



Texas Juvenile Justice Department
ADVISORY COUNCIL ON JUVENILE SERVICES

Brown Heatly Building Room 1430
4900 North Lamar Boulevard
Austin, Texas
Thursday, January 26, 2012
1:30 p.m. – 4:30 p.m.

Meeting Minutes

Members Present

All members were present including: Linda Brooke, William Carter, Audrey Deckinga, Homer Flores, Phillip Hayes, Estela Medina, Mario Ramirez, Matt Shaheen, Larry Thorne, Cherie Townsend, Randy Turner, Doug Vance and Mark Williams.

Absences

No absences

Guests

Guests present including: Andy Bench (Hunt County), Jaime Gardner (Legislative Budget Board), Aris Johnson (Gregg County), David Repp (Legislative Budget Board), Israel "Buddy" Silva (Hidalgo County) and Ross Worley (Smith County).

TJJD Staff Present

Staff present from the Texas Juvenile Justice Department including: Kristy Almager, Jeannette Cantu, Lisa Capers, Janie Duarte, Karin Hill, and Robin McKeever.

Welcome and Introductions [Cherie Townsend]

Ms. Townsend welcomed everyone to the inaugural meeting of the Texas Juvenile Justice Department's (TJJD) Advisory Council. Everyone present was introduced.

Overview of SB 653 and Role of the Advisory Council [Lisa Capers]

Ms. Capers provided a brief summation of the pertinent sections of Senate Bill 653, effective September 1, 2011, that governs the composition of the Advisory Council, the role and functions of the Advisory Council, and the operation of the Council.

Regional and Statewide Issues Based on Legislation [Open Discussion]

Ms. Townsend invited Council members to discuss regional issues and concerns that could potentially be addressed by TJJD or the Advisory Council. The following issues were raised:

- Mental health services and treatment needs are lacking statewide;
- The overall issue of restricted access and knowing how to communicate between jurisdictions;

- How to maximize Title IV-E reimbursements;
- Evaluate placement services (service provider monitoring) (specifically, the MOU with the West Texas region);
- Parole and aftercare;
- Early intervention and prevention;
- Issues with standards and the possibility of a standards audit;
- Funding structures and how funding follows programs;
- Program development;
- Parole (specifically whether counties have a role or input in parole services);
- Role of ombudsman as it relates to counties;
- How TJJD will continue the efforts to continue the rollout of JCMS;
- Alternatives for placement for extremely troubled youth that should be committed but due to the cutback of commitments, they cannot;
- Make the recommendation that certain offenses should be committed to TJJD, but not go against the commitment cap [*Ms. Townsend followed up this concern with her recommendation that TJJD will have discussions with the LBB, TJJD Board and the Legislature to discuss this possibility. In addition, it was suggested that the regional associations provide the information tracked on commitments be provided to TJJD.*];
- If a county remains under the commitment target, could the funding go back to the county;
- How will TJJD ensure community-based funding;
- Consider a review of community-based standards to potentially help control local costs [*An example provided was the standard related to continuing education. Mr. Shaheen suggested looking at the adult side and comparing standards and possibly considering the length of service of the office when determining the number of continuing education hours required to maintain his or her certification.*]
- How to strengthen probation;
- Other ways to seek input on issues outside of community-based services;
- More education on state institutions in general and what changes are expected;
- Impact of drug and human trafficking;
- Whether or not to keep or expand the Border Project; and
- Overrepresentation issues and the possibility to tie in the accountability of funding to ensure counties are addressing disparities [*Mr. Turner noted that there was no African-American on the Advisory Council and suggested that the Board consider this in future appointments.*].

Presentation of the Transition Plan as Recommended [Estela Medina]

Ms. Medina acknowledged the work of the former Advisory Council and provided an overview of the transition plan and recommendations for the newly appointed Advisory Council of TJJD. Ms. Medina started by introducing the members that served on the former Council that were appointed to the new Council, they are: Estela Medina (Chair), Doug Vance (Vice-Chair), Homer Flores, Larry Thorne, Randy Turner and Mark Williams.

Ms. Medina discussed the various accomplishments of the former Advisory Council including those related to: CJPO workgroups to facilitate collaboration between field and state initiatives; funding distribution and streamlining of contracts administered by the Commission; modification of standards; legislative workgroups that initiated discussion and recommendations on regional concepts and the delivery of needed services statewide necessary and important for juvenile probation departments; recommendations on commitment goals and to assist the field with meeting their goals, regionally and statewide; and discussions and recommendations for uniform definitions for successful programming outcomes, acceptable recidivism rates and the need for defining what performance measures were most important.

Ms. Medina reviewed the recommendations made by the former Advisory Council and reiterated that the new Advisory Council should work in collaboration with the field, TJJD Board and TJJD staff to create processes and priorities that are juvenile probation driven and that provide services through local community based programs. In addition, it is suggested that pursuant to the language and priorities of SB 653, that the new TJJD, in collaboration with the Advisory Council, hold to its goal that it is to establish a cost effective continuum of youth services that emphasizes keeping juveniles in their home communities while maintaining the interests of rehabilitation and public safety. Consistent with the goals of SB 653, recommend that the Board establish funding priorities that support this mission

The following recommendations were presented to the TJPC Board by the Advisory Council at their final meeting on November 18, 2011:

- Appoint a workgroup of the Chief Juvenile Probation Officers represented on the Advisory Council and request that the new Board appoint other CJPO's as may be determined. The discussions and work by representatives from the field was most important and critical to the work of the Advisory Council
- Ensure representation is present for all seven Regional Associations; and that there is representation of small, medium and large size counties
- Continue to advocate for the needs of local Juvenile Probation Departments
- Continue to provide regular reports and updates regarding the work of the Advisory Council to the new Board of the Texas Juvenile Justice Department
- Advise TJJD Executive Staff and the Board of Directors in strategic planning
- Engage the Advisory Council in the development and review of current and new standards
- Continue the work of streamlining the funding process.
- Continue the development and implementation of equitable funding formulas that take into account a County's juvenile age population
- Continue the work of the Advisory Council in the establishment of performance measures
- Engage other stakeholders, such as the Legislative Budget Board, in the development of state accountability measures, funding, etc.

[A detailed transition plan provided by the former Advisory Council may be requested by contacting TJJD staff.]

Opportunities and Projects for the Advisory Council [Open Discussion]

The following items were raised as potential opportunities or projects for the Advisory Council:

- Review of standards, especially those related community-based facilities (Chapter 343);
- Applicability of standards for pre-adjudication facilities, post-adjudication facilities, state operated facilities;
- TJJD considering ACA accreditation for all state operated facilities;
- Infrastructure of mental health services and the ability to partner with mental health agencies;
- Consideration of how juvenile probation departments are becoming mental health facilities with the lack of mental health services available;
- Involvement with interim charges to provide information and education to the Legislature; and
- Sharing of services with crossover kids (both from CPS and parents in the system as well).

Interim Charges from the House and Senate [Linda Brooke]

Ms. Brooke provided an overview of the interim charges for the 82nd Texas Legislature as outlined below:

Criminal Justice Committee

- Evaluate existing comprehensive diversion and treatment systems within the state, including mental health treatment, to determine cost effectiveness, reductions in correctional populations, impact on healthcare systems, and the overall number of people treated effectively. Examine federal, state and local collaborations and make recommendations for best practices to maximize effective use of funding and resources. *[Ms. Brooke reiterated that at the time of the Advisory Council meeting, it was unclear as to whether or not this charge would include juveniles.]*
- Assess the current trends in prescription drug abuse including crimes and arrests, abuse of prescription and over-the-counter medication in the prison population, impact on probation violations and recidivism, and incidences of law enforcement as the first responders to prescription drug overdose emergencies. Identify strategies for law enforcement and criminal justice systems to work with education and health care professionals to use all means, including technology, to identify abuses, and increase education and prevention. Make recommendations to enhance drug abuse prevention and intervention programs. *[Ms. Brooke stated that TJJD will monitor this interim charge as it relates to the development of the agencies prevention and intervention activities so efforts are coordinated and duplication does not occur.]*

- Conduct a comprehensive review of school discipline practices. Specifically, review and make recommendations on:
 - The effectiveness of Disciplinary Alternative Education Programs (DAEP) and Juvenile Justice Alternative Education Programs (JJAEP) in reducing students' involvement in further disciplinary infractions and in promoting positive educational achievement;
 - Disproportionate school discipline referrals, including suspension, expulsion and Class C misdemeanor citations;
 - The issue of "Zero Tolerance" in secondary education school discipline, their use of alternative education campuses, and the barriers they create toward graduation. Also include the role that specialized school police departments play in these systems. Consider the impact on the juvenile justice system and the adult prison system;
 - The number of students in the conservatorship of the Department of Family and Protective Services (DFPS) referred to juvenile or municipal courts, suspended, expelled, and placed in Disciplinary Alternative Education Programs (DAEP). Examine data-sharing practices between DFPS, TEA, and local education agencies and make recommendations to increase communication between schools and DFPS to increase educational outcomes for children in foster care;
 - Evidence-based models used for addressing juvenile delinquency prevention that are targeted to non-adjudicated, but at-risk youth, in the school disciplinary system. (Joint with Senate Committee Education Committee)

[Ms Brooke informed Advisory Council members of a recently formed workgroup by the Texas Judicial Council on Juvenile Justice that will be developing recommendations as it relates to this charge.]
- Monitor the implementation of legislation addressed by the Senate Committee on Criminal Justice, 82nd Legislature, Regular and Called Sessions, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:
 - Implementation of and transition to the new Texas Juvenile Justice Department. Examine the consolidation of the probation and parole functions, and make recommendations to enhance the integration of the two agencies and promote successful outcomes for youths, victims, and taxpayers;
 - Overall care of female inmates;
 - Implementation of SB 1616 and SB 1636, relating to the testing of evidence;
 - Implementation of SB 321, relating to an employee's lawful transportation and storage of certain firearms or ammunition while on property owned or controlled by the employee's employer;
 - Implementation of legislation relating to human trafficking in coordination with the Joint Interim Committee to Study Human Trafficking.

House Committee on Corrections

- Monitor the implementation of SB 653 (82R), which created the Texas Juvenile Justice Department. Make any recommendations needed to enhance the integration of the Texas Youth Commission and the Texas Juvenile Probation Commission.
- Study ways to reduce the number of youth referred to the juvenile justice system. Consider the availability of mental health services, diversion and early intervention programs, and other prevention methods.
- Study and make recommendations about issues related to the certification of juveniles as adults.
- Review current parole supervision strategies to ensure that resources are being used efficiently to maximize the state's need for public safety and rehabilitation. *[This interim charge will not include juveniles.]*

House Committee on Public Education

Review and make recommendations on the effectiveness of Disciplinary Alternative Education Programs (DAEPs) and Juvenile Justice Alternative Education Programs (JJAEPs) in reducing students' involvement in further disciplinary infractions. Determine the appropriate role of disciplinary alternative placements in promoting education achievement and how technology could be used to supplement education services. Consider appropriate placements in DAEPs or JJAEPs and consistent funding models for those programs. Consider options for counties without a JJAEP or inefficiently few placements in a JJAEP. Identify positive behavioral models that promote a learning environment for teachers to appropriately instruct while addressing any behavioral issues and enforcing student discipline.

House Committee on Appropriations

Monitor the performance of state agencies and institutions, including operating budgets, plans to carry out legislative initiatives and planned budget reductions, caseload projections, performance measure attainment, implementation of all rider provisions, and any other matter affecting the fiscal condition of the agencies and the state.

Role of the Ombudsman [Cherie Townsend]

Ms. Townsend provided an overview of the role and function of the Ombudsman. The Ombudsman is appointed by the Governor and reports to both the Governor and the Texas Legislature, not to the TJJD Board or Executive Director. The Office of the Independent Ombudsman is a state agency established for the purpose of investigating, evaluating, and securing the rights of the children in state facilities committed to TJJD. In addition, the Ombudsman will monitor trends in community-based programs. Ms. Townsend mentioned that the Ombudsman may be visiting some departments to get acquainted with how community-based programs and facilities are operated.

Prevention and Early Intervention [Open Discussion]

During the 82nd Texas Legislature, prevention and early intervention services was identified as a strategy in the TJJD budget, but not funded. The goal of this strategy is to provide prevention and early intervention services to include but not be limited to children age 6-10. TJJD received approval from the Board to transfer \$1.5 million from other areas of the agency budget to support this strategy and this initial amount would serve as an interim budget as TJJD staff further develops a plan. The Advisory Council expressed concerns regarding this strategy to include the need to serve kids that the juvenile justice system has no jurisdiction over, with the exception of 10 year olds. These programs typically shouldn't be associated with juvenile probation so there is no negative perception of the child being involved in the juvenile justice system. The goal is to provide wrap around services to address issues before a children becomes delinquent. The Advisory Council discussed the desire that services could also be provided by sources outside of the juvenile probation departments such as justice and municipal courts, commissioner's court, or schools. It was agreed that something needs to be done quickly and to build off of existing programs such as the STAR and Big Brother Big Sisters programs through the Texas Department of Family and Protective Services. Ms. Townsend suggested that she would send a survey out to all chiefs to identify interests and ideas specific to complying with the prevention and early intervention strategy. Mr. Flores recommended that after the survey is complete and whatever mechanism is put in place, there be an assessment tool administered with each child to determine the success rate of services provided.

Organizational Issues [Open Discussion]

Formal Leadership

Texas Human Resources Code Section 203.0081 controls membership, terms and sets the duties and responsibilities of the Advisory Council, therefore, it is not mandatory that additional bylaws or rules be adopted. The Advisory Council unanimously agreed that a less formal structure for the Council is implemented. No rules of parliamentary procedure or rules of order were established. The Council recommended the designation of a Chair and Vice-Chair for structure and consistency in leadership. It was suggested that for continuity purposes from the previous Advisory Council, to continue having Ms. Medina serve as Chair and Mr. Vance serve as Vice-Chair. The role and appointment of the Chair and Vice-Chair will be reviewed by the Advisory Council annually.

Committees

Committees will be established on an as needed basis.

Length and Expiration of Terms

Advisory Council members will serve staggered terms. For purposes of the first appointed Advisory Council, half of the members will serve with a term to expire on February 1, 2013 and the half will serve with a term to expire on February 1, 2014. Lots were drawn accordingly by members and the terms of expiration are:

CARTER, William	February 1, 2013	SHAHEEN, Matt	February 1, 2014
FLORES, Homer	February 1, 2013	THORNE, Larry	February 1, 2013
HAYES, Phillip	February 1, 2013	TURNER, Randy	February 1, 2013
MEDINA, Estela	February 1, 2014	VANCE, Doug	February 1, 2014
RAMIREZ, Mario	February 1, 2014	WILLIAMS, Mark	February 1, 2014

Ex-officio members including representatives from TJJD (Cherie Townsend and Linda Brooke) and HHSC (Audrey Deckinga) will continue to serve at the designation of the TJJD Executive Director and HHSC Commissioner without expiration.

Communication

The Advisory Council agreed that TJJJ would provide staff to support meetings and activities related to the Advisory Council including scheduling and setting up for meetings, agendas, distribution of materials, general email communication to the Council, as well as, distributing the minutes or any other necessary information to all departments. All meeting minutes will be posted on the TJJJ website. It was noted that William Carter will post the minutes on the Juvenile Justice Association of Texas (JJAT) website. Aris Johnson agreed to contact the Texas Probation Association (TPA) to request the meeting minutes be posted on their website as well.

Meeting Quorums

The Advisory Council is not required to have a quorum present to conduct business. It was determined by the Advisory Council that the Chair will best determine whether or not to move forward with a scheduled meeting if the majority of members will not be present.

Schedule Future Meetings [Cherie Townsend]

There was discussion that the Advisory Council would not meet again until after the next TJJJ Board Meeting scheduled for February 17. This would allow for the Advisory Council to have adequate time to receive direction and guidance from the TJJJ Board. Ms. Townsend will forward an email to members of the Advisory Council for the purpose of determining a date in March for the Council to meet and a follow-up email by TJJJ staff will be sent out with the March date. The frequency of Advisory Council meetings will most likely be determined by the direction of the TJJJ Board.

Closing Remarks and Adjourn [Cherie Townsend]

Ms. Townsend once again thanked everyone for their willingness to participate as a member of the Advisory Council. The meeting adjourned.