



## **TEXAS JUVENILE JUSTICE DEPARTMENT ADVISORY COUNCIL**

**March 7, 2013**

The Texas Juvenile Justice Department Advisory Council meeting was held on March 7, 2013 at 10:00 a.m. in the Brown Heatly Building, Room 2301, 4900 North Lamar Blvd., Austin, Texas, 78751.

### **Call to Order**

With a quorum present the meeting was started.  
Matt Shaheen was not present.

### **Review of Minutes: December 5, 2012**

The minutes were approved as presented.

### **Advisory Council Member Introductions & Organization**

Chairman Medina commented that when the Council first started terms were initially staggered. She has verified that appointments to the Advisory Council will be for two years terms. She welcomed Carrie Barden, representing the Pan Handle Regional Association; and welcomed back reappointments to the Advisory Council; Homer Flores, South Texas, Phil Hayes, North East Region, and Randy Turner, North Texas Region.

### **TJJD Updates**

Mike Griffiths, Executive Director of TJJD, reported that much of the focus right now is on the legislative session.

TJJD will be moving in about six weeks to a new location, which will allow for the merged, TYC and TJPC staff to office in the same office space.

TJJD is moving very deliberately on secure facilities program upgrades. Mr. Griffiths had an exit interview with Dr. Rousch, who will present 10 to 11 recommendations to help impact the agency's culture in terms of youth and staff relationships.

Mr. Griffiths referenced the legislative report that had been provided to the House Corrections, Committee, which gives a vivid picture of the Agency today. The Agency includes partners in probations. Challenges for secure state-run facilities are staff morale, program management, accountability of systems, and staff/youth culture, all of which are interrelated. The staff turnover rate cannot be corrected until staff members feel comfortable and safe. Members of senior leadership on the institutional side have visited a probation site and very impressed. It was referenced that Probation is working with the same level of youth, and the youth are not acting out as much as they are in the deep end, so this was very enlightening. Issues that need improvement include accountability, supervision, and surveillance. Parole needs to be addressed.

Agency-wide, Mr. Griffiths believes that staff members are starting to unite, and it's important that this continue and to be a focus. Much teamwork is being implemented, which is very positive.

The budget for probation has been cut in half. Case load ratios are low, making it hard to represent the funding. Much input has been received. A decision will have to be made at the next Board meeting rather than waiting until the next appropriations bill has been approved.

Parole funding was cut. Mr. Griffiths hopes that the status quo will continue; those that want to contract can contract, Gulf Coast stays in place, parole officers stay in place, et cetera. Chairman Medina stated that parole was one of the priority items that the Advisory Council had identified. Reentry is as important now as it was years ago, so the Advisory Council supports continued efforts to build that process.

Asked whether he thinks the legislature is concerned with the revocation statistics being on the state or on the counties, Mr. Griffiths stated that it would be reflected on the state Agency, TJJD. The revocation rate is uncharacteristically low right now. Revocation rates drive institutional bed space as well.

Another question for counties is how to deal with a 17- or 18-year-old; whether they will be considered youth or adult. With much unknown, Mr. Griffiths stated that it appears more and more that it will rest on the counties. He said that on the Senate side, the Agency is \$12 million below where it needs to be for probation. The Agency is \$4 million below where they need to be on the House side. In Conference Committee, if the Agency does not get this funding restored, there will be reductions made to probation overall, hypothetical situations at this point.

Chairman Medina expressed that probation is much more than just supervising youth. The numbers are not necessarily representing the whole story. Chairman Medina stressed the importance of talking about what the numbers mean and the work being done by the field at the community level. Mr. Griffiths responded that leadership will have different views of what parole should do and be, and TJJD needs to tell the story of what it knows it should be. The TJJD Board meeting in May will be important. Enough will be known by then to make some options available to the Board.

Right now, the appropriations for the Agency are below base level. Exceptional items are all specified for specific areas. While it may appear that probation has more money, that's because on both sides it is receiving an injection of \$15 million specifically earmarked for mental health.

A comment was that the likelihood of some of those 17- and 18-year-old youth in the counties being in the adult system is high, which means that while there may be a reduction in the number of youth commitments, there will be an increase in adult commitments.

Rep. Turner filed a bill that would give the Agency the responsibility to develop a strategic plan based on current needs and risk levels of youth. It also makes some changes regarding age; moving the age limit back to 21. It allows Mr. Griffiths to appoint a committee that will review all of this. The debate will be in two years, involving what to do with a youth population if they cannot be in controlled in the facilities.

Asked about the bill that would require keeping youth separate from adult populations in detention holds, Mr. Griffiths stated that he had talked to judges, most of whom had stated their preference for youth to be in the adult jail.

Last year's quality assurance conference was canceled. This year it will take place, and this is important. The work established in the counties has made it a model for the country, so this year the conference will be held. The dates have not yet been set. William Carter and others have recommended that this year's conference will be named in honor of Ellen Chapman, who was the epitome of quality assurance. More information will be forthcoming regarding this conference.

### **Update Regarding TJJD Legislative Appropriations Request**

Bill Monroe reviewed an item that was approved by the Senate Finance Committee the evening before the meeting, which included a 3% pay raise for all state employees effective September 1, 2013. The House has not decided, and the full Senate has not voted on it, but the Senate Finance Committee gave it a full vote. They approved a raise of 5% for TJJD correction officers at the state level. The money has not yet been found, but they are working to get this up to 5%. The approximately 1300 JCOs employed at the moment in halfway houses and six secure facilities, would receive a 5% pay raise. The maintenance and kitchen workers would receive 3%.

Mr. Monroe referred to materials regarding the LAR. Goal A is what has traditionally been the probation funding area, with a base request of \$318 million. The LBB recommended an \$11 million reduction over a two-year period. The House has recommended that TJJD be funded not with an \$11 million reduction in probation, but a \$6.8 million reduction in probation. The Senate has recommended a \$12.8 million reduction. These are reductions from the base request. The LBB recommended a \$3 million reduction in parole, a third of the funding for parole. Both chambers concurred. Parole is to make it through the next biennium on \$6.6 million.

Other special groups within the Agency, such as the Ombudsman, the monitoring function, and the Administrative Investigations Division, included in oversight of the juvenile justice system, have no reductions recommended. The indirect area -- research staff, legal staff, human resources, computers -- is recommended a reduction of 12%; both chambers concur.

Both chambers agree that TJJD needs some new special items. Ultimately more money will be received than what was previously discussed, but the base has still been cut. Both chambers

approved exceptional item number 1, which includes \$4.3 million to specifically staff the Redirect and Phoenix Programs.

The Senate has a very aggressive plan to take care of repair and safety items across all state agencies. They have approved \$16 million for TJJD for these repairs and safety needs. The House has not decided yet; all is pending right now. Exceptional item number 3, improved timekeeping and other items, has not been approved. TJJD will be joining the Texas Controller System. The Juvenile Case Management System for \$1.6 million has been approved by both chambers.

Exceptional item number 5, increased mental health funding for \$15.2 million, has been approved by both chambers. Chairman Medina reminded the Council that exceptional item number 5 was an item that was recommended and highly supported by the Advisory Council. The approval of this item is good news. Asked about specifics of this item, Mr. Monroe explained that it is to be divided between those who have facilities and those who do not. All the funding is for the field and not for the state level.

Funding in Goal A has been divided into three categories: basic supervision, facilities, and programs. Some changes will make it possible to fund individualized grants as opposed to the model that has been developed, which is essentially one consolidated Grant A, which was based on a very detailed formula. Appreciation was expressed to Mr. Monroe for the work he has done on behalf of TJJD during the legislative session.

Mr. Monroe discussed the commitment diversion funding. A rider has been approved that the Agency would be able to use some of the “returned” funds that come in the following year from the counties in a flexible manner to help with extra diversions. The precise language for this has not yet been made available, so Mr. Monroe does not know all the details. Every year some money comes back from the counties, such that when money is received back from the counties before the end of the year, it can be sent back out again. This rider is talking about those funds that come in after August 31. The lowest amount TJJD has ever received back was last year, and the total amount received back was \$2 million. An additional \$1 million went to the Treasury because there is a cap on the amount that can be sent back.

Increases for prevention and intervention have not yet been approved by either chamber. They would like to support prevention, but details have not yet been worked out. Most of the prevention money that TJJD is spending this biennium is still there, which has been enough money to give approximately 24 grants. One chamber cut it, and the Senate restored it to the current level, just about \$3 million a year. The House is still back at a little under \$1.5 million a year. TJJD was asking to fund 75 or so programs. For the money that is here, TJJD should be able to get at least 100, because in the original, a couple of the biggest counties were already in, so it's not as expensive for TJJD to get it to the next 75 or 100. This is not approved at this point, but the understanding is that the Capitol still wants to provide funding for prevention in some capacity.

DFPS asked for a restoration because they lost about half of their prevention dollars, and what has happened so far is that DFPS has listed prevention as their exceptional item number 1. On the Senate side, it is still in the priority order on prevention, but the Senate has also tentatively

added \$10 million to the prevention funding. Senator Nelson said they would like to give an additional \$10 million to DFPS for child abuse/neglect prevention, but a good evidence-based plan is needed. DFPS has been asked to bring this plan by the end of the legislative session. DFPS has not heard anyone in either chamber say that they are going to reduce or transfer prevention or early intervention money, and in fact it will most likely increase in child abuse/neglect prevention. In the long run this will mean fewer youth in the TJJD system.

In regards to reentry, the House has approved this item but the Senate has not. Mr. Monroe did not want to categorize the Senate as being behind, because in the base, the Senate was more open to Mr. Griffiths' request to keep the six secure facilities reasonably funded, so they put all the money they could find at the state level in line 20. In the House they're still calling for the six institutions to be cut by \$26 million, whereas the Senate is only expecting a \$5 million to \$10 million decrease.

Exceptional item 9 is more an internal issue and has gone to another area in the Capitol that deals with how much money should be sent to the central computer operation, called DIR, and they will work it out.

Exceptional item 10, which involves funding for Ombudsman Office staff, has been endorsed by both chambers. Federal money which had provided funding has dried up. Asked if the Ombudsman is given the authority to come to the county facilities, Mr. Griffiths clarified that the legislation in question gives the Ombudsman the authority to go into TDCJ to check on the 17- and 18-year-olds. Some members of leadership are concerned about maintaining 17- and 18-year-olds in the secure facilities; some want them to go to TDCJ.

Chairman Medina stated that in terms of the baseline, there is some homework involved. To the extent possible, the Advisory Council should work diligently to keep the baseline at current effort. The LBB is suggesting that there are fewer referrals, and it is hard to argue the numbers, but it is important to represent the work being done, and stress that the youth that are in the system have different and more intense needs. Chairman Medina also added that she had the opportunity to be present at that workgroup, and when the \$12.7 million cut discussion came up, Mr. Griffiths stood up for the field on this. Chairman Medina stated that they walked away from that workgroup thinking the money had been restored.

Mr. Griffiths responded that TJJD has to forge a better relationship with the LBB, which has nothing to do with the field. The LBB knows that the field is important and that probation is important, but Mr. Griffiths stated that he has to do a better job brokering the relationship. What can be quantified is that the field handles and codes as temporary almost 3000 youth that the LBB isn't counting. That's 3000 youth per day that probation officers are working with, whether during intake in detention centers or diversion work. The LBB is giving adult probation pretrial money but they are not giving the juvenile system pretrial money in the same context. That \$12 million is a big challenge, and Mr. Griffiths stated that TJJD would continue to work to educate and inform. Michelle Connelly's group said it costs \$9.78 per day for a youth to be on probation, but another division stated that it costs \$4.90, so the two divisions are not talking to each other. There is a need to be able to document and explain the reality of the situation. Further discussion regarding this issue ensued. Some clarifying questions were asked regarding the rider dealing with extra diversions money.

A question was asked about the cap change and the need for continued funding because the commitment cap has been lowered to 946 versus 1111. What is hard to explain is that the data will reflect admissions rather than commitment, but it will be important to explain to the legislature that the youth in facilities include not only commitments but also youth that have been sent back due to parole violation. Another 100 youth per day are in the secure facilities due to parole violations. Total commitments for the year to date are 294. A year ago at the same time it was 346. These lower numbers are the reason for the LBB lowering the commitment cap. Mr. Griffiths pointed out that an added part of the story is that TJJD has been operating with a 5% cut already this biennium, and because of the blended funding this was able to work, so the Senate understands and supports blended funding, but the House does not.

Some clarifying questions were asked regarding line item 2, basic supervision. The request was \$235 million; LBB recommended \$97 million, taking the single Grant A and divided it into three pieces. Asked whether Mr. Monroe anticipates the cut to be proportionate if it is not restored -- i.e., will some facilities see larger cuts than others? -- Mr. Monroe responded that first it will depend on the Capitol's first level of direction. Mr. Griffiths said if they say TJJD has to live within the LBB formulas, then that would be a new discussion. TJJD will continue to fight for the counties right to make those choices, since they know what they need. Mr. Monroe developed a simple way of looking at it; it shows six counties which are diverse in size and geographic location, and there are 165 different ways that money is dispersed. It's the county's choice and it should continue to be so.

A comment was made that if the \$125 million that is dedicated to those pre- and post-adjudication facilities is not spent, then 20% of these funds are transferable. The only true restriction known is that it cannot be more than 20% without bringing a full briefing to the Capitol. Right now if a Chief needs to transfer 20% of their pre- and post-adjudication money to community programs, a form is sent for permission. Under the current scenario there is no problem getting permission to transfer these moneys. If these dollars are specifically designated, there needs to be a clear picture so the Chiefs know how they can make decisions regarding these funds. Mr. Griffiths stated that once TJJD gets through committees, he will push to have a meeting with LBB to discuss this question. Further discussion ensued. Mr. Monroe pointed out that there is clearly that much money spent locally for pre- and post-adjudication, but it's not spent with state dollars. A large number of counties are spending their local money on pre- and post-adjudication.

### **Mental Health Survey Summary and Review**

Mr. Monroe reported the work that the Advisory Council did to collect information had a great deal to do with the approval of mental health money. The field did an excellent job getting results back to the Council. Mr. Griffiths said local control is important.

A comment was made that TJJD needs to figure out a way where it makes sense that the money can be used for this purpose. Mr. Griffiths asked if there should be a subcommittee of the Council to work on this, to find the best way to disperse the money and use it effectively and wisely. Mr. Griffiths asked Mr. Monroe to work with Chairman Medina to establish a subgroup to give recommendations regarding dispersing of funds. The subgroup was established in the

meeting. Doug Vance, Randy Turner, Mark Williams and Carrie Barden will be in the subcommittee on this issue.

### **Updates from TJJJ Board Meeting January 18, 2013**

Chairman Medina reported on the update from the Council to the Board on January 18, 2013. The Council in its presentation made the Board aware of its continued work such as the standards subcommittee, the LAR, the work that the Council is doing regarding the guidelines for certified officers, and the mental health survey. The report was well received. The Board asked the Council to present at the next meeting regarding the guidelines for certified officers. The next board meeting is March 22.

### **Sub-Committee Report**

Doug Vance reported that the standards subcommittee finished the CRM review and the facility audit. The next item for the Board meeting in March will involve requests from the field made approximately a year ago, most 343 related. All of these requests could not be effectively dealt with during the time given. Eight or nine standards have been prioritized and the subcommittee has worked to revise them, and they will be on the agenda for discussion by the Board in March. They will then go out for public comment. This phase is pretty much complete.

The next phase will involve nonsecure standards, at Mr. Griffiths' request. There are 10 or 11 counties that operate nonsecure facilities which have really no standards but a gamut of programs from ROTCs to halfway houses. It was in statute that TJCP had to prepare minimum standards for nonresidential programs; this is the fulfillment of that statute. The goal is to have these completed by the fall, to make something providing for structure, safety and security but still flexible enough to encompass existing programs.

The subcommittee also talked about reviewing all standards on a regular basis to make sure they're all appropriate as time and circumstances change and new laws come up. The subcommittee thinks every two years after the legislative session ends would be a good time to review and address standard changes and make recommendations. There is a possibility of looking at standards for state facilities and performance based standards down the road. There is a subcommittee meeting scheduled for the day after the Advisory Council meeting.

### **Review and Discussion: Proposed Rules for Certified Officer Discipline Guidelines**

A presentation regarding this item will be made at the next Board meeting in March.

Mr. Brett Bray, General Counsel, and Ms. Chelsea Buchholz, Deputy General Counsel, have been working with the Council and have taken a lot of feedback and have compiled the information. Chairman Medina thanked them for their help. Ms. Buchholz and Chairman Medina will present before the board. Chairman Medina referenced materials that outlined a summary of this work.

Ms. Buchholz stated that the guidelines are intended to reflect current standards and not to create anything new other than instructions for lawyers to implement standards as they participate in

the discipline of certified officers. A question that has come up multiple times is a reference to department rule. The guidelines require certified officers to follow department rule, which in this case means the standards. The Human Resources code uses the term department rule, but in no way is TJJD trying to push rules onto the counties.

Ms. Buchholz referenced the documentation passed out to the Council, noting that it should be a final draft with one exception. Based on an email exchange with Mr. Vance, Ms. Buchholz noted a change in the section regarding aggravating factors. The basic premise is that a TJJD lawyer will have the opportunity to review a case and elevate or lower a level of discipline by one level. Levels are: no action, written reprimand, probated suspension of certification, suspension of certification, and revocation of certification. A lawyer will review the case and use these guidelines to invoke a discipline, and depending on factors can either elevate or demote that discipline by one level. If the discipline needs to be adjusted by more than one level, it will need to go to General Counsel for review. Aggravating factors would bump the discipline up one level, and the second bullet under this area states “serious harm or injury requiring medical attention.” Mr. Vance pointed out that there are some defined terms that are similar to these terms but are not exactly the same. Substantial injury is defined in standards chapter 358, as is medical treatment. Therefore Ms. Buchholz will change that bullet point to say, “Substantial injury requiring medical treatment,” for continuity’s sake and to conform to established definitions.

Ms. Buchholz asked the Advisory Council for their approval to take the guidelines to the Board and present them.

Appreciation was expressed to those involved for their work on this item. A few questions were asked regarding details in the guidelines. Asked about the phrase “discretionary depending on the circumstances,” Ms. Buchholz stated that under the code of ethics, Juvenile Justice Professionals are required to abide by all federal laws, guidelines, and rules, state laws and commission administrative rules. It is unknown what level of discipline would be assigned to this broad code of ethics, but the right is reserved to issue some discipline based on circumstance.

The Board was asked for their approval at the last Board meeting to submit the process to the Texas Register for rule review. The process has received no comments. The period of rule review closes on Sunday. At the next Board meeting, the Board will be asked to adopt the rules connected to this process.

Discussion ensued regarding the use of applying these guidelines to state employees as well as county employees. Mr. Griffiths responded that this was being looked into. These guidelines do not have anything to do with the disciplinary actions taken by Chiefs in their counties. It is strictly regarding counsel’s review for certification.

A question was asked regarding the timeline for a certified office to complete this process. In 99% of instances, the employer will address the issue before the Agency license issue catches up to it. Timelines have been shortened, but there are still due process timelines that include appeals, et cetera. The goal is for this to be in the 90 to 120 day range. There are steps in the process that guarantee communication and will include the Chiefs in the whole process.

## **Discussion regarding the Prison Rape Elimination Act**

Mark Williams reported that some detention facilities feel PREA requirements are too intrusive. Over the last three years, out of the 82,693 in pre-adjudication facilities, there were only five confirmed cases of sexual abuse, and only two of these were by contact. Mr. Williams stated that it feels like Texas as whole does not have a problem. At the same time, some people may warmly welcome the PREA standards, but the question is whether they should be forced on a facility if they are not needed.

An Attorney General's opinion is being sought on whether county detention facilities are included or not. Mr. Williams stated that sometimes standards can seem good from a distance, but overall he doesn't believe that these requirements help protect youth, and detention facilities are different from long-term facilities. Mr. Williams gave the example of the 1:6 ratios that some advocacy groups are requesting in the legislation.

Mr. Bray stated that Mr. Griffiths asked him to look at this issue, and he used research from the field as a basis for his own research. It shouldn't be that hard to get an AG opinion. Mr. Bray stated that he believed the AG opinion regarding whether PREA applies to counties will be that as it stands right now it does not apply, but there is a problem on the state level. Within the Human Resources Code 221.002, which is within the enabling statute of TJJD, it states that the department shall make standards for departments that requires adherence to all state and federal laws. So by virtue of a state statute, the department now has to impose PREA rules on its regulated community. So while the counties were not necessarily covered by Congress, they were covered by the Texas Legislature. Mr. Bray stated that at least six attorneys in General Counsel have studied this independently to check and double-check this issue.

A question was asked regarding the PREA coordinator and whether this was a county-wide position or a facility position. The answer was unclear. There are some issues for smaller facilities and smaller counties who may not be able to shoulder the burden of some PREA requirements. Mr. Bray commented that there are probably lots of vehicles available to make changes in the statute to allow for flexibility, but he's not sure this is the right solution. Besides PREA there are other laws that nobody argues the counties ought to be exempted from. Mr. Bray also commented that the rule-making process that the Agency goes through is one that the field is involved in, and the counties have a lot of say in what it looks like. There are requirements in PREA that would be a burden, and while Mr. Williams believes no one is trying to break the law and that everyone is trying their best to help youth, some PREA requirements can be a burden especially on smaller counties. One size does not fit all in the state of Texas.

Mr. Griffiths stated that the Governor's Office has not yet made a decision regarding PREA compliance and what that will look like.

Discussion ensued regarding the options that Mr. Bray outlined above. Mr. Williams stated that help was needed from the state level to assist in implemented some of the options and trying to find out more information. Mr. Griffiths stated that he wants to make sure Texas is compliant.

Further discussion ensued regarding these options. Suggestions were made of the possibility of tweaking the language to differentiate between larger and smaller counties and the importance of

keeping in compliance with what is best for youth. Some things may also be able to be done with existing language in the state mandate as well.

### **Legislative Updates and Information**

Chairman Medina referenced Bill 2399 from Rep. Turner and passed the bill out to the Council for their reference.

The Chairman of the House of Corrections has also filed Bill 2443 that would modify the Board composition of TJJD. The bill stipulates that the Board would go from its current configuration of 13 members to seven members. One of those members is a Chief; one of them would be either a juvenile judge, a prosecutor, or a commissioner. Three members would be general citizen referral, and the last two would be from mental health and education.

Mr. Griffiths was asked about his opinion. Mr. Griffiths will ask Chairman Parker to exempt him from being called as a resource. In the discussion, a comment was made that it would be preferable to have more than one Chief on the Board, especially since the state is large and counties vary so widely in size and need. Mr. Griffiths stated that he values the Chiefs on the Board, but he will not lobby for or against this bill.

A question was asked regarding any possible similar legislation to change the makeup of the Advisory Council. Mr. Griffiths indicated that there was none. The Ombudsman bill is being heard next week and specifically says that facilities that hold youth other than juvenile corrections will be able to be visited by the TJJD Ombudsman.

The Advisory Council was invited by the Chair of House Corrections to present invited testimony at the first of their organizational meetings. Chairman Medina and Doug Vance registered to testify. Chairman Medina feels the presentation was well received. A copy of the testimony was provided.

TJJD also has a “cleanup bill.” The overriding principle included a long list of items, and all items were agreed upon by everyone. If something became controversial it was taken off the table. This bill was supposed to be noncontroversial. The bill has not yet been filed. A copy of the synopsis will be provided to the Council. A lot of it has to do with cleaning up pieces from the merger of TJCP and TYC. Further discussion ensued regarding the details of this bill. Chairman Medina introduced Chris Hubner, General Counsel with Travis County, who was part of the workgroup involved in the “cleanup bill.”

Mark Williams indicated that he has been trying to get something done regarding youth misdemeanor fingerprinting and has had no success. He is pushing for an interim study on fingerprinting misdemeanors. He believes we are fingerprinting too many youth, a disservice to youth who are hurt later in life by the existence of this record. Mr. Williams asked for help on this item. Mr. Griffiths commented that it could be an amendment to 2399. A question was asked regarding the difference between fingerprinting youth for youth safety reasons and fingerprinting youth for misdemeanors. The difference is when there’s an offense and how that affects a youth’s career chances later in life, such as entrance into the military or various career licensing. Youth records are not supposed to be able to be accessible, in the past is a person may

be hired as a teacher and say they have no record, to later go through a criminal background check, where it's discovered there is a misdemeanor on their record with deferred prosecution; they could be fired even though legally they are allowed to say they have no record. So now they need to hire an attorney to go and get a record sealed that doesn't exist anywhere because there's no record on a deferred case.

The fingerprinting establishes the record. DPS may not provide that information, but other third-party background check companies may, and all it will show is that there is a mark against you. They can't go to TJJJD anyway unless they have a felony. The key is DPS; all offenses are fingerprinted, and this hurts youth when they try to get a job, an apartment, join the military, et cetera. It is being worked on with the FBI, and possibly within nine months, there will be single-cycle sealing, meaning that when DPS restricts juvenile records, the FBI will do the same, so it is hoped that approximately six months down the road there will be fewer of these cases.

Mr. Williams stated that this would indeed solve a lot of these issues, but there also needs to be some way to be able to pull up these youth records and make sure that probation is disposing of them. Some youth may have one offense that involves multiple properties, but then probation doesn't dispose of all of them. A response was made that DPS keeps monthly records on every county in Texas and how they report their disposition. Mr. Williams stated that if there were something in DPS, they could bring up pending files so they can be closed out. It was agreed that there should be some follow-up on this issue.

Chairman Medina stated that she is hoping that there will be some opportunity for the Advisory Council to help support some of the work involved with some of these issues. Mr. Griffiths acknowledged the conscientious nature of the Council and thanked them for their help.

An additional bill was discussed requiring the appointment of counsel either at the first detention hearing or prior to that hearing, with an incredible fiscal impact. Discussion ensued regarding the fiscal problems inherent in this proposed bill.

### **Public Comment**

There were no public comments.

### **Advisory Council Updates / Announcements**

There were no updates or announcements.

### **Schedule next meetings**

The next meeting was scheduled for Thursday, May 9, 2013. The Advisory Council meeting will be in the new TJJJD office space at Metric and Braker. The Board meeting will be May 24, 2013.

Chairman Medina and Mr. Griffiths will stay in touch and provide updates to the Council as necessary. Subcommittees may meet earlier than May 9. The parole subcommittee will consist of Carrie Barden, Homer Flores, Phillip Hayes and Chairman Medina.

The ED report is due to come out after the Board meeting, and Mr. Griffiths will email a copy to the Council.

**Adjourn**

The meeting was adjourned.