6% decrease in incidents that have been reported to the IRC. Of those incidents, 900 were referred to Administrative Investigation Division (AID) state, 1,764 were referred to AID county, 1,971 were retained by OIG criminal, and 3,585 were referred to youth rights. A total of 1,742 cases were closed without further actions, which include those referred to Human Resources, Medical, Use of Force cases closed that did not require further action and/or duplicate IRC complaints.

### **Security Intelligence**

Mr. Luna reported a total of 1,064 gang evaluations performed year to date. In addition, there has been 307 staff trained. Currently 22% of the TJJ youth population have been confirmed. The average number of days for investigation is 39 days, which shows some improvement over last fiscal year. The average number of days from the point that a complaint is received in the IRC to the point that OIG receives a final disposition from the Special Prosecution Unit (SPU) is 153 days, relative to FY 15 at 145 days.

### **Criminal Investigations Division**

The total number of cases submitted for prosecution was 212, approximately a 33% decrease from where we were last year with cases referred for prosecution. Chief Luna also noted that if he were to take the total number of cases submitted for prosecution and divide it by the number of investigations conducted, that would result in an 11% decrease. Of the cases referred for prosecution, 195 were for assaultive incidents, 3 for sexual offenses, 10 for contraband and 4 for other prosecution. Chief Luna reports that there has been a general decrease in all referral categories.

Mr. Shaw asked Chief Luna to what the 33% decrease could be attributed. In response Chief Luna explained that there are a number of variables that may contribute to the decrease. One significant variable is the recent changes to a number of agency policies to increase safety and security. Other

changes include increased efforts by the canine division team, using analytics to perform more focused efforts and partnering canine with OIG Criminal Investigation Division (CID) investigators for a more synergistic approach within OIG programs. Chief Luna further reflected upon the partnerships that OIG has developed with State Programs and Facilities that help create a safer environment.

### **Special Investigative Initiatives**

Chief Luna reports that OIG has received a total of 397 directives to apprehend, completed 191 apprehensions, conducted review of 667 uses of force, held over 189 cases for OIG Criminal, referred 73 cases to AID for investigation and closed 405 for no further investigation.

### **Contraband Detection and Interception**

A total of 4,632 searches have been conducted for FY 16, reflecting an approximate increase of 13% from last year.

### **Other OIG Activities**

In other activities Chief Luna reports that the Security Intelligence program continues to work with the training division on the roll out of the gang awareness training. OIG was recently invited to speak at the Texas Gang Investigator Association Conference where OIG's Analytics Intelligence and Reporting Director, Lizet Hinojosa, spoke on security intelligence, provided an overview of trend analysis in the juvenile section and building effective programs. Chief Luna spoke at the Association of Inspector General's Conference where he provided an overview on best practices for incident management, response, monitoring and prevention activities, as well as how to provide effective program management.

Judge Becky Gregory inquired about what the current trend analysis for juveniles shows. Chief Luna responded some TJJD facilities have much higher numbers of gang confirmations than others. OIG is able to break the information down to provide more specific information about the gang population and thus provides that information to the Superintendents and State Programs and Facility leadership. Providing this information allows leadership to make appropriate decisions to ensure safer communities at the institution level. Judge Gregory further inquired about the process used to confirm youth as gang members and how OIG is able to determine whether the youth were affiliated with gangs pre or

post commitment to a TJD facility. Chief Luna touched briefly on the confirmation criteria and the specific questions included determining when a youth became affiliated with a gang.

Mr. Riley Shaw asked a question regarding the 38% increase in the number of cases retained for investigation by OIG criminal in comparison to the approximate 33% decrease in the number of cases submitted for prosecution. Mr. Shaw questioned the relationship between the two statistics. Chief Luna explained that the changes with the complaint matrix in FY 15 and how those changes can be directly associated with the increase in investigation cases and the decrease in cases referred for prosecution, as well as changes to agency policy, and increased population.

#### **Administrative Investigations Division Update**

Kevin DuBose, Director of Administrative Investigations Division (AID), reported a significant increase in the number of total reports received by the county investigations unit. DuBose reported a total 3,231 reports received through June 30, 2016. Of those 3,231 reports 373 investigations were opened for FY 16. Also, there was a significant increase in the number of reports classified as grievances and returned back to the counties for resolution with 1,442 for FY 16. Mr. DuBose further reports the average days to disposition are 84, which is a slight decrease over last year. There were 248 investigations completed by June 30<sup>th</sup>. Mr. DuBose reported that the increase does not appear to be related to the average daily population in facilities, as there is a slight decrease in the population. However, Mr. DuBose attributes the increase to the presence of the Office of Independent Ombudsman (OIO) in the facilities. It is worth noting that there appears to be no increase in the number of affirmative findings within the county facilities.

Mr. Shaw asked to what the increase in numbers can be attributed. Mr. DuBose explained that while there has been an increase in the number of investigations there has also been an increase in the number of grievances referred to AID. Mr. DuBose reports that the most important finding might be that the number of affirmative findings has not increased; instead they remain steady even with the increase of overall reports.

Executive Director, David Reilly, emphasized the importance of looking at the number of grievances that have been referred to AID since the increased presence of OIO. Mr. Reilly also attributed some of the increase to the efforts that AID has made in FY 16 to catch up with a back log of cases.

Mr. DuBose reported summary comparisons for the state investigations unit. He briefly spoke about the effort to eliminate a backlog of cases that were pending from FY14 and FY15. At this time that backlog has been eliminated. For FY16 there have been a total number of 1,278 cases received with 597 of those cases being policy violations. Mr. DuBose explains that the changes made with the complaint matrix can be associated with the increase in referrals for FY16. In addition, there is an increase in the population on the state side. General Counsel, Jill Mata, reported that staff have also seen an increase in the number of calls coming in from advocacy groups for youth, which factor into the number of increased complaints.

In response to a question asked by the Judge Gregory regarding the breakdown of the statistics and the importance of looking at the disposition numbers, Mr. DuBose noted the decrease in confirmed findings with 199 confirmed in comparison to 216 for FY15.

Mr. DuBose also highlighted the work that AID has been doing in assisting counties with the specialized sexual abuse standards to become PREA compliant.

#### **State Programs and Facilities Update**

Ms. Teresa Stroud, Director of State Programs and Facilities, reported that currently TJJJ facilities are overpopulated by 8%. State Programs and Facilities is actively engaged in a concentrated effort to try to keep halfway house beds full. Ms. Stroud emphasized the efforts to ensure proper placement of youth and to ensure that the placement of youth is not contributing to overages in high restriction facilities that are currently up about 5% over their current budget.

Mr. Stroud reported that over the last several months staff have been able to fill vacancies at Evins Regional Juvenile Center. Tamu Steptoe has been named the new Superintendent. Ms. Steptoe has served in various capacities at a number of TJJJ facilities and brings 20 years of experience within TJJJ. Daniel Siam, who has approximately 10 years experience with TJJJ has been promoted to Assistant Superintendent. Both Ms. Steptoe and Mr. Siam have been received with open arms by staff at the Evins facility. In addition, Deidre Reece was recently promoted to the Assistant Superintendent position at Gainesville State School. Ms. Reese began with TJJJ in 1998 and has held a variety of positions within TJJJ. Ms. Stroud reported that as a result of these appointments, there have been a number of other TJJJ staff members that have had the opportunity to promote, including Mike Studamire, who recently

assumed the position of Superintendent at Gainesville following the retirement of the previous superintendent. Ms. Stroud also reported that Mr. Thomas Adamski is currently engaged with members of leadership at Central Office to provide leadership development and hands-on internal development for these individuals.

Ms. Stroud shared that Gainesville State School successfully opened their PAWS programs in June 2016, kicking it off with four new dogs and four youth. Prior to the launch, TJJJ Program Administrator, Cris Burton, spent two weeks with the dogs, youth and staff training them on how to train dogs on their canine good citizen skills. Ms. Stroud announced that she is proud to be the first adoptee of one of the dogs.

Ms. Stroud also reported that the national nominating committee for the American Correctional Association (ACA) recommended her for the election representing juvenile justice on the National Governing Board for ACA. The election is slated to take place in August. If elected, Ms. Stroud will serve on the governing board for a four year term.

Ms. Stroud also noted the Family Connections newsletter. The newsletter is an effort to make sure that staff are getting more good news out to the families about the programs that are available to the youth within the TJJJ facilities. The newsletter will be distributed on a quarterly basis and is currently available on the TJJJ website.

**Discussion, consideration, and possible final adoption of revisions within 37 TAC §§380.8559, 380.8565, and 385.8569, relating to sentenced offenders (Action)**

Teresa Stroud, Director of State Programs and Facilities, presented this item. These three policies address program completion, possible discharge and the transfer of sentenced offenders who has been adjudicated for capital murder. The rule changes were previously posted in the Texas Register and no comments were received. Recommendations were made for minor grammatical changes. TJJJ is now seeking final adoption. Discussion and voting on action items was postponed until the Board meeting due to lack of a quorum.

**Discussion, consideration, and possible final adoption of revisions within 37 TAC §380.9197, relating to HIV/AIDS (Action)**

Dr. Tushar Desai, Medical Director, presented this item. The changes were previously posted in the Texas Register and no comments were received. Since then a couple of minor changes were made. This would allow the Department of State Health Services (DSHS) to order to compel HIV testing of youth when there is a fluid exchange. TJJJ is now seeking final adoption. Discussion and voting on action items was postponed until the Board meeting due to lack of a quorum.

**Discussion, consideration, and possible final adoption of the rule review and repeal of 37 TAC**

**§380.9703, relating to Weapons and Concealed Handguns (Action)**

Chelsea Buchholtz, Chief of Staff, presented this item. This repeal rule was previously posted in Texas Register and no comments were received. TJJJ is now seeking final adoption of a repeal. The repeal rule addresses who can carry weapons in TJJJ facilities. Historically there has been an administrative rule prohibiting the possession of weapons with some exceptions. With the new laws regarding open carry TJJJ has determined it best to repeal the rule and follow the existing law. Discussion and voting on action items was postponed until the Board meeting due to lack of a quorum.

**Discussion, consideration, and possible final adoption of revisions and rule review for 37 TAC**

**§385.8117, relating to Private Real Property Rights Affected by Governmental Action, and §385.8134, relating to Notice of Youth Confessions of Child Abuse (Action)**

Kaci Singer, Staff Attorney, presented this item. These rules were previously submitted to the Texas Register and no comments were received. Currently TJJJ is recommending grammatical changes to one of the rules and no changes to the other. TJJJ is now seeking final adoption. Discussion and voting on action items was postponed until the Board meeting due to lack of a quorum.

**Discussion, consideration, and possible approval regarding the discipline of certified officers- Agreed Order (Action)**

- a. Daniel Hale; Certification No. 24200; 16-24200-160208 (Grayson)
- b. Willie Jackson; Certification No. 29889; 16-29889-150306 (Bell)
- c. Rickey Lee Shelton, Jr.; Certification No. 282041; 16-28201-150287 (Bexar)

Kaci Singer, Staff Attorney, presented three agreed orders for officer discipline. These are individuals who were provided notice of the discipline TJJJ was seeking. Each individual responded and agreed to

the recommended discipline. Discussion and voting on action items was postponed until the Board meeting due to lack of a quorum.

**Discussion, consideration, and possible approval regarding the discipline of certified officers- Default Orders (Action)**

- a. Larry Ardila, Jr., Certification No. 24004, 16-24004-150070 (Bexar)
- b. Ronnie Faimoa, Certification No. 30460; 16-30460-160138 (Taylor)
- c. Emmanuel Funchess; Certification No. 29675; 16-29675-150273 (Harris)
- d. Cornelius Gray; Certification No. 29360; 16-29360-160218 (Dallas)
- e. Allen David Guerrero; Certification No. 14394; 16-14394-160050 (Tarrant)
- f. Clifford Harle; Certification No. 29464; 16-29464-150151 (Bexar)
- g. Sergio Lopez; Certification No. 28697; 16-28697-140366 (Webb)
- h. Michael Pitts; Certification No. 29859; 16-29859-150307 (Hood)
- i. Oziel Salinas; Certification No. 29945; 15-29945-150314 (Cameron)
- j. William Tucker; Certification No. 29628; 16-29628-160051 (Hood)

Kaci Singer, Staff Attorney, explained that these are default orders. Ms. Singer further explained that Ronnie Faimoa will not be on the default judgement order because a relinquishment was received after the printing of this agenda. Discussion and voting on action items was postponed until the Board meeting due to lack of a quorum.

**Adjourn**

Mr. Shaw adjourned the meeting at 2:34 p.m.

Mr. Shaw reopened the meeting at 2:34 p.m. for additional questions.

Jane King asked a question regarding the disciplinary action recommended for what appears to be an egregious offense and the precedent that TJJJ may be setting with that recommendation. Ms. Singer responded that, after speaking with the Chief of the county, she was informed several steps have been taken with the officer, including additional training and change of shifts. It was further noted that the

officer is a valued employee with approximately 6-7 years' experience and this is the first discipline they have had to this level.

The meeting adjourned at 2:39 p.m.

DRAFT





TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJD Board Members

From: David Reilly, Executive Director

Teresa Stroud, Senior Director of State Programs and Facilities

Subject: Report from the State Programs and Facilities Division

Date: October 27, 2016

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Population: (as of 9/26/16)

Programs	Budgeted	Actual	Female Pop	Over Under	Percent
Evins	120	119	*	-1	(-0.8%)
Gainesville	186	261	.	75	<b>40.3%</b>
Giddings	184	222	.	38	<b>20.7%</b>
RJ Young Offenders	10	10	.	-	-
Mart Phoenix	16	13	.	-3	(18.8%)
MRTC	39	46	.	7	<b>17.9%</b>
Mart Long Term	188	223	.	35	<b>18.6%</b>
Ron Jackson O & A	84	65	6	-19	(22.6%)
RJ Long Term (females)	96	107	97	11	<b>11.5%</b>
<b>Total Institutions</b>	<b>923</b>	<b>1066</b>	<b>103</b>	<b>143</b>	<b>15.5%</b>

Halfway Houses	Budgeted	Actual	Female Pop	Over Under	Percent
Ayres	20	23	.	3	<b>15.0%</b>
Brownwood House	6	4	4	-2	(33.3%)
Cottrell	16	19	.	3	<b>18.8%</b>
McFadden	48	51	.	3	<b>6.3%</b>
Schaeffer	12	15	.	3	<b>25.0%</b>
Tamayo	16	18	.	2	<b>12.5%</b>
Willoughby	12	19	.	7	<b>58.3%</b>
York	16	6	.	-10	( 62.5%)
<b>Total HWH's</b>	<b>146</b>	<b>155</b>	<b>4</b>	<b>9</b>	<b>6.2%</b>

### **Residential Programming**

The secure facilities population are at 15.5% above budgeted capacity as on 9/26/16. The increase is primarily due to changes in the annual budgeted census in line with LLB projections, reducing the annual institutional budgeted capacity to 923 youth with very little change in the actual number of youth housed in facilities.

### **Worker's Compensation**

SORM recently released information on worker's compensation including August 2016 numbers included below. Of most significance is that there is an overall reduction in the number of Worker's compensation incidents and the agency cost for FY 16 as noted:

Attached is the August (year ending) Workers' Compensation Report.

Key year ending statistics:

- 10.77% decrease in injuries due to aggression (FY16 = 365, FY15=409)
- 35.85% increase in industrial injuries (FY16 = 144, FY15 = 106)
- 22.42% decrease in costs (FY16 = \$3,246,214.23, FY15 = \$4,184,361.82)

Number of claims in August: 41 (Averaging 42.42 per month)

- Due to industrial accidents: 13 (Averaging 12.0 per month)
- Due to youth aggression: 28 (Averaging 30.42 per month)

- Due to an assault: 11
- During a restraint: 17
  - FY16 YTD Injury Frequency Rate: 21.35
- FY15 IFR: 20.26
  - FY16 YTD Expenditures: \$3,246,214.23 (66.35% from previous year claims)
- Same period FY15: \$4,184,361.82
  - FY16 YTD Cost per FTE: Projected to be \$1,259.20
- FY15 Cost per FTE was \$1,659.80
  - FY16 YTD Lost Days: 5,723
  - FY16 YTD Restricted Days: 3,888





TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

Programs Committee Meeting  
11209 Metric Boulevard, Building H, Ste. A  
Lone Star Conference Room  
Austin, TX 78758  
Thursday, August 4, 2016 – 3:00 p.m.

**BOARD MEMBERS PRESENT:**

Riley Shaw, Committee Chairman  
Scott Matthew  
The Honorable Jimmy Smith  
The Honorable Becky Gregory (non-committee member)

**BOARD MEMBERS ABSENT:**

MaryLou Mendoza

**EXECUTIVE STAFF PRESENT:**

David Reilly, Executive Director  
Chelsea Buchholtz, Chief of Staff  
Jill Mata, General Counsel  
Luther Taliaferro, Senior Director of Education Services  
Teresa Stroud, Senior Director of State Programs and Facilities  
Jeannette Cantu, Executive Assistant

**OTHER GUESTS PRESENT:**

Desiree Roberts, TJJD  
Fred Meinke, TJJD  
Kaci Singer, TJJD  
Karen Kennedy, TJJD  
Lucy Rodriguez, TJJD  
Michael Turner, TJJD  
Stephanie Merlot, TJJD  
Steve Roman, TJJD  
Victor Villareal, TJJD

**Call to Order**

Mr. Riley Shaw called the meeting to order at 3:02 p.m.

**Discussion, consideration, and possible approval regarding excused absences (Action)**

Mr. Shaw moved to approve all in attendance. Chief Matthew seconded. The motion passed.

**Discussion, consideration, and possible approval regarding the March 31, 2016 meeting minutes**

**(Action)**

Mr. Shaw moved to approve the minutes. Commissioner Smith seconded. The motion passed.

**Positive Behavior Interventions and Support (PBIS) Update from Dr. Gita Upreti**

Dr. Gita Upreti referred the Board members to page 527 of their board materials and introduced the concept of PBIS, as it was originally designed for use in the public health field over the last twenty years. The PBIS model was adapted for use in public education in Texas and subsequently mandated by statute to be applied in Texas public schools, to promote positive and pro-social behaviors at school. Dr. Upreti stated that there are some challenges adapting this model to the TJJD population, including effectively engaging TJJD staff in the implementation process. She referred to page 532, where the model is depicted as a three-stage system: Tier 1 supports universal preventive steps designed to address the needs of 80% to 90% of youth in our care system; Tier 2 interventions and programs are designed to address the needs of 10-15% of our youth for whom Tier 1 practices alone are insufficient; Tier 3 outlines long term supports that typically are designed to address youth needs at the most intensive level. Much of the data in the TJJD system are not accessible or easily useful to model or to predict the success of youth under different circumstances. There is no mechanism or opportunity to use the data effectively. These issues will be considered as they affect implementation, as well as the provision of ongoing group training (booster training).

Dr. Upreti reported that after she was hired she immediately undertook an exploration of the adaptation of PBIS at Ron Jackson and now is making plans to move into the installation phase. However, although she is committed to moving to the full implementation phase as quickly as practicable, the model remains in the installation phase, as there are many remaining lessons in the field to ensure fidelity in the model's application.

Dr. Upreti referred to page 543 as an example of Ron Jackson's implementation (Cougar Cash), a cash incentive system. The initial results were very promising, eventually the behavior flat-lined. The supervisors and staff re-trained in applied behavior principles.

Dr. Upreti referred to page 542, showing a the Staff Triangle Data for Respect, Protect, Connect expectations, explaining that part of the PBIS implementation was to build some capacity among supervisory staff and develop a better understanding on this concept.

Dr. Upreti reported that as of the 4<sup>th</sup> of August, TJJJ had completed a grant proposal to the Office of the Governor, requesting funds to develop or purchase an online platform to train all the three levels of PBIS, to customize training, and to conduct the training at more than just one location at a time. There is a new data system for collecting positive behavior, on campuses of secure facilities and halfway houses that can shape the culture. The biggest current challenge is to have the staff understand and engage with this model.

Dr. Upreti referred to the curriculum map of evidence-based practices in behavior management that support skills and/or knowledge areas which are prerequisites for competency.

Ms. Teresa Stroud, Senior Director of State Programs and Facilities commented that Dr. Upreti is recognized nationally as an expert in PBIS. Dr. Upreti is an educator coming from outside the juvenile justice system, and is a source of inspiration and support. It should be noted that PBIS is statutorily required in Texas public schools.

Mr. Shaw commented that he was impressed with the strategic approach and its impact on the TJJJ organization and its culture. Mr. Shaw pointed out that county programs are struggling with similar types of situations. Mr. Shaw is excited to continue the progress.

In response to a question from Judge Becky Gregory, Dr. Upreti responded that there were some difficulties in language usage and sometimes, more of a negative response. However, Dr. Upreti stated that taking an effort to understanding the real issue receives more a positive response.

Ms. Stroud stated that Dr. Upreti earned a great deal of credibility with the staff working in different facilities and on different shifts as a Juvenile Correctional Officer (JCO). Dr. Upreti had some great observations that resulted in Ms. Stroud requesting other State Programs and Facilities division staff to shadow JCO staff on shift.

**Discussion, consideration, and possible final adoption of revisions within 37 TAC §380.8707, relating to Furloughs, and §380.9161, relating to Youth Employment and Work (Action)**

Ms. Stroud reported that the State Programs and Facilities Division presented proposed changes to the rules at the January 2016 board meeting. The Board approved posting the revisions in the Texas Register for a 30-day public comment period. No comments were received.

In response to Mr. Shaw's request to summarize the proposed changes, Ms. Stroud responded that one of the key revisions added off-campus employment to the list of reasons that an administrative furlough can be granted. Furloughs for off-campus employment are only for the day and not an overnight furlough. This is in line with the agency's capstone project that started from the initial relationship with Georgetown University. The other two issues were clarification that youth may be granted an administrative furlough for health services and deleting the prohibition on granting furloughs to youth assigned to emergency shelters. Clarification was also provided regarding what youth are allowed to work; TJJD currently allows two or three youth to work off-campus from Gainesville and Ron Jackson. Other facilities are not yet participating in the capstone program.

Commissioner Smith moved to recommend to the full Board. Mr. Shaw seconded. The motion passed.

**Discussion, consideration, and possible approval to publish revisions to 37 TAC §380.9535, relating to Phoenix Program, in the Texas Register for a 30-day public comment period (Action)**

Ms. Stroud reported that this particular policy is specific to the Phoenix Program that is housed at the Mart facility. This rule establishes the eligibility criteria, standards of treatment and services that are provided to youth admitted to the Phoenix program.

The staff requested the Board's approval to publish the proposed revisions in the Texas Register for a 30-day comment period.

In response to the question asked by Mr. Shaw, Ms. Stroud confirmed that this is for publishing in the Texas Register for public comments.

Commissioner Smith moved to recommend to the full Board. Mr. Matthew seconded. All members were in favor of recommending approval to publish these proposed policy revisions to the full Board. Motion to publish carried and was sent to the Board for final consideration.

**Discussion, consideration, and possible final adoption of revisions and rule review for 37 TAC §§385.8135, relating to Rights of Victims, 385.8145, relating to Volunteers and Community Resources Council, 385.8183, relating to Advocacy, Support Group, and Social Services Provider Access, and 385.9959, relating to Transportation of Youth (Action)**

Ms. Stroud reported that the State Programs and Facilities Division presented proposed changes to the rules at the January 2016 board meeting. The Board approved posting the revisions in the Texas Register for a 30-day public comment period. No comments were received.

The staff has recommended additional changes in §385.8135, including minor grammatical corrections and a clarification that a victim who provides in-person input at an exit review may encounter youth but will be kept from encountering the youth who victimized him/her. Additionally, in §385.8145, a minor grammatical correction was made and in §385.8183, minor grammatical corrections and a clarification that security and confidentiality measures must not be designed to deny social services provide access to youth was made.

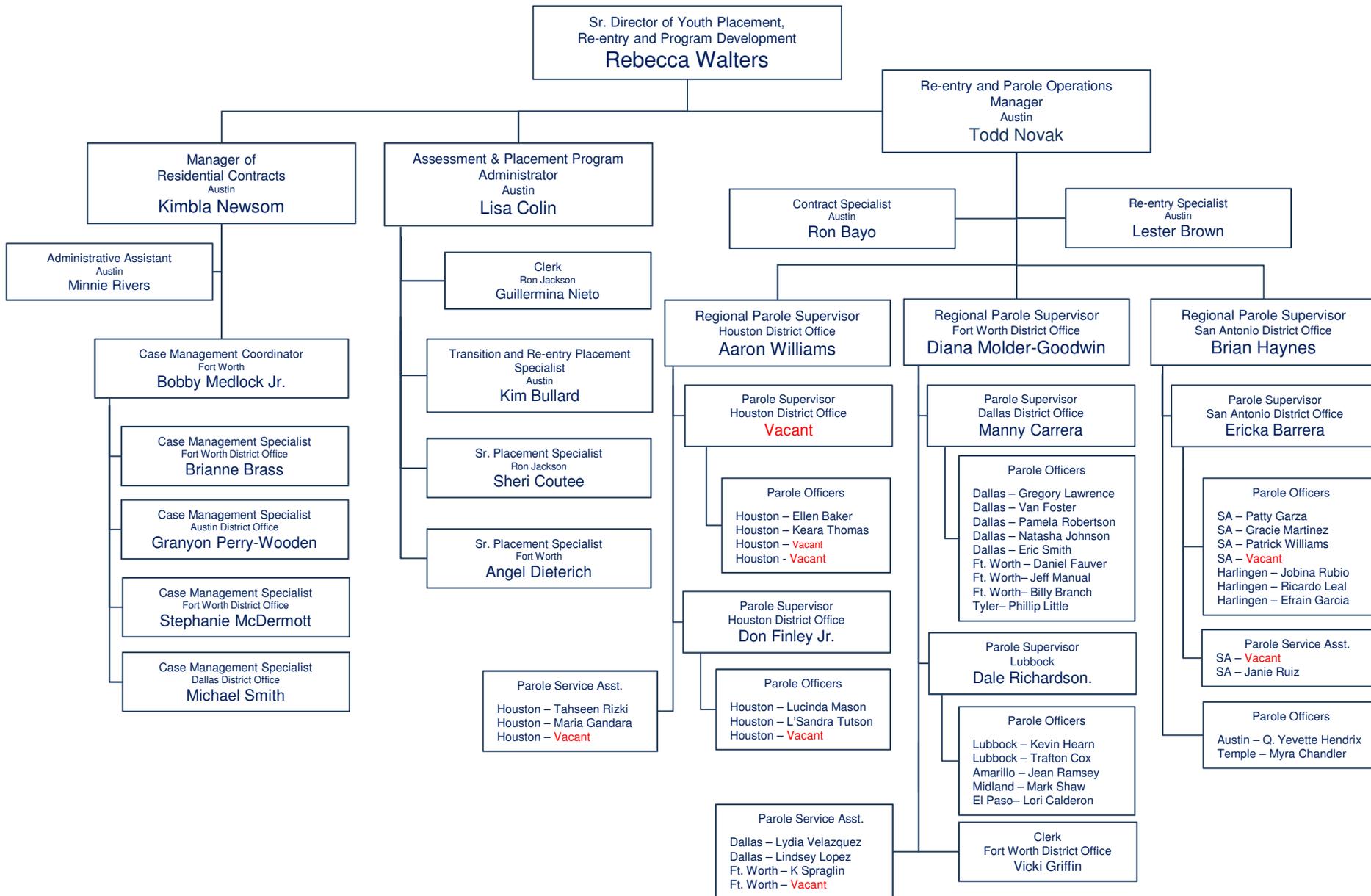
Commissioner Smith moved to recommend to the full Board. Mr. Matthew seconded. All members were in favor of recommending approval to publish these proposed policy revisions to the full Board. The motion to recommend to the Board for final adoption carried and was referred to the full Board for consideration.

**Adjournment**

Mr. Shaw adjourned the meeting at 3.35 p.m.



## Youth Placement, Re-entry and Program Development







TEXAS  
JUVENILE ★ JUSTICE  
DEPARTMENT

Transforming young lives and creating safer communities

# Programs Committee

## October 27, 2016

# Division of Youth Placement, Re-Entry and Program Development

Transforming young lives and  
creating safer communities.

# Youth in Custody Practice Model

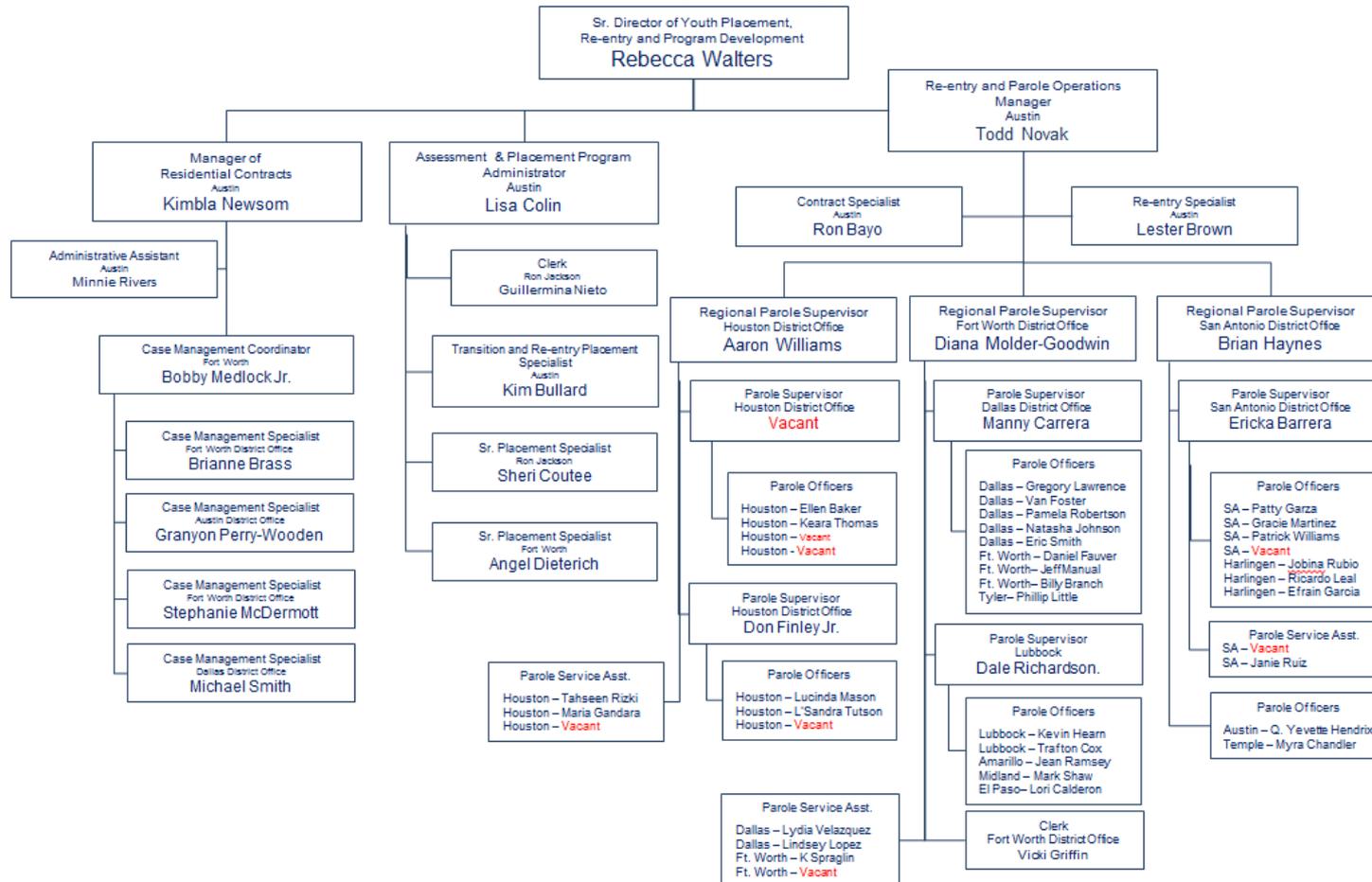
“Best practice for re-entry means that the process begins when the youth arrives at the intake unit and continues seamlessly, with strong collaboration between case manager, parole officer, the youth and his /her family, while the youth is in residential programs. A strong re-entry system must tie the youth to education, employment, stable housing, a strong and prosocial support system, aftercare services to address on-going treatment needs and other developmental needs and, it needs to do so in a coordinated and well integrated manner. This is an area of our work that is absolutely critical to enhancing the opportunity for successful outcomes.”

- David Reilly

# Staff Introductions



## Youth Placement, Re-entry and Program Development



**The Division of Youth Placement, Re-entry and Program Development is an integrated, value added, part of the Texas Juvenile Justice Department that:**

**Drives youth success by recognizing that reentry and permanency planning begins at the time of commitment.**

**Views staff as its most valuable resource, provides a staff support system that leads to them being effective, well trained agents of change.**

**Understands the developmental approach to corrections, trauma informed care, values the strength of youth, families, and staff teaming to elicit positive outcomes.**

**Accurately assesses youth's risk and protective factors and constructs a provision of services that incorporates family, social networks, and targeted specialized treatment to enhance our youth's positive development.**

Uses robust data acquisition and analysis to drive decisions, emphasizes fidelity of programming, and employs routine quality assurance monitoring to sustain successful performance metrics.







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Transforming young lives and creating safer communities

Programs Committee  
October 27, 2016

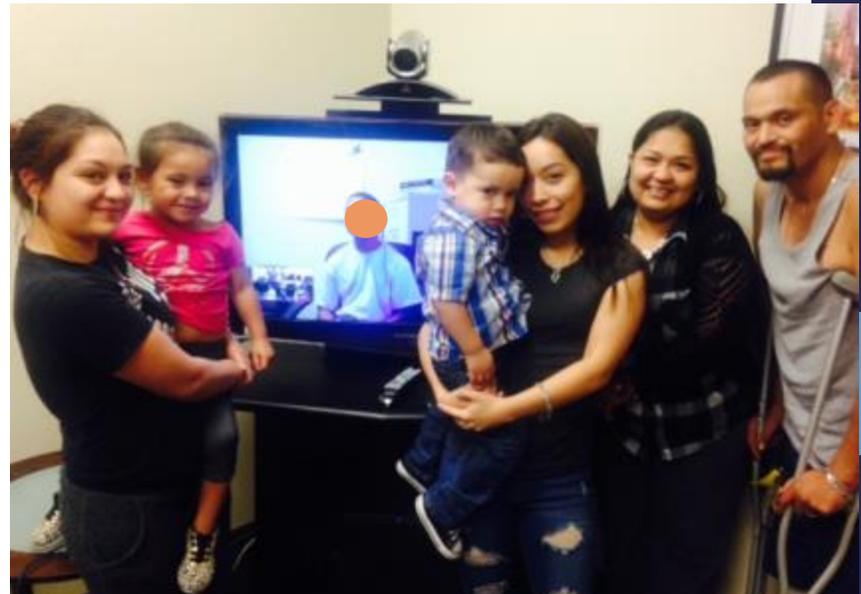
# Family Connections



# Virtual Visitations

## Engage More Families

- Facilities across TJD are facilitating virtual visitations between youth and their family members.
- Engages more families and leads to better outcomes
- Alleviates financial burden of traveling to facilities far from home



# Virtual Visitations (con't.)

- Family Liaisons at secure facilities facilitate visits with parole offices and families from their own homes.
- Since our technological advances, 552 virtual visits have taken place across TJJJ.
- No cost to the agency & relatively easy to use (WebEx app)



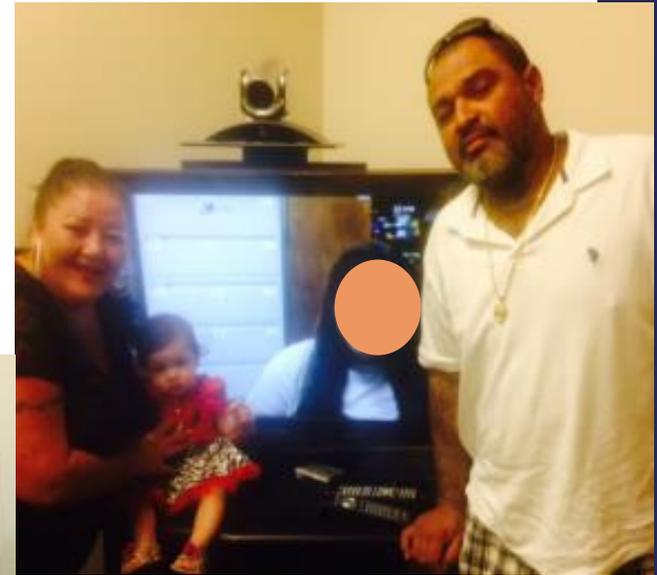
At San Antonio Parole, a special day each quarter is devoted to virtual visitations and families are invited. Refreshments and food baskets are given to families who participate.

The San Antonio Parole Office (SAPO) rotates monthly virtual visitations with secure facilities for individual families.

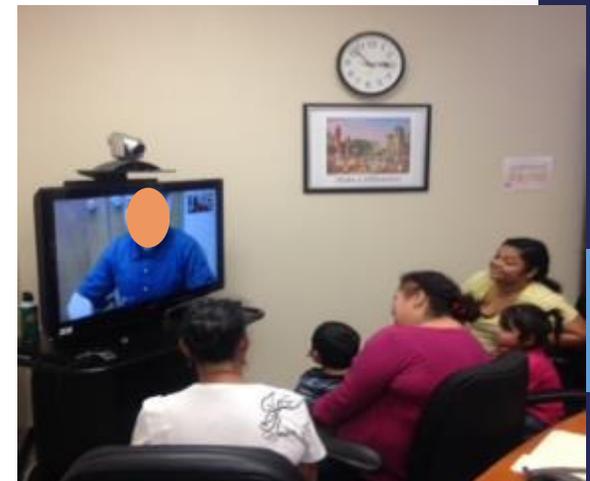


SAPO began Family Connections Virtual Visitation in November 2015.

Since program development, 49 youth and 89 family members have participated in webcams family visits .

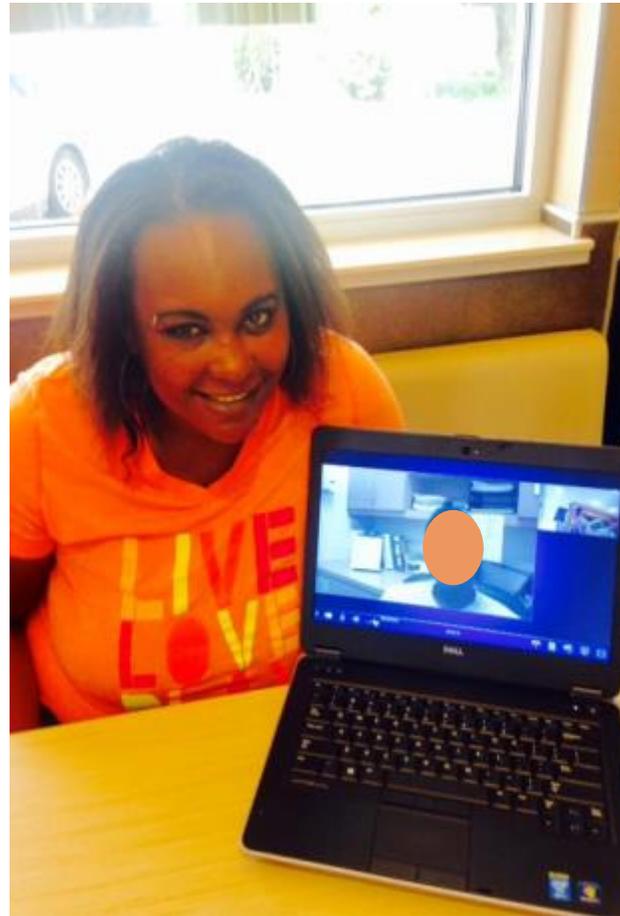
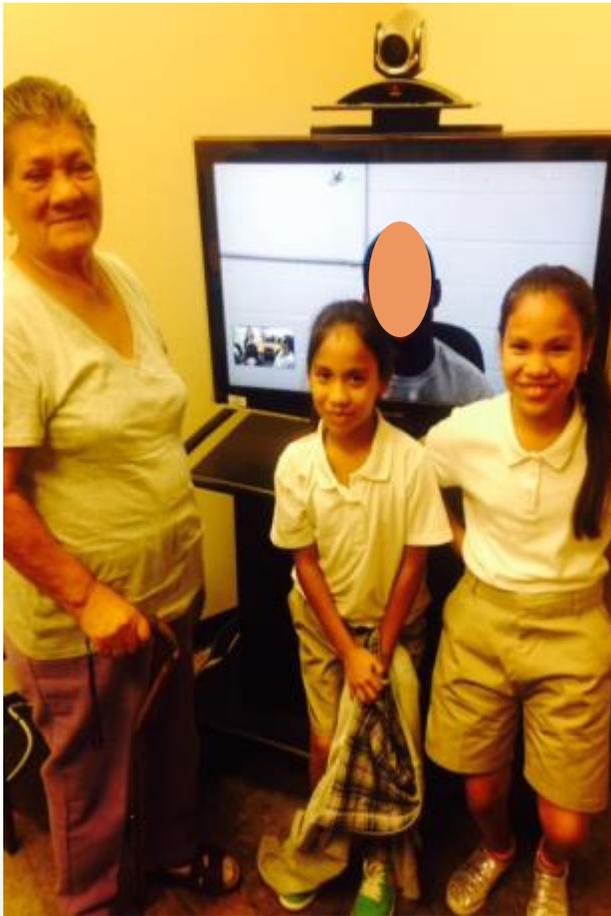


# Families Connecting





# Individual Virtual Visits



# Family Round Table Discussion August 2016

- Families were invited to discuss their virtual visitation experience
- 26 family members attended
- Lunch was served / school supplies were distributed
- Families openly talked about their experience and how we can enhance these visits





# Family Input

“Love the webcam visits; wish we could do them every month.”

“Best way to stay in touch with my daughter since it’s hard to travel.”

“Great way to keep the family together.”

“The webcams should be reserved as a privilege for the kids that are behaving.”

“Thank you for the webcam visits, there are a blessing and the food we receive is always helpful and appreciated.”

“I have the picture we took on webcam day in my house and it makes me happy.”

“I am glad to see the family liaison in person since I talked to her several times [on the phone].”

# Rewards / Benefits

- Improved family bonding & Support
- Increased collaboration between parole office, case manager, family liaison, and families
- Face to face contact with youth's staff supports



# Family Testimony



# Challenges / Barriers Being Addressed in the YICPM Action Plan

- Technology Barriers
- Time Constraints
- Youths Schedules (school, groups, counseling)
- Disengaged Families

# Future Goals

- Increase the number of virtual visits across the agency, and in San Antonio
- Expand the number of families who participate
- Engage families in case planning meetings via technology
- Measure the impact of virtual visitation on youth outcomes

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