Texas Juvenile Justice Department
Board Meeting

Friday, April 6, 2012 - 9:00 a.m.
The Worthington Renaissance Hotel
200 Main Street
Fort Worth, Texas 76102

1. Call to Order
2. Prayer
3. Pledge
4. Excuse Absences
5. Public Comments
6. February 17, 2012 Meeting Minutes (Action)
7. Report from the Chairman
8. Report from the Executive Director
9. Report from the Inspector General
10. Report from the Independent Ombudsman
11. Report from the Advisory Council
12. Information on Activities for Agency Strategic Planning
13. Case Management and Treatment Audit (Action)
14. Construction Contract Amendment for Giddings State School (Action)
15. Request to Re-purpose Certain Construction Bond Funds for Youth Recreation at McLennan County State Juvenile Correctional Facility (Action)
16. Federal Communications Commission Report & Order (Action)

DRAFT

17. Closed Session – Executive Session
    a) §551.072 Deliberation Regarding Real Property- Parrie Haynes Ranch

18. Adjourn

- 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.

DRAFT

Board Meeting

Friday, February 17, 2012

9:00 a.m.

4900 North Lamar Blvd.

Austin, Texas 78751

BOARD MEMBERS PRESENT:

Scott W. Fisher, Chairman
The Honorable John Brieden III
Joseph Brown
The Honorable Carol Bush
Jane Anderson King
Rob Kyker
Michael Meade
MaryLou Mendoza
Dr. Rene Olvera
The Honorable Laura Parker
The Honorable Jimmy Smith
Calvin Stephens
Melissa Weiss

EXECUTIVE STAFF PRESENT:

Cherie Townsend, Executive Director
Lisa Capers, Deputy Executive Director
Nancy Arrigona, Research Director
Rick Bishop, Information Resources
Janie Ramirez Duarte, Financial Officer
Linda Brooke, Director of External Affairs, Policy and Education Services
Jeannette Cantu, Executive Assistant
Kevin Dubose, Director of Investigations
Karin Hill, Director of Internal Audit
Amy Lopez, Acting Superintendent of Education
Cris Love, Chief Inspector General
Bill Monroe, Financial Officer
Dr. Rajendra Parikh, Medical Services Director
Jim Southwell, Information Resources
Debbie Unruh, Chief Ombudsman
Mary Wood, Human Resources Director

OTHER TJJD STAFF IN ATTENDANCE:

Jack Allen
Paul Bartush
Ron Bayo
Laura Cazabon Braly
Donald Brooks, Jr.
Danica Castaneda
Sami Chadli
Melanie Cleveland
Annie Collier
Christina Courson
Marvell Cox
Tracy Cunningham
Stan DeGerolami
Eleazar Garcia
Raymond Gonzalez

April Griffin
Yolanda Hall
Deborah Harris
Gwan Hawthorne
Lesly Jacobs
April Jameson
Karen Kennedy
Erica Knutsen
Diane Laffoon
Tracy Levins
Michael Lukowiak
Daniel Marin
Tyronda McClellan
Alan Michel
Myra Morante
Kimbla Newsom
John Posey
Jimmie Prince
Karen Roe
Joe Schriever
Ben Smith
Kaci Sohrt
John Stutz
Rebecca Thomas
Alan Walters
Laurie Westfall
Patricia White
Jerome K. Williams
Kim Wood
Travis Wortham

OTHER GUESTS IN ATTENDANCE

Representative Ruth Jones McClendon, Texas House of Representatives
Jesus Amaya, AMI Kids, Rio Grande Valley
Jay Arnold, Arnold Public Affairs
Brandy Baptiste, Travis County
Edeska Barnes, Jasper County
William Beaty, AMI Kids, Rio Grande Valley
Celestine Beaudoin, New Day
Sarah Beth Bolin, Texas Criminal Justice Coalition
Amy Bruno
Chelsea Buchholtz, Governor's Office
Tom Butler
Doug Clements, Sen. John Whitmire's Office
Carolina M. Corpus, Travis County
Anne Derry, Byrd's Foster Group Home
Suzanne Duloyer, Byrd's Foster Group Home
Sergio Fernandez, Abraxas Youth and Family Services
Heather Fleming, Texas House Appropriations
Kathryn Freeman, Texas Appleseed
Tyrene Green, Garza County
Mike Heagerty, Disability Rights Texas
K. Huber, Abraxas Youth and Family Services
Angela Isaack, Legislative Budget Board
Aris Johnson, Gregg County
Benet Magnuson, Texas Criminal Justice Coalition
Jessie McGowan, New Day
Venise McGowan, New Day Achievement
Estela P. Medina, Travis County
Katie O'Brien, Sen. Kirk Watson's Office
Laurie Prater, Texas Mentor
Janis Reinken, Rep. Ruth Jones McClendon's Office
Lauren Rose, Texans Care for Children
Doug Vance, Brazos County
Cyndi Wilson, New Day

OPENING REMARKS

Chairman Scott W. Fisher called the board meeting of the Texas Juvenile Justice Department (TJJD) to order at 9:00 a.m., February 17, 2012. Chaplain Stutz delivered the opening prayer, and all present recited the Pledge of Allegiance.

EXCUSED ABSENCES

Although Mr. Kyker and Mr. Brown arrived late, all board members were present.

PUBLIC COMMENTS

Chairman Fisher acknowledged guest superintendents from TJJD secure facilities and halfway houses around the state, as well as State Representative Ruth McClendon. There were no public comments.

CONSIDERATION AND APPROVAL OF THE JANUARY 20, 2012 MEETING MINUTES

Chairman Fisher acknowledged the January 20, 2012 board meeting minutes. He requested a motion to accept the meeting minutes as submitted. Mr. Meade moved to approve the minutes. Ms. Mendoza seconded. The motion passed unanimously.

REPORT FROM THE EXECUTIVE DIRECTOR

Chairman Fisher called upon Ms. Cherie Townsend, Executive Director, for her report to the Board. Ms. Townsend said the last month has been very active since the last board meeting, and she reported some of the activities of the TJJD during that time. She said the first thing is to focus on the transition and creation of the new agency, which has taken a lot of time to bring things together. Some highlights are a Leadership Council that was established, representing individuals from both of the agencies that were abolished and became part of the new creation. The agency contracted with the LBJ School of Public Affairs Governor's Executive Development Program for a specific program they have developed to focus on organizational and culture change. The Leadership Council started off with some great efforts, and staff that participated in the initial training are now following up with their staff to solicit additional input on what needs to continue, as well as what can keep us from being successful in our vision as an agency. The Leadership Council is focused on a commitment to excellence, integrity, and positive outcomes for youth, families and communities, innovation and collaboration, and team work.

Strategic planning is another part of the agency's transition efforts. We intend to build upon the recommendations of the transition team which you will also hear about later in the agenda and seek input from many different stakeholders. Some of that will be through individual contact, through surveys, through focus groups, and certainly following up on input that might be received by this board or the agency. There's a focus on how the agency will go about achieving a greater balance in the system, a greater investment on the front end, and increasing the availability of community and family based services.

The agency will launch the TJJD's official website later today. We have looked at what things were accessed most frequently on the former TYC and TJPC websites, and are making sure those are a part of the new website when it is launched. A website was launched that was a placeholder, and now we'll be able to have it more active and begin to update and build it.

The organizational structure and staffing will be finalized for the new agency on March 1, 2012. Ms. Townsend acknowledged the anxiety of staff regarding the reorganization and the continued commitment to reaching agency goals.

Operationally, her focus has continued to be on the agency's partnership with counties. Since the last board meeting she visited an additional 12 counties and attended the West Texas, North Texas, and South Texas Regional Chiefs Association meetings. Ms. King participated in the West Texas Regional Chiefs Association and Mr. Kyker and Mr. Stephens participated in the North Texas Regional Chiefs Association meeting with her.

Ms. Townsend reported the inaugural meeting of the Advisory Council on Juvenile Services was held. The agency has accelerated the rollout of the Juvenile Case Management System (JCMS), though it is requiring that staff work at a very fast pace. A Chiefs Summit has been scheduled for March 2012. The agency's internal operation has focused on sustainability of reform efforts and continuous improvement in state operated facilities and programs.

Ms. Townsend reported education and treatment services are continuing to improve. The agency is complying with special education requirements since 38% of our students are eligible for these services. We have continued in the second year of implementation of Positive Behavioral Interventions and Supports (PBIS), which is a significant commitment. Almost 60% of the kids in TJJD on any given day participate in specialized

treatment. As of February 14th, we were serving a unique number of 886 kids, but there were 1,799 actual treatment services being provided. Many of the youth served in state operated programs and services are receiving multiple specialized treatment programs. The number of youth participating and receiving industry level certifications in vocational areas continues to be very significant. One of the areas that we added was welding for females at the Ron Jackson Unit, and already one young woman who has been released received a very well-paying job as a result of her participation in that.

Ms. Townsend reported safety and security continues to be a focus for the agency, both for youth and staff. It is notable that the Ron Jackson facility has achieved an 8.8% injury frequency rate, which is a very significant reduction from where they were two years ago. This is attributable to the leadership of the facility, and the investment in programming.

Ms. Townsend stated two campuses are experiencing significant transition issues related to the closure of facilities last summer, the movement of staff and the transfer of youth in and out, but significant improvement has occurred in the last month. One of the things we learned from that process was about cultural balances. Giddings, for example, had been identified earlier as one of the best operating programs within the entire system. But when you have a significant inflow and outflow of staff and youth, and significant staff retirement gaps you weren't planning for, the stability may be upset. Those two facilities are now going in the right direction, and we will ensure that continues.

Ms. Townsend acknowledged all four of our canine teams last week passed their certification field tests including an optional narcotics test by the National Narcotic Detector Dog Association. This helps ensure safety and security within state operated programs. We recognize Deborah Noles, Canine Security Intelligence Specialist, and canine Daisy. They received third place in the passive alert division competition and they were competing against handlers statewide.

Ms. Townsend stated the agency has invested in new programming in aftercare for family engagement and treatment. We have contracted with three different providers and are focusing on evidence based program models. In the first few months of this year, we were engaging over 70% of the families that have asked to be a part of the program. They are working with families while youth are in secure or non-secure placement outside their home community. The goal is to reduce the youth's length of stay in out of home placement. Then, we

will to continue to work with the family and the youth when they return home. Ms. Townsend stated a lot of that work is done in person, working with the youth and their family in the community with groups and individual, but also connecting by video with the case manager of the youth in the facility and then developing a community action team that can support them upon re-entry. These are positive models that look toward the future, not only for state operated facilities, but also to support community based operations.

Ms. Townsend reported the agency has made a number of collaborative efforts: The Texas Association of Counties, the B.G. Young Institute of County Government, the Council of State Governments on Reentry and Recidivism, the Council of Juvenile Correctional Administrators and the Governor's Criminal Justice Division.

Ms. Townsend stated one focus of the agency has been on prevention. In the last month we met with the LBB, the Public Policy Research Institute at A & M, the Governor's Executive Development Program, advocacy groups, and received input from counties about the kinds of things they're interested in. The announcement and program guidelines will go out later this morning with awards by March 15th.

Ms. Townsend reported on her meeting with the Department of State Health Services regarding mental health services for youth and families. We will also follow-up with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) and some private providers in the counties. We will develop targeted service improvements not just in residential care, but even in access to assessment, crisis intervention, family services, treatment services, non-residential, as well as maybe leading up to some residential care.

That is an update on what the agency has done in the last month, we have been pretty busy and productive.

REPORT FROM THE INSPECTOR GENERAL

Chairman Fisher called upon Cris Love, Chief Inspector General, for his report to the board. As of February 1, 2012, the Office of the Inspector General (OIG) is fully staffed with 35 positions, down from 44 in fiscal year 2011, including a reduction of five investigators and staff at Central Office.

OIG continues to be responsible for the investigations and the lead investigative body associated with investigations at state operated facilities and programs. Within those 35 positions, we have 17 commissioned peace officers. Of those, nine are criminal investigators, and three are apprehension specialists assigned to the

Houston, Dallas-Fort Worth, and San Antonio areas. Additionally, the Incident Reporting Center (IRC) continues to be located within OIG at Central Office.

In response to a question by Mr. Stephens, Mr. Love explained that in previous meetings he provided the members with the total number of active investigations as a moment in time snapshot.

In response to a question by Mr. Meade, Mr. Love explained the decrease of open criminal investigations in 2012 compared to 2011, are snapshots of active investigations, so it changes on a daily basis. The caseloads are starting to increase slightly, since the closures of Al Price and Crockett State School.

In response to a question by Judge Brieden, Mr. Love explained the comparable increase reported for both criminal and administrative investigations. The OIG reviews and assigns each allegation or incident reported to the IRC. A report to the IRC may be assigned as an administrative investigation first to determine if the elements of a crime exists. If the information reported indicates the elements of a crime exist, a dual criminal and administrative investigation may be initiated. That is why the dashboard will reflect a larger number of investigations opened in relation to the referrals for investigations out of the IRC. It's not because we're doing more of one or the other, it's just because it's possible to conduct dual investigations. He further explained that when OIG apprehension specialists make an arrest behind a directive to apprehend, they open a criminal investigation. If another law enforcement agency makes the arrest behind a directive to apprehend, OIG will not open a criminal investigation.

In response to a question by Ms. King, Mr. Love stated all activity regarding an investigation is documented in OIG databases. There is an administrative investigation database and a criminal investigation database. Information regarding outcomes, findings, adjudications, and sentencing in a criminal case is all documented in those databases. Ms. Townsend stated that information is also documented in the quarterly report that is submitted by the OIG.

In response to a question by Mr. Meade, Mr. Love clarified the reported numbers do not indicate there's more criminal wrongdoing occurring, it's a snap shot measure outlining to the board what our caseloads are like at a point in time.

In response to a question by Mr. Stephens, Mr. Love stated that although the numbers show an increase, there is no concern at this time. He said two years ago there were 2,100 open active investigations and now it's about 500. Allegations are prioritized, and OIG immediately responds to investigate sexual allegations.

In response to a question by Mr. Meade, Mr. Love reported that he is seeing an increase in the percentage associated with the reports assigned for investigation due to the decrease in the youth population in the state operated facilities and an increase in the complexity of the cases.

In response to a question by Judge Brieden, Mr. Love stated that the level of intensity doesn't indicate the length of the investigation. If we're not collecting physical evidence that has to be submitted to a crime lab, then the only thing we end up dealing with is review for prosecution. If the elements are met and it's submitted to prosecution, then that's the only lengthy timeframe that we could possibly deal with, if there is no evidence that requires submission to a lab for analysis. He stated he fully expects the number of cases that are open now in excess of 120 days to drop over the next two to three months because we're reassigning resources. For example, if I only have one investigator in Giddings, Texas, and I have two in Edinburg, and their case loads are lower, I will bring those investigators to Giddings to assist with those investigations. The reports are being addressed as they're assigned. Other priorities do come up, so they may not complete the actual investigative report at that time, but we are not going to document that a case is closed, until it's truly closed.

In response to a question by Dr. Olvera, Mr. Love confirmed that we could potentially meet or exceed the number of reports received by the IRC in FY 2011. He also confirmed that OIG has five fewer investigators, among a decrease in other Central Office staff, than he did in FY 2011. Dr. Olvera expressed concern that if the increase in the number of reports stays on pace while staffing is decreasing, we may run into a problem.

Ms. Townsend stated the calls received by the IRC are not all assigned to OIG investigators. A high percentage of those calls are assigned back to operations to follow up on, or to grievance for completion. For example, if a youth had an asthmatic attack, and had to be transported to a hospital by an ambulance, that call would come into the IRC, but it isn't a call that would necessarily result in an investigation by one of his staff.

REPORT FROM THE INDEPENDENT OMBUDSMAN

Chairman Fisher called upon Ms. Debbie Unruh, Chief Ombudsman, for her report to the board. Ms. Unruh stated that since the last board meeting, the ombudsman staff has participated in 18 site visits which included seven secure facilities, five halfway houses, five contract care facilities and one parole region. We have generated reports from each one of these site visits, and they have been presented to each of the superintendents, as well as the summary to the Executive Management team.

Ms. Unruh explained these reports are generated from information received interviewing the youth, and from the Ombudsman's observations while they are on site. There are three deputy ombudsmen and she. They go out to the facilities and ask for youth volunteers, or they will use the roster and call on youth, and sit down and visit with them. The report is then presented to the superintendent for follow-up responses and for the actions they will be taking in response.

Ms. Unruh reported visiting 23 county operated facilities. She is pleased at the positive reception enjoys seeing the facilities and meeting with the staff and the chiefs.

Ms. Unruh stated she received a letter this Wednesday from Texas Appleseed, Disabilities Rights Texas, and the Center for the Public Representation requesting that the Independent Ombudsman investigate their concerns with the Texas Juvenile Justice Department. This addresses secure facilities and halfway houses. She has begun to evaluate the additional information they have sent to her office. Ms. Unruh will be meeting with the advocacy groups and any additional stakeholders that are involved in this investigation. She wants the board to know that she takes these concerns very seriously, and will be putting together a plan in the very near future to investigate their concerns.

In response to a question by Ms. Mendoza, Ms. Unruh confirmed that her interviews with youth while at the facilities are face to face.

REPORT FROM THE ADVISORY COUNCIL

Chairman Fisher called upon Ms. Estela Medina, Advisory Council Chair, and Mr. Doug Vance, Vice-Chair, for their report to the board. Ms. Medina is the Chief Juvenile Probation Officer at the Travis County Juvenile Probation Department, and Mr. Vance is the Chief Juvenile Probation Officer for the Brazos County Juvenile Probation Department.

Ms. Medina stated that at the first Advisory Council meeting on January 26, 2012, she was appointed Chair and Mr. Vance was appointed Vice-Chair of the Advisory Council. All council members were present for the first meeting. Ms. Townsend presided over the meeting, and provided the opportunity for dialogue on the immediate and priority areas the council can begin to work on. The discussion was very open, and there was opportunity to hear from all members of the council representing each of their respective regions. There are also judges and a county commissioner on the council as well. The lists of various areas of interest were many, such as:

- Mental Health
- Regional needs and statewide issues
- Possibility of interim charges at the legislative level
- Funding as it relates to community based programs, state facilities and program development
- TJJD commitment goals – the judges were interested in looking at the types of cases being committed to the state facility and what could be done in that area
- Parole and aftercare – as it continues to have some additional review and discussion
- Educational Programs – focus at the legislative level and the involvement of juvenile justice
- Prevention and Intervention – our new state agency has the responsibility of doing work in this area. There was discussion of kids before they come into the system and how it can also apply to kids already in the system to be prevented from placement, adjudication and commitments to state agencies
- Standards and standards development – there continues to be a lot of interest to review that area, and see how we can continue to work on that

Ms. Medina stated the Advisory Council had an opportunity to review the transition document that was prepared by the Advisory Council to the former Texas Juvenile Probation Commission, to provide a journal of some of the information and items that had been worked on.

Ms. Medina stated there is a real interest from our community-based programs to define and represent to this board that we are being effective in the delivery of our programs and services, and that we are being good stewards of those funds.

Ms. Medina recognized Chief Melissa Wise and Chief Jane King, who were on the former Texas Juvenile Probation Commission (TJPC) Advisory Council. She stated on January 26, 2012, the Advisory Council was very open to some of the discussion to present an opportunity on things we had worked on. Our hope as Advisory Council members is to work very closely with the direction and leadership of the board

Mr. Vance added an update to their work regarding standards. The former TJPC Advisory Council had formulated proposed revisions to two former TJPC standards, now TJJD standards. We presented those to the TJPC board last May or June. The board at that time opted not to take action because of the time constraints; obviously they were going to be disbanded by December 1, 2011.

Mr. Vance stated one of those two standards was dealing with preadmission records, particularly dealing with psychiatric/psychological updates, and the other had to do with expanding the current ability to use chemical restraints on the probation side. Hopefully the Advisory Council will be working on that, and maybe have a proposal at a future board meeting.

Mr. Meade acknowledged his appreciation for Ms. Medina and Mr. Vance for taking on the challenge of being on the Advisory Council. He reported, from the chiefs in the field that he has talked with, there is a very strong interest in revision of some of the standards, so he appreciates the council taking that challenge on, and we have a list of things we'll submit to you pretty soon that we'd like you to look at as an Advisory Council. Of course, mental health, Chairman Fisher, we'd like to update you with where we're at with securing a mental health facility at the end of this, but we've got some pretty good news there.

Ms. Townsend stated one of the things the Advisory Council discussed was to make sure they were clear about the direction from the board on where they should have their focus to begin with, certainly from a statutory perspective, there are a couple of things that are very clear. One is to assist the Texas Juvenile Justice Department with strategic planning, to really identify where some of the needs are. Second, is to look at the standards and especially their process and their impact on cost. There are probably some bigger and broader

issues, related to standards and the process that, as an agency, we need to consider in a lot of different ways. It may be that you may want to consider direction on the horizon, strategic planning has got to get done real quickly and you're going to hear about that later. It might be helpful for some direction to help them focus there first, and then also as they've raised the two specific standards to look at, some further work in that area.

In response to a question by Ms. Mendoza, Ms. Medina stated there is currently nothing formal to establish a needs assessment to the different juvenile services. She stated each of the regional associations that meet regularly, have the opportunity to review a multitude of areas. In terms of the area of service delivery, these include commitments, and program development, there have been many areas of common interest. Again, there is mental health, funding, program development, educational services, all of those, but as such no formal needs assessment. That could potentially be an area of discussion for the Advisory Council, in terms of helping to identify statewide how best to capture that information for the board that we may be able to bring that back to you and Ms. Townsend, in terms of what some of those priorities might mean for everyone.

Ms. Mendoza suggested a survey of needs assessments be conducted, so that everybody has input in the needs, and also could establish the standards for across the state for a needs assessment.

Ms. Medina stated Ms. Townsend has opened the door at many visits to the regional associations. She stated Ms. Townsend has continuously asked the council if there are specific areas and we need to be working on both in our community based programs and from the perspective of the kids going to the state facility. Again, we have found that the needs are very similar. We can work with the board and Ms. Townsend to help create a process to help accomplish this.

Ms. Townsend stated the regional representatives identified the things that their associations had indicated were issues, and they would like the Advisory Council to raise those issues through the strategic planning process. There will be several surveys that will be conducted, and a lot of data will be analyzed to help guide and put some substance behind some of those issues. That will also occur through the Advisory Council, but there are other ways in which that information will be brought together.

Ms. King stated she thinks it is important that we continue to look to the Advisory Council to vet standards. She stated we are such a diverse state that it takes people in the field to know how those really impact, and so it's

important that you continue to do that. She knows you have some very weighted things you must get through, such as strategic planning, but thinks we also need to look at performance based standards that insure safe, healthy and secure pre and post facilities, that she thinks can be done in a much more straight forward manner.

Ms. King also stated she thinks that it takes the field to help understand how flexible and equitable funding must be and it's appropriate that the Council continues to look at that. Ms. King is concerned in the field we have relied too much on anecdotal material to talk about how successful we are, and she thinks we need more meaningful performance measures for our programs.

FINAL REPORT FROM THE S.B.653 JUVENILE JUSTICE SERVICES AND FACILITIES TRANSITION TEAM

Chairman Fisher called upon Ms. Chelsea Buchholtz, from Governor Perry's Office and Chair of the Juvenile Justice Transition Team, to present the final report from the transition team. The transition team consists of seven members: Albert Hawkins, who is a public policy consultant and former Executive Commissioner of the Health and Human Services Commission (HHSC) during a time in which they had a major merger; Scott Matthew, Chief Juvenile Probation Officer out of Williamson County; Representative Ruth Jones McClendon, State Representative out of San Antonio; Vicki Spriggs, former Executive Director of the Texas Juvenile Probation Commission (TJPC); Cherie Townsend, former Executive Director of the Texas Youth Commission (TYC); and Debbie Unruh, who is the Independent Ombudsman for TJJD and formerly TYC.

Ms. Buchholtz stated the transition team had two missions, the first started when we were appointed on September 1, 2011, and that was to coordinate and oversee the transition of services and facilities for the two juvenile justice agencies into TJJD. That was done primarily by using a business continuity checklist. The report includes several recommendations from the transition team, as well as the business continuity checklist and the stakeholder feedback that we received during this process. The report consists of general recommendations and recommendations associated with short, medium and long term goals.

Ms. Buchholtz stated the first recommendation is to create a forum for regular communication between TJJD staff and stakeholders. We heard from Ms. Townsend this morning that she has already established to meet with advocates. We understand that depending on the type of stakeholder, the type of communication will vary. But we consider it to be very important for the board and the staff to be connected to all stakeholders, employees, families, youth, advocates, and others.

Ms. Buchholtz stated the transition team recommends that you establish a standing agenda item for a report from the Advisory Council. This is a practice that the former TJPC implemented with great success and one that we encourage you to implement at your own board meetings. Additionally, we encourage you to establish a new culture, some priorities and overall identity for this new agency. While that might be very simple to say, it likely is not very simple to do. But it is something we consider to be very important during this transition, and something that is an obvious goal during a transition time. One of the most profound ways to ensure positive results in juvenile justice is to establish positive culture.

Ms. Buchholtz stated the transition team recommends that you request from Ms. Townsend, a regular report on the process of the transition. This transition obviously will go on for quite some time, and we encourage you to stay involved with the transition to ensure it is completed in a timely fashion.

Ms. Buchholtz stated the transition team recommends that you monitor the funding level of the Office of Independent Ombudsman. She stated this is something that came up as we were receiving input from advocates during the transition process. And in discussing with the Independent Ombudsman, it seems today that funding is adequate, but as the transition continues, and the responsibilities of that office increase, we encourage you to pay attention to that funding level. The agency needs an Office of Independent Ombudsman that is effective and we want to ensure that that remains the case.

Ms. Buchholtz stated the transition team made recommendations that are connected to a timeline for short, medium and long term goals. The short term goals should be completed by the end of this month. I would imagine many of these have already begun or have already been accomplished.

Ms. Buchholtz stated the transition team recommended the board adopt an operating budget which occurred at the last board meeting. The transition team encourages the agency to create a very specific plan to address the direction in Senate Bill 653 regarding Prevention and Intervention Services. It was heavily addressed in the stakeholder feedback, and some of that feedback is provided to you. Ms. Buchholtz stated not all of the stakeholders agree on how to implement services for prevention and intervention, but we're encouraging you to consider that a top priority, and to come up with a plan in the short term to address that.

Ms. Buchholtz stated the transition team recommends establishing an organizational structure for this new agency. Obviously, that is something that is already occurring, and that Ms. Townsend has been spending a lot of time considering. This was listed as a short-term recommendation simply because to foster a positive culture within an agency, we consider the need for structural changes to happen quickly so that you can move on, employees can have some confidence in their job, and then begin to develop that new culture.

Ms. Buchholtz highlighted number 12 on the short term goal list, and that is to develop a space utilization plan. In the transition and through the closure of some secure facilities, there is state owned space, and leased space that needs to be considered of how to use that effectively, and what to do with that additional space.

Ms. Buchholtz stated under the team's recommendations for medium-term goals, we recommend you determine a utilization plan for the Juvenile Case Management System (JCMS). We understand this is already in process, as mentioned by Ms. Townsend this morning. We simply recommend putting it on your priority list.

Ms. Buchholtz stated for long-term goals, the board should first review the overall structure of the new agency and determine best practices for delivering services to youth. It is an obvious examination during a transition, to look at a current structure and determine what needs to change. We encourage you to spend some time focusing on this. Ms. Buchholtz stated also under long-term goals, addressing better options in collaborating with other entities to determine how to serve youth with significant mental health needs. The transition team believes this to be a top priority for this agency and we encourage you to address this in short order. We put this on our long term goal list because we understand that there is no short term solution, but one that needs to be addressed over time.

In response to a question by Mr. Stephens, Ms. Buchholtz clarified she can't say there is anything wrong with the old culture, but that others may have differing opinions on that. With a transition from two agencies to one, there is a merging of culture, and an opportunity to develop a new culture. With that natural opportunity is the need to focus on being sure that what this culture becomes is something you want it to become to make sure youth are positively served within this agency.

Mr. Stephen's stated because everybody has a different definition of what they assume the culture is, and the culture should be to help the people in the juvenile justice system as opposed to some other thing that we think the culture is. Whatever you call it, we need to make sure that youth are positively served by this agency.
Judge Brieden stated whenever you bring two organizations together, you have an 'us' and 'them' attitude, and that's a problem. The idea is that it needs to be "we" and not "us and them." Therein lies the problem, and it's easy to talk about, but difficult to do.

Chairman Fisher acknowledged the attendance of Representative Ruth McClendon and called upon her to make a statement to the board if she wished. She stated she had the honor of serving on the transition team with Ms. Buchholtz, and said she did a fabulous job in getting the team organized. We had all of our documents on time, and when we had questions we had a chance to talk among ourselves, and I can tell you that it was a pleasure and I hope that what we have presented to you today is going to be something that you can use. And because we spent so much time on it, I hope you don't just throw it away.

RECESS

Chairman Fisher announced the meeting in recess at 10:08 a.m.

ANNOUNCEMENT TO RECONVENE

Chairman Fisher reconvened the meeting at 10:20 a.m. and moved ahead on the agenda to the Strategic Planning item.

INFORMATION ON ACTIVITIES FOR AGENCY STRATEGIC PLANNING

Chairman Fisher called upon Ms. Lisa Capers, Deputy Executive Director, and Ms. Linda Brooke, Director of External Affairs, Policy and Education Services, to provide an update on the agency's strategic planning activities. Ms. Capers acknowledged the absence of Ms. Robin McKeever, Deputy Executive Director, and stated they would be providing this report on her behalf.

Ms. Capers stated the Government Code requires all agencies in the Executive Branch to submit an agency strategic plan every two years for a five year planning cycle and that's where we are today. The strategic plan is actually one piece of a little bit bigger puzzle. Ms. Capers reviewed a breakdown of the rest of the pieces of the puzzle, and provided some timelines.

Ms. Capers stated, sometime in March, the Governor's Office of Budget Planning and Policy in cooperation with the Legislative Budget Board (LBB) are going to give us the instructions for the agency's strategic plan. Those instructions will include the required statewide elements that have to be in every agency's strategic plan. Some of those things are the mission, vision, philosophy, and goals. We don't believe there's going to be a significant change in the current instructions from those from 2010, but we are closely awaiting those.

Ms. Capers stated agency staff will continue working through March and April with the LBB and the Governor's Office on the agency's budget structure. The current budget structure was presented at the last board meeting when the budget was approved, and we will submit any proposed revisions to the measures or the structures in that budget. Over the course of the next few months we'll be working with them to negotiate what the final budget structure looks like. Then in May, we expect that the LBB will send out the instructions for the Legislative Appropriations Request (LAR).

Ms. Capers stated at the end of June, or early in July, the strategic plan will be due. We're planning on having an agenda item at the June 22nd board meeting for the board's final approval. At the end of August, the LAR is going to be due. So you can see there are a lot of things coming up between now and August.

Ms. Capers stated we have a core group of staff working on the strategic plan, there are approximately 15 staff members assisting. Ms. Capers reiterated the June 22, 2012 target date to have the final plan for board approval.

Ms. Capers directed the board to the agency's project plan for the strategic plan in the board notebook. This is a document that changes daily. It will continue to expand and grow as we get those firm deadlines and dates, and as we assign different parts of this to different staff.

Ms. Capers stated at the top of the plan, we have basically 132 days to produce the strategic plan for the agency. And as you can see in the following five pages, it's a very elaborate process. It's a huge document, there are lots of elements, lots of required pieces of this that we will be assigning to various staff members.

Ms. Capers stated on page 2 of the project plan, you'll see we are building in input from you as board members. We're requesting from you that you have a standing agenda item for your next board meetings through June about the strategic plan where we can get your input and ideas, and you can review the progress that we've made.

Ms. Brooke stated one of the biggest pieces of putting together this strategic plan is receiving input from the stakeholders. This is our first big task that we're going to be launching very quickly. Staff has been working on developing a customer service survey that looks forward and asks questions about where the agency should go, and what strategic areas we should be looking at in developing policies and our LAR request.

Ms. Brook stated we expect to launch our first experience with our survey at the Juvenile Law Conference that is being held in San Antonio February 27th- 29th. In that forum we'll be getting input from juvenile judges, juvenile board members, prosecutors and defense attorneys, maybe some advocates and even some probation staff in that audience.

Ms. Brooke stated our plan is to also put this survey in an electronic format. We will be sending the electronic survey out to all the juvenile probation departments, seeking input from folks that work in the state facilities, and staff at the parole offices and halfway houses. We will seek out external stakeholders, advocates, other prosecutors who are not at the juvenile law conference, so we'll have different avenues for folks to provide us with input. Also at the Chiefs Summit in March, we will conduct focus groups with the chiefs in attendance so we can receive some quality input from them.

UPDATE ON ALLEGATIONS OF ABUSE, NEGLECT AND EXPLOITATION (ANE) FOR COMMUNITY BASED PROGRAMS AND FACILITIES FOR FISCAL YEAR 2012

Chairman Fisher called upon Mr. Kevin DuBose, Director of Abuse and Neglect and Exploitation (ANE) Division, for his report to the board. Mr. DuBose stated the ANE division is responsible for investigating allegations of abuse and neglect that originate from locally operated departments, programs and facilities statewide.

Mr. DuBose stated the ANE Division has seven investigators, including Mr. DuBose. He provided an overview of the data provided in the board notebook. This report includes numbers from all reports the ANE Division has

received through all different reporting mechanisms that includes the call line through the Incident Reporting Center (IRC), as well as email and fax reports received.

Mr. DuBose stated for FY 2012, through January, 2012, of the total 1,052 reports, 184 were classified as allegations of abuse, neglect and exploitation, and 287 were classified as serious incidents. 291 of those reports were actually grievances and the vast majority of those originated from the call line.

Mr. DuBose stated since fiscal year 2008, there has been a steady decline in the number of allegations that the division has been responsible for reporting. Compared to fiscal year 2011 through January of last year, we were at 200 allegations, and we're currently at 184, representing an 8% decline. Last year we were at 336 serious incidents compared to 287 currently, with a more defined decline.

Mr. DuBose stated a lot of our call line activity now goes exclusively through the IRC that Inspector General Love referenced in his report. This year through January, we've received 341 reports through the call line. As historically, only 29 of those were actually classified as allegations of ANE, with the majority, 79%, being grievances. The calls are consistent with the size of the counties and the number of facilities they have, and nothing stands out as troubling.

Mr. DuBose stated reports are classified as 'non-reportable' when the action that's being reported does not meet the definition within Texas Administrative Code (TAC) 358. Reportable injuries, youth on youth assaults, and attempted suicides must be reported according to TAC, but illnesses and injuries that do not require medical treatment are not reportable within TAC, but we still receive those reports and this is how we classify them so that we can keep records of that information.

In response to a question by Mr. Meade, Mr. DuBose confirmed the division is in the process of educating the youth about the appropriate use of the IRC call line. Mr. Meade stated in talking with staff, they see it as a heavy burden for some to have these constant allegations hanging over their heads while they're trying to do their job. Mr. DuBose stated we have seen a reduction in the youth grievance related calls but when the calls transitioned to the IRC, they increased again. That's not to say there was anything being done to cause it. When processing the calls received, we talk to the kids on a regular basis about the appropriate use of the call line, and encourage them to use their grievance process. We also talk to the staff, and have always been open to

entertaining questions as to when a kid should be allowed to call, or is there any time in particular they could be prohibited from calling.

Mr. DuBose stated if a resident wants to make a call line complaint, obviously they have to be given access, but that doesn't mean they are given access when it's not safe for them to be out in the general day area or if they're violent. He said we've tried to address some of those issues, and that also allows for a cooling down period. ANE staff is also embarking on a pretty aggressive training schedule for line staff on ANE reporting. And so we're doing the best we can in making sure the call line is being used appropriately.

Mr. Meade added that he understands what this report shows, but since the reports can be seen as open records and someone who doesn't know better could look at this chart that shows the numbers by county and assume those numbers are confirmed cases of abuse, neglect or exploitation. He would like the report to show that for example out of 32 reports, only maybe a handful were confirmed ANE cases. That way someone would not just conclude that this much abuse is actually going on in all of these facilities.

Mr. DuBose stated we can easily add something saying these are just reports and that in no way means they were all confirmed cases. This report does shows how many cases have been opened, what the dispositions were and how they were closed, but that information is not broken down by county.

Ms. Townsend stated we can look at some other ways we can present that information so that it's more helpful to the board.

In response to a question by Mr. Stephens, Mr. DuBose explained that we do get kids that call in crisis and they're obviously very angry and upset. All we can do is take their information as presented to us, assess it correctly, and from there if an investigation is warranted, if it's truly an allegation of abuse, neglect or exploitation, we conduct an objective investigation to determine whether or not what was alleged did or did not occur.

Ms. Townsend stated that part of the transition is to try and begin to provide information that is in one format that is useful and gives us a complete picture of the juvenile justice system. It's fine to say we have the complete information from September through December, in addition we have this much information reported

through January or February, and that's part of what we need to evolve where we have one report that begins to tell you how all of these things end up going through the system.

Ms. Townsend stated these are indicators, and like everything else, we want to start looking a little bit deeper and look at all of our indicators. Monitoring facilities also provide indicators, individual facilities have indicators; we need to look at the whole, maybe it's looking back at trends as well as being able to look at current data.

CONSIDERATION AND POSSIBLE ACTION ON TEXAS ADMINISTRATIVE CODE, CHAPTER 202 COMPLIANCE AUDIT

Chairman Fisher called upon Ms. Karin Hill, Internal Audit Director, for her report to the board. Ms. Hill requested approval for the audit for the agency's compliance with the Texas Administrative Code, Chapter 202 (TAC 202). This audit was conducted by Camilla Cannon, Auditor, and John Isle, Auditor, and due to the timing, focused on the processes and systems of the former Texas Youth Commission.

Ms. Hill stated the consolidation efforts and the efforts required by the Information Resources Division (IRD) delayed Internal Audit's ability in getting through the rest of the audit, so it was held it back. Texas Administrative Code (TAC) 202 is the set of information security standards that apply to all state agencies. They provide guidelines for agencies to follow to insure security of information resources. This audit identified several areas where improvements are needed to comply with TAC 202. While some efforts continue to be underway, many items are being reported as being implemented. An information security program that includes many of the required elements has been implemented; the security program is the overall umbrella of the security process.

Ms. Hill stated while a risk assessment has been completed, TAC 202 requires that it identify the risk rankings with at least a high, medium and low, as well as specify the frequency of subsequent risk assessments based on the ranking. This had not been done. For example, you would expect a high risk area to be assessed more often than a low one due to its importance.

Ms. Hill stated a complete business continuity plan includes the completion of a business impact analysis and a disaster recovery plan as well as annual testing of that plan. This is an issue that was raised in the last TAC 202

audit and is reported as underway. Staff turnover, reorganization and consolidation have contributed to delays in this. Management reports that this will be completed by May.

Ms. Hill stated there were several control items that were identified where controls were in place and functioning as intended, as well as others that needed strengthening. The IRD has good physical controls over the server room. For security purposes access to this room is limited to those with a business need. The IRD also has an effective process for identifying and addressing security incidents on the agency's systems. Review of reports made to the Department of Information Resources (DIR) identified that of almost 7,500 incidents, less than 1% infected a work station. In addition, the IRD security officer conducts site visits to the agency's field locations to monitor information security and provide recommendations for improvement.

Ms. Hill stated the audit identified that the change process did not require the information resource owner to approve proposed changes. The governance process has been an evolving process in this agency. Upon reporting this to management, the project charter was modified to require the owner's approval before changes can be made. A process is in place and functioning properly for giving access to the agency's information resource systems. And while a similar process is in place to remove that access upon termination, the auditor identified that it could be streamlined and that the timeliness of removing inactive employee accounts could be improved. Changes to the process have been identified that should improve this area. Ms. Hill stated this is really more of a housekeeping issue. Having inactive accounts sitting on the network does not violate TAC 202 and does not raise a significant risk to the agency. But removing them in a timely manner maintains compliance with the agency's policies and is considered a best practice.

Ms. Hill stated because TAC 202 is an audit that is conducted on a regular basis, verification work from the last TAC 202 audit was also completed. A review of recommendations that were reported as implemented identified that additional improvements were needed. Critical information pertaining to applications and their data is needed to insure that they are appropriately classified. Review of information collected identified that while owners had been identified and assigned, additional work was needed to obtain information such as the custodian of the application, authorized users, and the classification of the data, either confidential, mission critical or general. It was also identified that documentation of the disposal of digital storage devices, hard drives and such, needs to be improved. A process has been developed, however, required documentation could not be provided.

Ms. Hill stated management responded to the recommendations made in this report. Their responses are included at the end of the report with the recommendations.

Mr. Stephens noted on the 2nd page of the report it says "Steps *should* be taken by all agency staff to assure that these assets are protected against unauthorized access, disclosure, modification or destruction." On the next page it talks about "…how frequent a risk assessment *must* be conducted." His preference would be to see the word *must* in place of the word *should*, since it is something that needs to be done.

Mr. Stephens moved to approve the audit report. Ms. Jane King seconded. The motion passed unanimously.

CONSIDERATION AND POSSIBLE ACTION ON THE PURCHASING AUDIT

Ms. Karin Hill stated the Purchasing Audit was completed by a group of University of Texas business students under the guidance and supervision of the Managing Auditor, Eleazar Garcia. This partnership provides students a real world project and benefits the audit department by accomplishing small audits with fewer resources. The objective of the audit was to determine whether procurement cards (Procards) are appropriately used.

Ms. Hill stated the use of Procards in the field was a new process beginning in June, 2011. The audit was conducted soon after the implementation to ensure adequate controls were built into the process and are working as intended. Procards are considered a high risk area, they are essentially Visa cards and if appropriate controls are not in place it can get out of hand before you know that somebody's misusing them.

Ms. Hill stated a review of transactions completed with the Procards determined that all were used for the benefit and support of the agency and met the requirements established for their use. Additionally, management has incorporated moderate levels of monitoring into the process by way of reconciliations. A review of reconciliations identified that these processes need strengthening to ensure they identify missing information or errors and improve consistency and effectiveness of practices. Also, subsequent discussion with management identified that many of the exceptions were due to maintaining two files, one electronic and the other a paper file kept with the purchaser. To ensure review and reconciliations include all of the required documentation one file needs to be identified as the file of record and must include all of the required

documentation and be the file used for management review and provided when information is requested for an audit.

Ms. Hill stated the audit also recommends that management document training required to use a Procard in the agency's training tracking system. This will provide a tool to easily identify staff that has completed the training requirements as well as those who need to attend that training.

Ms. Hill noted an error on page 4 of this report. It says "…20% of transactions tested did not have documentation…" but it should be 16%. This error does not affect the conclusions in the report, and it was corrected for the record.

Ms. Hill stated purchasing professionals in the field have use of the Procards. The agency has limits on what type of things can be purchased with them. Mr. Joe Schriever, Director of Contracts and Procurement, was called up to explain the types of transactions made with the cards. These cards were implemented during the summer when consolidations were going on and moving a lot of materials from one place to another. The majority of transactions during this period were to U-Haul or Penske where the agency was leasing a truck or trailer to move materials. Others examples were to Walmart for small materials, Amazon for books, registrations for classes, Best Buy, Home Depot, Lowes for materials, and a local small cleaner to clean the table skirts used for the board meetings. Procards were also use for youth awards, Office Max, and Sherwin Williams for paint touch-ups.

Ms. Hill stated initially, a second objective to develop a continuous audit process for the Procard program was planned, however, due to time constraints this was not accomplished. We have met with a different group of students that will be working on this project in the spring semester. The audit department plans on using the process they developed for one or two years to make sure the bugs are worked out and then pass it on to management to use as a continuing monitoring process. Management responded to the recommendations made in the report and their responses are included at the end with the recommendations.

In response to a question by Judge Brieden, Ms. Hill stated the electronic file of record is ultimately the direction to go but we need to account for additional work involved with scanning in those records.

Mr. Kyker moved to approve the Audit Report with the noted correction on page 4. The Honorable Jimmy Smith seconded. The motion passed unanimously.

CONSIDERATION AND POSSIBLE ACTION ON THE AUTHORIZATION TO APPROVE AGENCY VOUCHERS

Chairman Fisher called upon Ms. Janie Duarte, Financial Officer, for her report to the board. Ms. Duarte stated the Texas Government Code requires the Executive Director to have the board's specific authorization to designate other TJJD employees to approve agency vouchers. This is a routine technical request. During the transition period, the Comptroller's Office did advise us that the current approvals for both of the former agencies would continue until an executive director was named for TJJD. Following the board's employment of Ms. Townsend as Executive Director last month, the staff requests the approval for her authorization to designate certain TJJD employees to approve agency vouchers.

Ms. Duarte stated in order for financial processes to work smoothly, there are several employees who must have this designated responsibility. One example is the budget director and various budget staff who must authorize payments before the Comptroller of Public Accounts will release funds from the Treasury each month in order for employees to be paid on time. Included in your notebooks is a letter that should be signed by Chairman Fisher to meet the letter of this law for notifying the Comptroller of the Board's authorization, as well as a suggested resolution.

Ms. Jane King moved to approve the authorization. Mr. Joseph Brown seconded. The motion passed unanimously.

CONSIDERATION AND POSSIBLE ACTION ON ACKNOWLEDGEMENT OF GIFTS

Ms. Janie Duarte, Financial Officer, requested the Board's acknowledgement of the following gifts as required by the Texas Government Code, Chapter 575. EA Sports has donated an assortment of 18 Xbox PlayStation and Wii sports video games. These games are valued at $577 and will be distributed to all nine of the halfway houses for recreational purposes. A proposed resolution is attached.

Mr. Meade moved to approve the acknowledgement. Ms. Mendoza seconded. The motion passed unanimously.

CONSIDERATION AND POSSIBLE ACTION ON DELEGATION TO THE EXECUTIVE DIRECTOR OF CERTAIN DISCIPLINARY ACTIONS REGARDING CERTIFIED OFFICERS

Chairman Fisher deferred this agenda item to a future committee meeting.

DISCIPLINE OF CERTIFIED OFFICERS – APPROVAL OF AGREED ORDERS

Daniel Beggs, Docket #665-11-4941

Anthony Duque, Docket # 665-11-4941

Edgar Maldonado, Docket # 12-22898-100181

Chairman Fisher called upon Ms. Karen Roe, Staff Attorney, for her report to the board. These next three items on the agenda relate to disciplinary action taken against certified juvenile probation (JPO) and juvenile supervision officers (JSO). These cases arise from situations in which certified officers violated agency standards or the Code of Ethics, and just as the agency is authorized to certify these officers, it comes with the corresponding responsibility to discipline them for violations of agency standards.

Ms. Roe stated all of these disciplinary cases are ones in which some violation was reported to the department either through an investigation of abuse or neglect of youth, or some other type of ethical violation that violated the department code of ethics. When that happens, they're reviewed by a committee of agency administrators who make a recommendation about what level of discipline is appropriate to take against the officer. Chapter 222 of the Human Resources Code (HRC) gives the agency the authority to reprimand, suspend or revoke the certification of an officer. When a reprimand occurs, the committee reviews it, decides to reprimand the officer, and no further action is taken. If the committee recommends a suspension or revocation of the certification, then the officer is sent a petition with the notice of the charge against them, as well as the recommended disciplinary action, and a chance to respond.

Ms. Roe stated among the types of suspension, two different types are utilized. The first is an active suspension. During the period of the active suspension, usually six months, one or two years, the officer is not allowed to work in a position that requires certification. Probated suspensions are also utilized, and the time period of those suspensions are usually the same, six months, one, or two years. However, during the time the suspension is probated, the officer would be allowed to work. A condition of every probated suspension is that

they not violate any of the agency standards. and sometimes an additional condition might be that they take some training in the area related to the rule violation that occurred.

Ms. Roe stated when a revocation is sought, then the certification is permanently taken away, and an officer is not eligible again to work in a position that requires certification by a department. The statute encourages informal resolution of all these types of disciplinary cases against certified officers and in addition to that, we have some agency standards that also encourage informal resolution or agreed resolution of these without the need to go to a hearing.

Ms. Roe stated this agenda item relates to three cases that were resolved by an agreement in an informal manner with these officers attempting to avoid the hearing process. The first agreed order is for an officer named Daniel Beggs, who is a juvenile supervision officer (JSO) from Lubbock County. Mr. Beggs agreed to accept a two year probated suspension. Mr. Beggs was terminated by Lubbock County as a result of this incident, and this resolution would mean if he ever were to return to work in a position that required certification, his suspension would become effective upon his return to work for two years, he'd be on a probationary status.

Ms. Roe stated the second agreed order is for an officer named Anthony Duque. Mr. Duque was employed in Tarrant County and has not been employed in the past two years. He held the certification of a juvenile probation officer, a juvenile supervisor, and a juvenile correction officer, all three of the certifications that are possible to hold. Mr. Duque agreed to a two year active suspension. The agreed order in his case would take action related to all three of his certifications and be a final resolution.

Ms. Roe stated the third agreed order is for a juvenile supervision officer, Edgar Maldonado. Mr. Maldonado was employed in Harris County at the time of the incident that led to the disciplinary action that took place, and he since transferred and is now employed by Fort Bend County. Mr. Maldonado is currently working and he agreed to accept a one year probated suspension and will continue to work during that time and we'll monitor his behavior. If he's able to complete that one year period, at the end we'll notify him that he successfully completed his probationary period, and he will continue to be eligible for certification in the future.

Ms. Roe stated in each of these cases, the officer or his/her attorney contacted her after the disciplinary action had been filed, and agreed to accept the recommendation made in return for dismissing the action. Ms. Roe asked the Board for approval of the three agreed orders presented. In each of them, the officer has signed and notarized a copy of the order and if approved, then Chairman Fisher may finalize this process by signing the final order. The case involving Mr. Maldonado directly impacts Fort Bend County.

Mr. Meade recused himself since he is the Fort Bend County Chief Probation Officer. He pointed out that he believes this incident happened about a year ago, and Fort Bend County had no knowledge of it when they hired Mr. Maldonado. He is currently in his second or third week of orientation, and if you notice the date he signed the order was February 9, 2012, and he had already been employed by Fort Bend County at that time. Mr. Meade stated had they known this, it might have affected whether they would have offered employment to him. Fort Bend County did do a follow-up the first time they called Harris County but were not given any information about Mr. Maldonado, and doesn't believe he even knew this was coming.

Ms. Roe stated it was on the default docket which indicates we started to mail him the notices and so forth in September and had not heard from him. We had made attempts through Harris County to find the last known address, perhaps he moved because when he called on the day that he signed the order, he said he had not received the information. He indicated the address that we sent the notifications to was his home address. It is not known why he had not received the materials.

Mr. Meade said he understands mistakes can happen, but Mr. Maldonado didn't seem to be aware of it. He went on to say they have already employed him, but wishes there would have been some way they could have known, and it would have affected them offering employment, or it may not have. Mr. Meade was shocked when he saw this on the list and contacted Chief Brooks from Harris County who gave him more detailed information on this case.

Ms. Roe explained that at the time Mr. Maldonado transferred to Fort Bend County, the agency's certification unit looked in the Integrated Certification Information System (ICIS) and saw that a hearing was pending. The way that system works is that records are flagged while hearings are pending, and nothing is noted until a final action is taken. The Certification Department corresponded with Ms. Roe and had not issued the approval for

the certification until this case was resolved today. Ms. Roe stated she was not aware if they told Fort Bend County staff, but they knew his case was on today's agenda.

Ms. Townsend stated those are processes we need to look at so that we make sure the Chief Probation Officers are aware of pending cases should they be called for additional information.

Mr. Meade said it would be nice had they known that from the start. Harris County didn't tell them, maybe they didn't know.

Ms. Roe added she doesn't think they called, they just submitted this with the paper work that comes in from all the other employees. When the certification staff saw that, they checked with Ms. Roe about the current status of the disciplinary proceeding, and she told them it was on the default docket for today's hearing, and they decided to wait a week or two to see what the final outcome was.

Ms. Townsend said this is clearly something that we need to add to the list of priorities that need to be addressed, and that's just what we'll do.

In response to a question by Chairman Fisher regarding the 2007 date of Anthony Duque's petition for disciplinary action, Ms. Roe explained the delay of the agreed order was because the officer had moved and the Commission was not able to reach him. Prior to 2009, the agency was not collecting home addresses from certified officers and Tarrant County did not have a more current address on his case. This was actually one of the cases Ms. Roe presented to the State Office of Administrative Hearings (SOAH) for default judgment last summer. When she sent out the final notices related to the agenda items there, an attorney contacted Ms. Roe on his behalf. Somehow, although the prior notices did not seem to have reached him, this one did. The attorney then contacted Ms. Roe and agreed to handle it through this agreed order process instead of a default judgment.

In response to a question by Chairman Fisher, Ms. Roe confirmed we do have a tracking system that shows the age of these cases and certain years they may have been closed. She stated in 2009, a computerized database tracking system was implemented for these disciplinary cases, and we're able to use that to sort by the investigation date and the date of the disciplinary action. In some of these cases the agency made so many

attempts to try and find these officers before taking away their certification without notice and that has added to some of the delays. Ms. Roe stated last year, there was a hearing before SOAH on the Duque order, and we were going to present it to the board then, when his attorney contacted the Commission to try and enter an agreed order instead.

In response to a question by Chairman Fisher, Ms. Roe stated there may be five more cases after these today that are still outstanding because we're still in some sort of negotiation or trying to locate the officer, perhaps fewer than 10 more that were open before 2009 or 2010.

Mr. Meade recused himself from voting on the agreed order for Mr. Maldonado.

Chairman Fisher called for a motion to approve the agreed orders for Daniel Beggs and Anthony Duque. Mr. Stephens moved to approve the agreed orders. Ms. King seconded. The motion passed. Chairman Fisher then called for a motion to approve the agreed order for Mr. Maldonado. Ms. King moved to approve the agreed order. Ms. Weiss seconded. The motion was passed with the recusals as noted.

Mr. Smith stated he is concerned on Mr. Meade's behalf that we don't have a system in place that protects the counties from hiring somebody that could be in that situation. That's a tremendous liability especially after you've hired him. I really do think that needs to be looked at strongly. Ms. Townsend stated this is on her list of items to review and it has already started.

Mr. Brown stated the officers are asked in their employment application if they have any pending cases but they don't always tell the truth. Ms. Roe stated she is sure it's part of the regular hiring process for Fort Bend County to call Harris County to ask for reference checks and information as part of the process as well. The employee had transferred to Fort Bend County before we got the application of request to transfer his certification from one county to the other. He had already been employed there, and they submitted the electronic request to indicate that he'd been transferred to the other county.

In response to a question by Chairman Fisher, Mr. Meade confirmed that Mr. Maldonado applied for a job with Fort Bend County and interviewed. Mr. Meade stated he doesn't believe that Mr. Maldonado was aware he had

a pending case. Ms. Townsend said she will look into the process to see how it can be improved to make sure there's not anything that places anyone at risk, particularly in this case.

Mr. Meade stated he will look further into this and give Ms. Townsend the information, but does not think Mr. Maldonado was aware that this was out there.

Ms. Roe added Mr. Maldonado was eligible for continued employment in Harris County and he is eligible for employment now. This is one of those probated suspensions where he can continue working and is just going to be watched closely for 12 month period.

Mr. Stephens stated it looks like there may be a glitch in the process, but you certainly don't want to make this guy look like he was trying to beat the system if he in fact wasn't, because he didn't know. He may end up being a very good employee, but it makes it look like he was doing something and it's conceivable that he didn't know. We need to fix that. It puts a cloud over his honesty right now.

DISCIPLINE OF CERTIFIED OFFICERS – DEFAULT JUDGMENT CASES RETAINED BY THE AGENCY

Marcus Arceneaux, Docket # 12-22242-100181

Heather Cole, Docket # 11-22753

Levi Davis, Docket # 11-24664-110040

Joseph De Florio, Docket # 11-11128-100409

Sharman James, Docket # 12-18975-110093

Michael Pena, Docket # 11-24703

Terry Troupe, Docket # 11-24123-110009

Anthony White, Docket # 12-16768-110291

Terrance Williams, Docket # 12-19559-110295

Ms. Roe asked the Board for approval of the orders for nine officers. These cases were reviewed through the default judgment process and the agency sought to discipline these nine officers. In all these cases, the agency sought either suspension or revocation of the certification, and so the officers were entitled to request a hearing before final action is taken. In each of these cases the officers were given notice of the charges and the

sanctions sought by the agency by mailing certified letters to the last address on record. Those included petitions that gave the details about the situation and the specific disciplinary action sought.

Ms. Roe stated all nine of these cases were filed after March 1, 2010 when our agency standards were changed to allow us to proceed through the default hearing process by using agency attorneys as the hearing officers without the need to refer each case to the SOAH. That is the process we used in these cases. These officers are no longer employed. None of them responded to any of the notices of disciplinary action, and they waived their opportunity to challenge the charges against them or requested hearing by failing to respond to the notices they were provided. One of the agency staff attorneys, Kaci Sohrt, reviewed the information about each of these nine officers and found that the agency had sent each officer adequate notice of the charges against them, and disciplinary action that was sought. In some cases, we took some additional time to try and search for a better address for these officers in an attempt to give them notice.

Ms. Roe stated when we send these disciplinary actions and initial notices we also send a copy by certified mail to the Chief Juvenile Probation Officer (CJPO) and the Facility Administrator (FA) and sometimes that results in the FA having someone from the Human Resources Department of the county call and provide the last known address for this person, or where they sent their last check.

Ms. Roe stated after reviewing each of these cases, Ms. Sohrt found that they all met the requirements for default judgment. She made a recommendation and each case is in the board's notebook. Behind each recommendation in the nine cases includes a final order that imposes the disciplinary action requested, and would serve as the final agency action in each of these cases.

Ms. Roe stated the cases presented for default judgment hearing today are as follows: Marcus Arceneaux, who formerly worked for Harris County; Heather Cole, who formerly worked for Denton County; Levi Davis, who formerly worked for Hays County; Joseph De Florio, who formerly worked for El Paso County; Sharman James, who formerly worked for Dallas County; Michael Pena, who formerly worked for Victoria County; Terry Troupe, who formerly worked for Denton County; Anthony White, who formerly worked for Galveston County; and Terrance Williams, who formerly worked for Harris County.

Ms. Roe requested approval of these default judgments in these cases. If approved, there is a Master Default Order at the end of the materials for Chairman Fisher's signature.

DOCKET NUMBER	***NAME, CERTIFICATION NUMBER, LOCATION***	***RECOMMENDED ORDER TERMS***	***COUNTY***
12-22242-100181	Marcus Arceneaux, # 22242, Harris County Juvenile Justice Center	Probated Suspension for one year upon return to work in position requiring certification	Harris
11-22753	Heather Cole, # 22753 Denton County Juvenile Detention Center	Probated Suspension 2/18/2011 - 5/4/2011	Denton
11-24664-110040	Levi Davis, # 24664 Hays County Juvenile Post-Detention Center	Revocation	Hays
11-11128-100409	Joseph De Florio, # 11128 El Paso County Juvenile Detention Center	Probated Suspension for six months upon return to work in position requiring certification	El Paso
12-18975-110093	Sharman James, # 18975 Dallas County Juvenile Detention Center	Probated Suspension for one year upon return to work in position requiring certification	Dallas
11-24703	Michael Pena, # 24703 Victoria Regional Juvenile Justice Facility	Active Suspension 12/1/2010 - 12/1/2011	Victoria
11-24123-110009	Terry Troupe, # 24123 Denton County Juvenile Detention Center	Probated Suspension 2/16/2011 – 8/3/2012	Denton
12-16768-110291	Anthony White, # 16768 Jerry J. Esmond Juvenile Justice Center	Probated Suspension for one year upon return to work in position requiring certification	Galveston
12-19559-110295	Terrance Williams, # 19559 Burnett Bayland Reception Center	Probated Suspension for one year upon return to work in position requiring certification	Harris

Mr. Meade recused himself from voting in all matters presented.

Mr. Kyker moved to approve the motion. The Honorable Laura Parker seconded. The motion was passed with the recusals as noted.

DISCIPLINE OF CERTIFIED OFFICERS – CASES CONDUCTED BY STATE OFFICE OF ADMINISTRATIVE HEARINGS (ACTION)

IN THE MATTER OF COURTLAND HARRIS, DOCKET NO. 665-11-4939, CERTIFICATION # 17723

Ms. Roe presented her final item relating to a disciplinary case that went to a full hearing before SOAH. This case relates to a former employee of Bexar County, whose name is Courtland Harris. The agency recommended revocation of Mr. Harris' certification as a Juvenile Supervision Officer (JSO), based on information from an investigation conducted by the Bexar County investigator, and forwarded it on to the department about his abuse of a youth in one of the Bexar County secure detention facilities.

Ms. Roe stated the investigator found that Mr. Harris struck a youth who was being removed from a classroom by one of Mr. Harris' coworkers. As he tried to restrain the youth, Mr. Harris struck the youth's head against the wall twice. The investigator additionally found that Mr. Harris had provoked the youth as he was being escorted from the classroom.

Ms. Roe stated at the conclusion of the investigation, Mr. Harris' employment was terminated by Bexar County. As is required by law in the statute, the county forwarded the completed report of abuse, neglect and exploitation (ANE) to us. It was reviewed through our normal disciplinary process. The disciplinary committee reviewed the circumstances of the violation, including all of the information presented in the report, and Mr. Harris' prior record, and made a recommendation to revoke his certification.

Ms. Roe stated Mr. Harris challenged the revocation, and a hearing at SOAH was held on November 21, 2011 after it was rescheduled several times for a variety of reasons. Mr. Harris appeared at the hearing and testified on his own behalf. Ms. Roe stated she presented testimony from several witnesses that is summarized in the proposal for decision that you have in your board notebooks. The Administrative Law Judge who heard the case last summer listened to the testimony of Mr. Harris and the witnesses that was presented. She reviewed the documents from the investigation, a report that contained written statements and the investigative summaries from the youth who was the victim of the offense, and other juveniles who were residents in the classroom at the time.

Ms. Roe stated since those witnesses were not available to testify in person, the testimony of the victim and the other juvenile witnesses was given less weight because it's considered to be hearsay. SOAH uses the same rules

that apply in a civil district court, and testimony that is hearsay is given less weight than if testified in person. The judge found it to be a close case, partly because there were only two eyewitnesses to the event who were able to come to the hearing and testify.

Ms. Roe stated in the judges proposal for decision she found that Mr. Harris struck the resident, but that there were a number of circumstances that contributed to that action, that Mr. Harris was acting in self-defense because the juvenile was trying to attack him, and was difficult to restrain. The restraint technique was difficult to apply in the situation where the juvenile was headed toward Mr. Harris, and punching him at the time. The judge found that Mr. Harris struck the resident in self-defense and these actions were not intended to inflict pain. The agency has a standard that you can't intentionally inflict pain on a juvenile, and that you can only use the amount of force that's reasonable and necessary under the circumstances to contain the juvenile. The judge found that his striking of the resident was done in self-defense and if Mr. Harris did hit the juvenile's head against the wall as he tried to restrain him, that it was accidental.

Ms. Roe referred to page 19 of the Proposal for Decision the judge recommends that Mr. Harris' certification not be revoked. Additionally, she notes that if you as the agency board decide to take some form of disciplinary action, the judge asks that you consider these circumstances, that the juvenile was trying to attack Mr. Harris, and that she believes he was doing the best he can, given the restraint techniques that were available to him in his attempts to use self-defense, so you can take that into account if you decide to impose any sanction at all on Mr. Harris.

Ms. Roe stated the Administrative Procedure Act says you must adopt the judge's findings of fact and conclusions of law unless you find that the administrative law judge:

1. did not properly apply or interpret applicable law, agency rules;
2. that a prior agency decision on which the administrative law judge relied is incorrect or should be changed; or
3. that the administrative law judge made a technical error in a finding of fact that should be changed.

Ms. Roe stated if you choose to change any of her findings of fact, or conclusions of law, then you must justify that decision in writing with the specific reason and legal basis for a change made, and we'll have to return it

back to SOAH. Although the judge recommends that Mr. Harris' certification not be revoked, you have the authority, should you so choose, to revoke his certification, to impose one of our other sanctions, the act of suspension, a probated suspension, reprimand, and finally, you're free to choose to take no disciplinary action against Mr. Harris.

In response to a question by Ms. King, Ms. Roe confirmed if the board decides to impose a disciplinary action, other than the judge's order, you need to justify a reason in writing to be sent back to the SOAH.

Ms. Townsend explained that you could, instead, offer a probated suspension which would allow you to do that without having to provide that justification. You could do something less, without it based on reason. Ms. Townsend has been in contact with the Bexar County Chief Juvenile Probation Officer regarding this case. This incident occurred in 2008, so one of the challenges always is, when time passes between the incident and the hearing, at that time, there were conflicting statements. Ms. Townsend contacted Chief Riley because she felt it was very important to have that information. He feels very strongly and does not support the hearing officer's recommendation. Mr. Riley feels that based on the findings of their investigation from his perspective, it was inappropriate, that there was excessive force, and that there were things leading up to it that they took into consideration in their decision to terminate, and he chose to resign instead. But he is no longer employed there. If you offered a probated suspension, it would allow someone if they call, to know there was that probated suspension if they chose to employ him, he would have to serve that probated suspension first, for whatever period is imposed. Probated suspensions have typically gone one or two years.

In response to a question by Mr. Meade, Ms. Townsend confirmed Bexar County's internal investigation concurred there was wrong doing and that they were intending to terminate him and Mr. Harris resigned before that occurred. He did not resign in lieu of termination.

Ms. Roe stated Mr. Harris has not been employed by a department since 2008. He objected to permanent revocation because he is now in a job where he fears he may be laid off and wanted to keep that as an option. The Bexar County investigation found that he violated a number of policies, from the failure to de-escalate and others.

In response to a question by Ms. King, Ms. Townsend state there is typically no time limits for suspension. They have usually given a one or two year probated suspension.

The following board members chose to abstain from voting in Mr. Harris' case: Judge Laura Parker and Dr. Rene Olvera. Mr. Michael Meade recused himself from voting in all matters presented.

Ms. Jane King moved to recommend a two year probated suspension for Mr. Harris' JDO certification. The Honorable Jimmy Smith seconded.

In response to a question by Mr. Meade, Ms. Townsend was asked what she would recommend in this situation and she stated she would recommend suspension, except she is not sure you can meet the requirements of responding back to the hearing officer. Therefore, she feels that a probated suspension for two years would have a desired effect, and would give notice to counties to pay attention to the applicant, find out more information as most chiefs would do, from Chief Riley. If they then employed Mr. Harris because they felt that it was okay based on the totality of information, they would still have a period of time, that if anything happened, then his certification could essentially be revoked. The two year probated suspension would not start until the officer became employed again with a department.

In response to a question by Mr. Brown, Ms. Roe stated as in any case under the Administrative Procedure Act, after the Board's final judgment today, we return that to SOAH, and that finalizes the agency action. He is free to file suit to start the judicial review process, either in Travis County or the county in which he lives for a certain amount of time after the decision is finalized. Ms. Roe stated Mr. Harris cannot go back to the Administrative Law Judge to contest the revocation.

In response to a concern raised by Judge Brieden, Ms. Roe referred to the wording in the Judges proposal for decision. The judge said it's a difficult case, it's abhorrent that an officer would strike a youth, but on the other hand, there is no good self-defense technique, the Mandt system training that is used by Bexar County which he was taught, does not have a specific technique for what to do with a kid who is taking his shirt off and is hitting you. But, she finds that if the Commission concludes that Mr. Harris' hitting of the youth was excessive and a violation of the code, it should take the circumstances in account in determining the appropriate sanction. Ms. Roe stated she has rarely ever seen an administrative law judge give somebody the choice to do

something like that. Usually they say it's appropriate to do this, or it's not, and instead, she chose to limit her finding just to say revocation is not appropriate, and should you choose to do something else, please take these other circumstances into account. That may be how she resolved her struggle with a difficult case.

Mr. Kyker stated he was concerned with the letter from Judge Kilgore dated January 19, 2012. It is addressed to the Texas Juvenile Probation Commission, which was no longer in business at that point in time. There is a new agency, the Texas Juvenile Justice Department. From a technical point of view, the question came up if the document is usable. Ms. Roe stated the Senate Bill 653, enabling legislation that created both agencies, said the new agency would assume the assets, responsibilities, liabilities, of the predecessor agencies following the merger. And we had the hearing for this in November, when it was the Juvenile Probation Commission.

Mr. Kyker further added that since the letter is addressed to Ms. Spriggs and the Texas Juvenile Justice Department did not exist on January 19, 2012, then this looks like a technical issue that needs to be corrected. Otherwise, we do have a technical issue.

Ms. Townsend responded that it is a technical issue that needs to be corrected, and so we will inform the State Office of Administrative Hearings. I would leave it to Ms. Toysha Martin, General Counsel, to comment on whether that affects the decision or not.

Mr. Kyker recommended that the technical issue be corrected before we vote on it.

Chairman Fisher reminded the members that at this time they have a motion and a second on the floor for a two year probated suspension, so that would be out of order unless you would like to bring that to a full vote, after we vote, we could amend it.

As a reminder, the following board members chose to abstain from voting in Mr. Harris' case: Mr. Stephens, Judge Parker and Dr. Olvera. Mr. Meade recused himself from voting in all matters presented.

Ms. Jane King moved for a two year probated suspension effective upon the hiring of the individual, should Mr. Harris be hired in the future, and the Honorable Jimmy Smith seconded. The vote was taken, 5 for and 5

opposed. The motion failed for lack of majority. Chairman Fisher stated based on the results of the vote, the agency will regroup with its attorneys to figure out what needs to be done and bring it back to the Board.

REPORT FROM THE CHAIRMAN

Chairman Fisher announced the Board Committees and appointed members as follows:

Finance and Audit Committee

Mr. Calvin Stephens, Chair

Mr. Scott W. Fisher

Ms. Jane Anderson King

Mr. Rob Kyker

The Honorable John Brieden III

Safety and Security Committee

(This committee will also be involved in issues related to the standards for local facilities)

Mr. Joe Brown, Chair

The Honorable Carol Bush

Mr. Michael Meade

The Honorable Laura Parker

Program Committee

(This committee will deal with education, medical, treatment programs)

Dr. Rene Olvera, Chair

Ms. MaryLou Mendoza

The Honorable Jimmy Smith

Ms. Melissa Weiss

Executive Committee

(To serve in intervening months should there be business to address when there is not a full board meeting scheduled)

Mr. Scott W. Fisher, Chair

Mr. Rob Kyker, Vice Chair

Mr. Calvin Stephens

Mr. Joe Brown

Dr. Rene Olvera

The next Board meeting of the Texas Juvenile Justice Department is scheduled for April 5-6, 2012. It will be in Fort Worth, Texas. Members were asked to arrive in Fort Worth on Wednesday evening, April 4th. The downtown Worthington Renaissance Fort Worth Hotel has been secured and beginning on Thursday morning, members will tour a local facility in Tarrant County, and after lunch tour the Gainesville Facility. The board meeting will occur on Friday morning beginning at 9:00. The meeting should be done by noon or 1:00 p.m. so as not to interfere with the Easter weekend.

CLOSED SESSION – EXECUTIVE SESSION

Chairman Fisher called the Board of the Texas Juvenile Justice Department to recess at 12:05 p.m. to hold a closed executive session meeting regarding current litigation and personnel matters in accordance with Section 551 of the Texas Government Code.

RECONVENE IN OPEN SESSION, DISCUSSION AND POSSIBLE ACTION REGARDING MATTERS DELIBERATED IN CLOSED SESSION

Chairman Fisher reconvened the open meeting at 12:42 p.m. and announced there was no action taken in closed session.

ADJOURN

Chairman Fisher announced the Board adjourned at 12:45 p.m.

Following adjournment with a quorum of the Board still present, Mr. Michael Meade reported that about a year ago, the South East Chiefs resolved to seek out alternatives to address mentally ill juvenile offenders in detention centers. As most of you know, juvenile detention centers are also doing double duty serving as mental health treatment facilities. I'm not talking about just mild mental illnesses, there are some very deeply psychotic kids. We've been working pretty hard to try to get some alternatives to that.

Mr. Meade stated he met with Senator Whitmire, Senator Hegar, Representative Zerwas, and the Criminal justice Division trying to get some awareness to this issue. In Montgomery County we met with the County Judge, Melissa was with me, their county Commissioner, Ed Chance, and Chief Leach, they're willing to take on to build a 100-bed mental health treatment facility for juvenile offenders that will give us an outlet, a resource.

Mr. Meade said to give an idea of how bad the problem is, we're compiling our 2011 Annual Report, and I had our clinical director give me an overview of how many types of kids and what types of illnesses that we deal with. We provided mental health services to 317 juveniles and their families last year. We completed 224 psychological assessments. These are the types of mental disorders, we had:

- 35 Mood Disorder
- 59 Attention Deficit Hyperactivity Disorder (ADHD/ADD)
- 4 Post traumatic Stress Disorder (PTSD)
- 5 Depressive Disorder
- 3 Generalized Anxiety Disorder
- 1 Panic Disorder
- 11 Schizoaffective Disorder
- 31 Bipolar Disorder
- 3 Major Depressive Disorder (with that comes suicidal ideations)
- 4 Dysthymic Disorder
- 1 Paranoid Schizophrenia
- 10 Adjustment Disorder
- 2 Psychotic Disorder

Mr. Meade stated those are in a detention center that's really not what they're designed for when you're mixing your general population with these types of mentally ill kids, especially the more severe; it's not really a good setup. Mr. Meade stated he wanted to point that out. It looks like there is going to be a pilot program model. And it will be open so far to all county departments to bring their kids that are mentally ill, in lieu of keeping them in detention.

The Honorable Jimmy Smith stated in Midland County, there have been three teenage suicides in high school, and it's become a real big issue in his county, and there's been a lot going on with the school system and they're trying to do something about this, because these are adjusted kids. It's a really sad situation, he said, and we're going to confront it more and more.

Texas Juvenile Justice Department
Board Meeting
April 6, 2012

Recommended Motion

Approval of the February 17, 2012 Board Meeting Minutes

I move that the TJJD Board approve the February 17, 2012 Board Meeting Minutes as presented.

Motion Made By: _____

Seconded By: _____

Texas Juvenile Justice Department (TJJD)
Office of Inspector General (OIG)
Summary Indicators for FY 2011-2012 Biennium

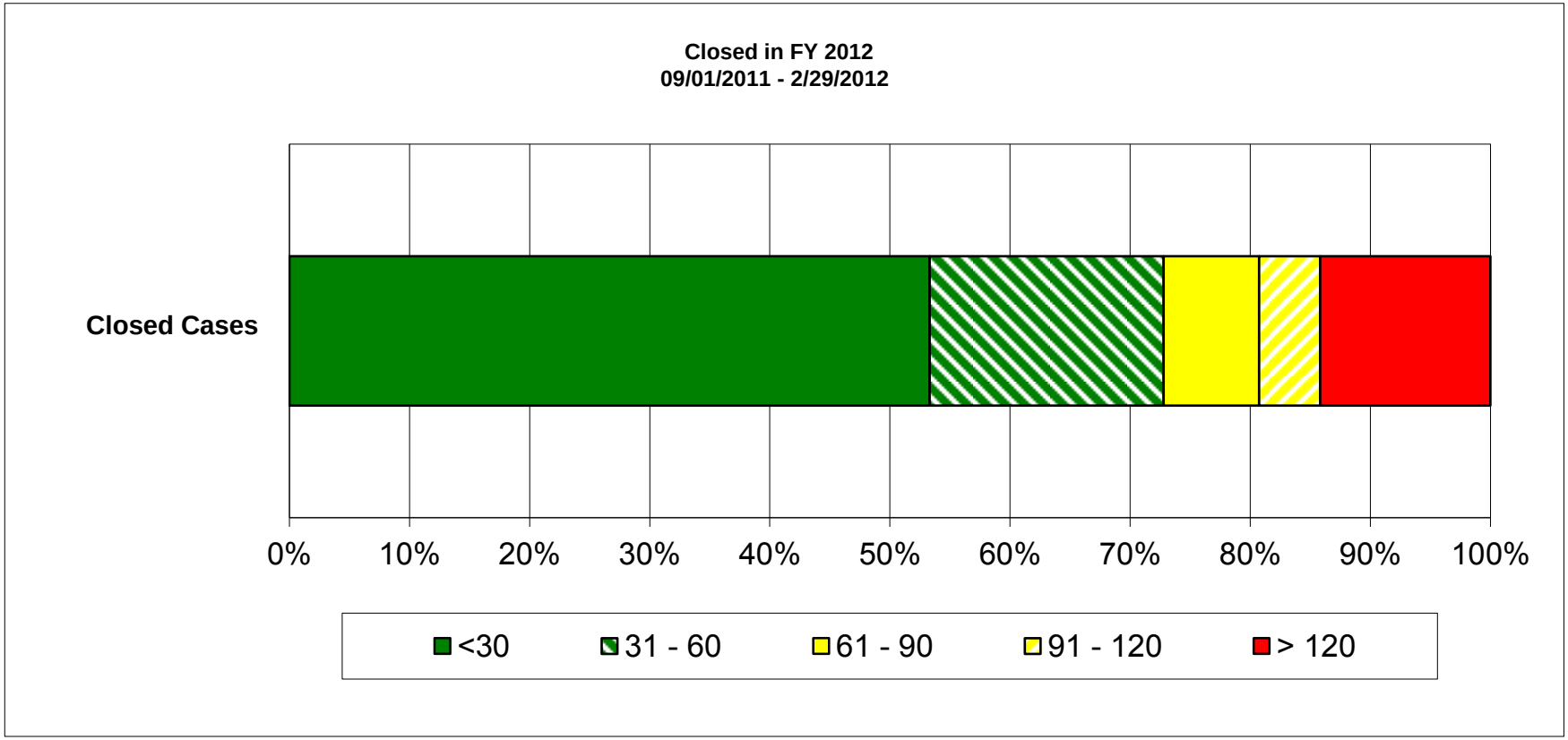
		FY 2011[1]	FY 2012[2]
•	Incident Reporting Center (IRC) reports	10,763	5,157
•	IRC referrals for Criminal Investigations	730	425
•	IRC referrals for Administrative Investigations	1,104	529
•	OIG Criminal Investigations opened	970	510
•	OIG Criminal Investigations closed	1,168	452
•	OIG Administrative Investigations opened	1,198	596
•	OIG Administrative Investigations completed	1,481	649
•	OIG Criminal Investigations submitted to Prosecution	364	179
•	TJJD Active Directives to Apprehend (FY11: Parole Violations-91, Escape/Abscond-9; FY12: Parole Violations-80, Escape/Abscond-1)	100	81
•	OIG Apprehensions	190	59

[1] As of August 31,2011
[2] As of February 29, 2012 (6 mos. of FY 2012)

OIG Criminal Investigation Closed Case Analysis

Date Investigation Opened through Date Investigation Closed

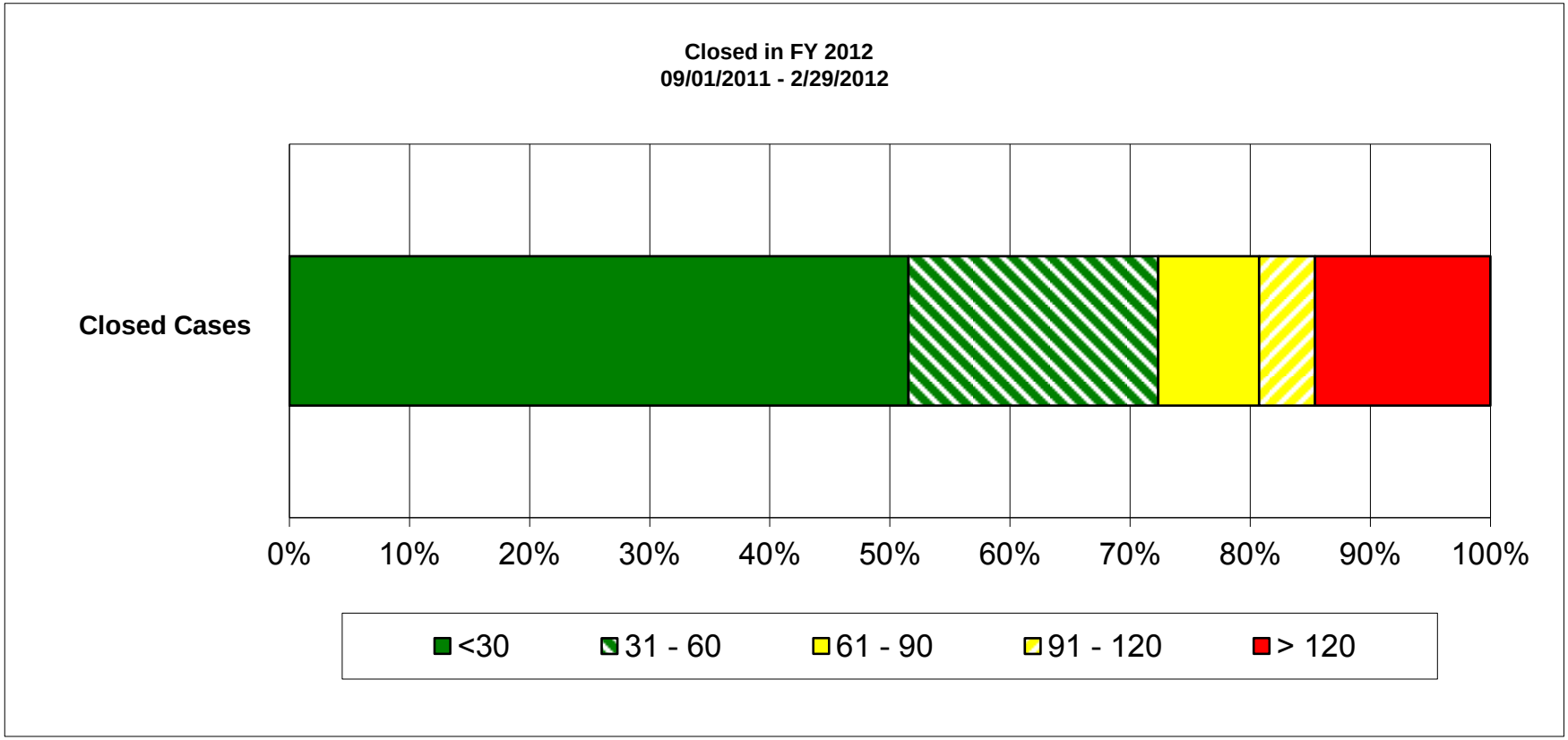
	<30	31 - 60	61 - 90	91 - 120	> 120	**Total**
Closed Cases	241	88	36	23	64	**452**



OIG Criminal Investigation Closed Case Analysis

Date Investigation Reported to IRC through Date Investigation Closed

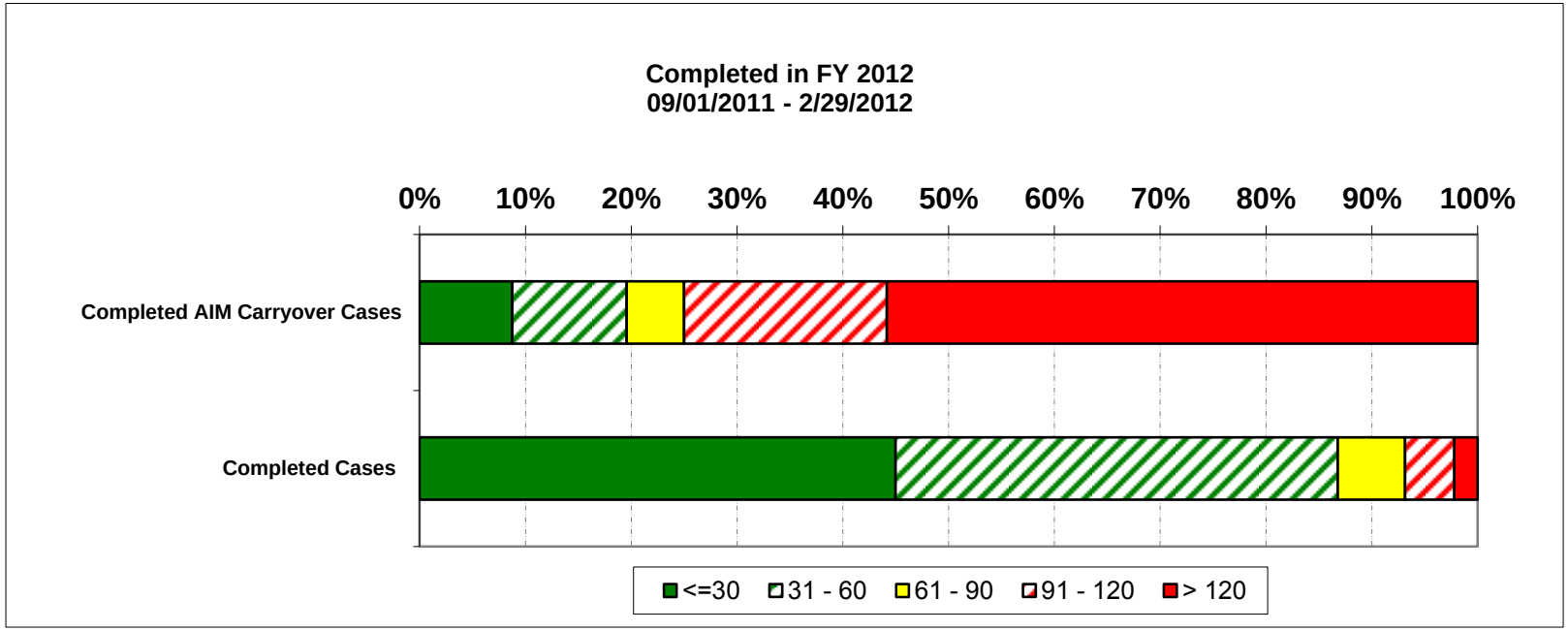
	<30	31 - 60	61 - 90	91 - 120	> 120	**Total**
Closed Cases	233	94	38	21	66	**452**



OIG Administrative Investigation Completed Case Analysis

Date Investigation Assigned through Date Investigation Completed

	<=30	31 - 60	61 - 90	91 - 120	> 120	**Total**
Completed AIM Carryover Cases	21	26	13	46	134	**240**
Completed Cases	184	171	26	19	9	**409**
						649



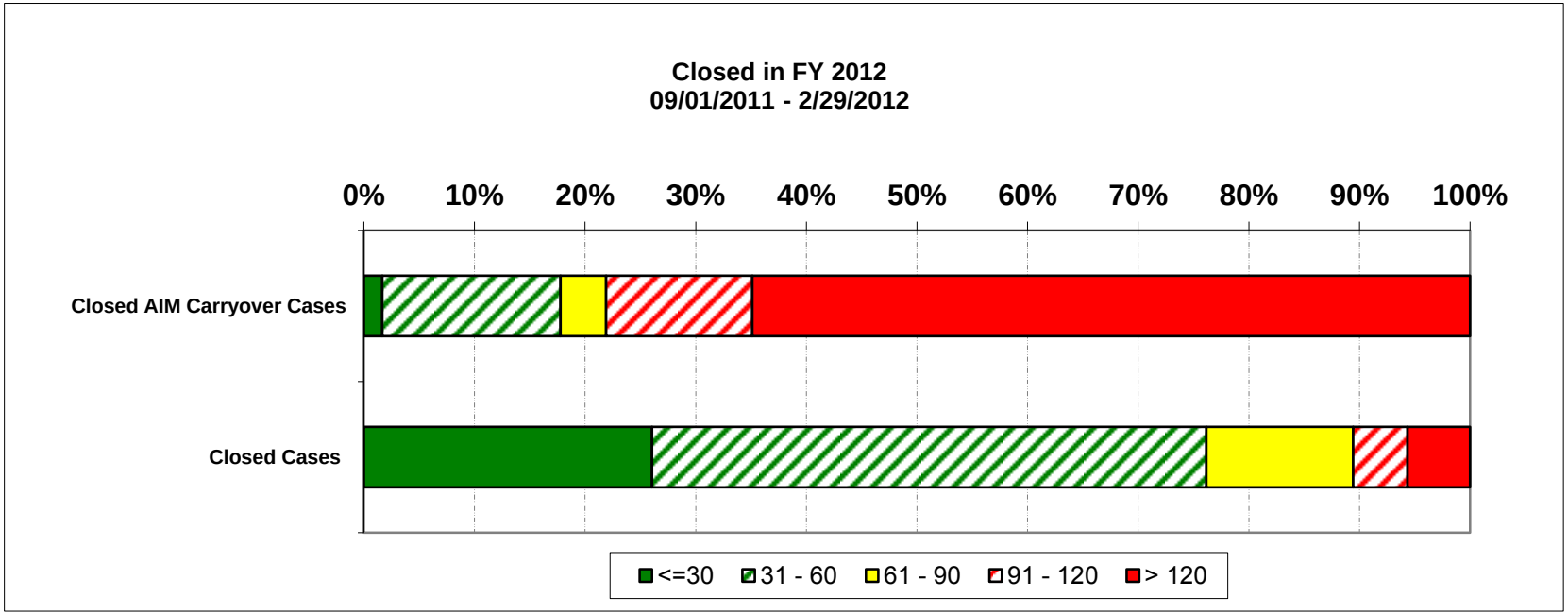
Carryover Case - any case opened prior to 9/1/11

Completed Investigation - statistic based on the date that case has been completed by the investigator

OIG Administrative Investigation Closed Case Analysis

Date Reported to IRC through Date Investigation Closed

	<=30	31 - 60	61 - 90	91 - 120	> 120	**Total**
Closed AIM Carryover Cases	4	39	10	32	157	**242**
Closed Cases	106	204	54	20	23	**407**
						649



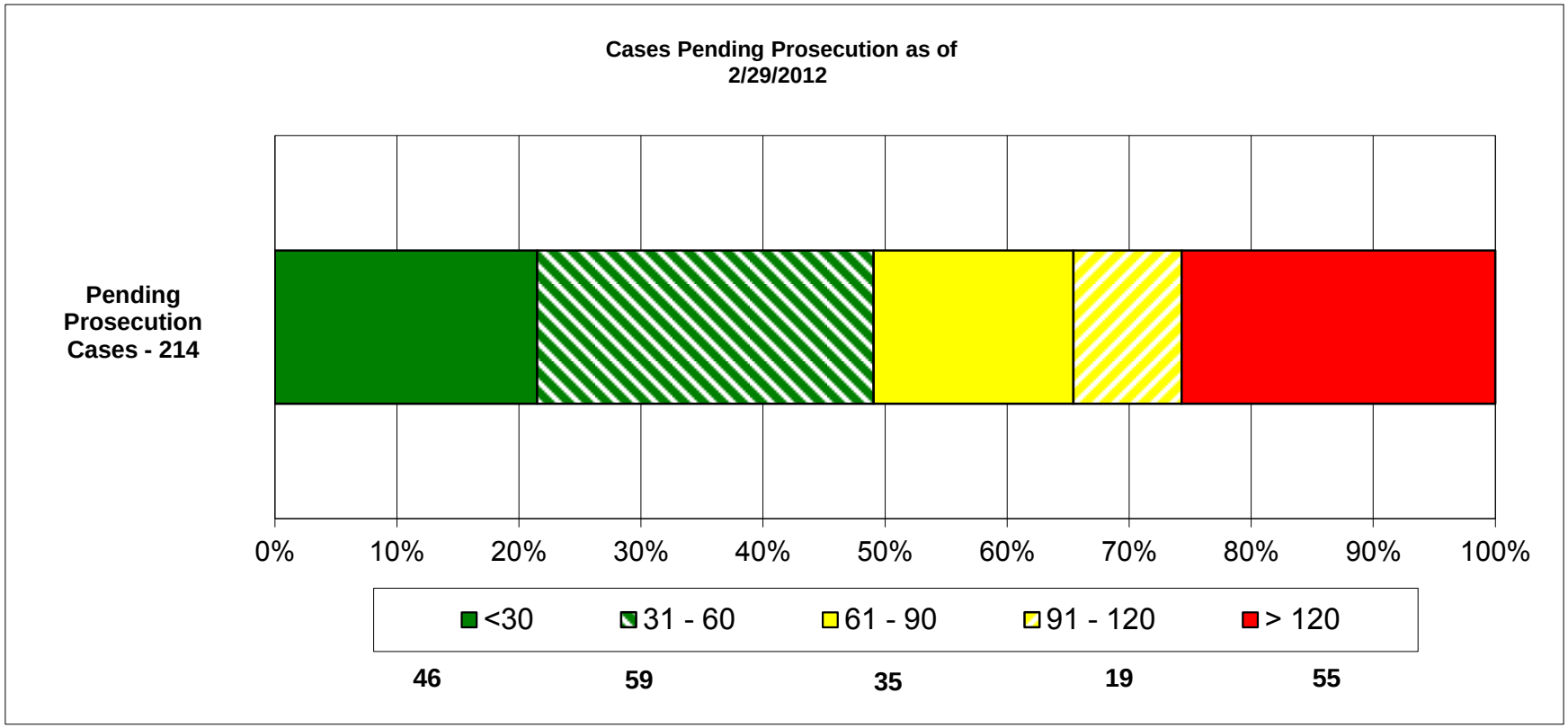
Carryover Case - any case reported prior to 9/1/11

Closed Investigation - statistic based on the date that case has been closed in the Administrative Investigations database

Criminal Investigation Pending Prosecution Analysis

Date Investigation Opened through Date of Reporting Period

	<30	31 - 60	61 - 90	91 - 120	> 120	**Total**
Pending Prosecution Cases	46	59	35	19	55	**214**



Texas Juvenile Justice Department

ADVISORY COUNCIL ON JUVENILE SERVICES

Embassy Suites San Marcos
Hotel, Spa and Conference Center
1001 E. McCarty Lane
San Marcos, TX 78666
Wednesday, March 7, 2012
The Burleson Boardroom
1:30 p.m. – 4:00 p.m.

Meeting Minutes

DRAFT

Members Present
Estela Medina (Chair), Doug Vance (Vice-Chair), Linda Brooke, William Carter, Audrey Deckinga, Homer Flores, Phillip Hayes, , Mario Ramirez, Matt Shaheen, Cherie Townsend, Randy Turner, and Mark Williams

Absences
Larry Thorne

Guests Present:
Jennifer Carreon (Texas Criminal Justice Coalition), Benet Magnusen (Texas Criminal Justice Coalition), Bob Kimball (Palo Pinto County), Aris Johnson (Gregg County), Donna Richardson (Bastrop County).

TJJD Staff Present
Melanie Cleveland (Executive Assistant), James Smith (TJJD Associate Deputy Commissioner of Youth Services), Amy Lopez (TJJD Superintendent of Education).

Welcome [Estela Medina]
The chair welcomed everyone and introduced Melanie Cleveland (Executive Assistant) and excused Larry Thorne. Everyone present was introduced including guests and TJJD staff.

Review and Approval of January 26, 2012 Meeting Minutes [Estela Medina]
On page two of the minutes, the last sentence of the last paragraph was changed to read, "Consistent with the goals of SB 653 recommend that the Board establish funding priorities that support this mission." Minutes were approved with changes, submitted and directed to be posted on the agency website.

State Operated Program and Services Update [James Smith, Amy Lopez]
Giddings State School
In the previous meeting there was a discussion to get updates on TJJD facilities. Coincidently, the Advisory Council received a complaint via email on February 24, 2012 from a former TJJD employee at the Giddings State School. The Chair and Ms. Townsend discussed the response to the complaint. Ms. Townsend indicated that most of the issues raised in the email were already being addressed. The council was responsive in forwarding the email to the Texas Juvenile Justice

Department Board chair.

Ms. Townsend introduced James Smith and Amy Lopez who presented an overview of the Giddings State School programs as well as the strengths and challenges faced by the facility. The Giddings State School scored very high as a facility to continue, due to the programming and stability that had occurred in the past. Mr. Smith and Ms. Lopez each gave an account of the facility: Report from James Smith

Program strengths:

- ***Veteran staff*** in upwards of 20 years.

- ***High quality programming***: sex offender, alcohol and drug and capitol and serious violent offender.

- ***Largest grouping of sentenced offenders***. Facility worked primarily with sentenced offenders and specialized treatment youth but the general population has increased.

- ***Great Education and Vocation programs***. Many industry level certifications and vocations such as welding, wood work, construction trade and automotive certifications.

- ***Campus*** setting is beautiful and resembles a preparatory school or college.

Program challenges:

- ***Staffing***. Traditionally this facility had very little turnover and currently 95% staffed. However, they had significant turnover in the Fall. This facility received youth from Al Price and Crockett facilities when they closed in the summer which increased general offender youth. In addition, staff was unavailable due to injuries, workman compensation or calling in sick. Vacancies were also a challenge but currently there are only two vacancies in the Juvenile Correctional Officer (JCO) 1-4 classification. This was achieved due to a partnered effort with Human Resources to expedite hiring and interviewing occurring every Wednesday. In January, 16 JCO's were hired so currently 24 staff are going through entry level training. SB103 requires all JCO staff to have 300 hours of training before they can be responsible for sole supervision of youth. That is a lot of time from hire to work but 5 staff from January reached that mark yesterday. Another 16-17 will be fully certified by the end of the month. November and December are hard months to hire for direct supervision and that hit at a time when vacancies were adding up which compounded the supervision challenges. When vacancies combine with a few incidents, then morale goes down. Giddings State School currently has 10 JCO vacancies with two in JCO 1-4, two in JCO 6 and six in JCO 5. Additionally, in March Giddings partnered with other facilities to loan staff to help with coverage on the floor as well as mentoring and coaching staff. They are focused on being one team not many and are appreciative of the help. Mr. Smith has established a satellite office on campus and works there 2 to 3 days a week. His goal is to provide assistance by talking with staff and youth and explaining expectations, especially around youth aggression.

- ***Youth aggression***. This is a significant challenge and partially due to an influx of youth from Al Price and Crockett facilities while transferring other youth to other facilities at the same time. These youth were in a new environment, testing limits and at the time, the facility was experiencing staff shortages so these youth took advantage of these opportunities. The staff could have responded better but did not and we are working on that. Historically, this facility handled youth aggression very well. When staff work additional hours, they are less likely to confront behaviors. The Giddings State School staff is now ready to confront behavior and hold youth accountable for their actions.

- ***Security***. Additional staff was deployed from Central Office to Giddings to regularly help, guide and assist. The PREA (Prison Rape Elimination Act) coordinator is there once a week to ensure that security and safety practices are in line. This has been a major help to the staff.

DRAFT

- ***Staff and youth accountability***. The staff and leadership were not meeting our expectations and that has been addressed. Management is more visible now and although there are reasons and/or explanations for the problems at Giddings State School, they were not acceptable to the agency. An action plan was developed with the facility for corrective action including a town hall meeting where everyone received a copy of the plan. The Agency is working with the Office of Inspector General (OIG) to be more aggressive in moving youth to jail if staff is assaulted by a sentenced offender. Youth on staff assaults were four in one month period and the last three were moved to jail or prison within a day or two of the assault. This is sending a clear message that assaults are not acceptable.

  There was a correctional mentality with the veteran staff except for those engaged in the delivery of specialized treatment. This was a roadblock for culture change at Giddings and continues to be a challenge that is being addressed.

- ***Work shifts***. The work shifts were poorly aligned. The trained or more seasoned staff were going to the first and third shifts but all the activity is on the second shift and trying to handle that with all new staff presented a challenge. The schedule has been realigned and the facility is making adjustments.

- ***Case management support***. Case management staff was primarily working until 5 or 6 in the evening but incidents were happening between 7 and 9 p.m. As of March 12th all of the case management staff will be working until 9 p.m., two nights a week. This will form a partnership with the JCO's and provide additional coverage which creates a much safer environment. Also, the administrative staff schedule was changed to include weekends and not a straight 8-5 shift. These changes were adopted by the agency some time ago but they were not adopted at Giddings or they had occurred but quickly back slid.

- ***Housing assessment and assignment***. Giddings' capacity is for 300 youth and they are at 279 today. A moratorium of 272 was imposed when this issue came about. This will allow half a wing to close and redeploy 10 staff throughout the campus. The structure is a combination of an open bay with 18 beds that are in a "U" shape, plus a multi-occupant room which has 3 to 4 individuals in it, plus 64 individual rooms. Most facilities have been reconfigured to be individual rooms but it would significantly reduce capacity at Giddings and increase cost. Three dorms are currently being reconfigured but in the past, the culture was strong enough that they could overcome the room configuration

Giddings has the largest number of sentenced offenders but they have a wide availability of programs so youth can be served closest to their homes with the exception of violent intensive programs. Youth are now placed on an orientation dorm before being placed on their treatment dorm or general offender dorm. The supervision ratio is 1 to 12 because of dorm configuration. Following discussion, the Advisory Council would like to make a recommendation to the legislature to adjust the 300 training hours for part time employees.

Report from Amy Lopez

The TJJD school system looks like any other High School in the State of Texas. The youth go from bell to bell with seven periods and a class runs about 55 minutes long. The school system is under all Texas Education Agency (TEA) auspices with TAKS testing, STAAR and end of course testing starting this week. One difference is that the school year starts on September 1st and ends on July 31st.

- ***Diplomas*.** Last year Giddings issued 17 high school diplomas which is an accomplishment because the bulk of the students come to us with no or very few credits. We had two students (not from Giddings) graduate with distinguished honors which is incredible. Giddings has issued 6 high school diplomas so far this year.

- ***GED*** (General Educational Development). Last year 58 GED's were issued and currently at 26 for the year.

- ***CTE certifications***. They offer 10 types of vocational classes with 14 courses or sections and all of them offer industry certification. Giddings issued 144 industry certifications from January through December of 2011.

- ***College classes***. There are currently 15 students enrolled in one or more college courses this semester through

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Navarro College. Currently they are offering English 1301, 1302, College Statistics and History of Music.

- ***Work program***. Thirty students participate in our work programs; previously called RIO Y. They get paid for these various jobs on campus and those monies are used to pay for restitution and child support.

- ***Sports opportunities***. We have an athletic program and are part of the Texas Association of Private Parochial (TAPPS) league with football, basketball, and track. We have a rating scale for off campus approval which affects their ability to participate.

- ***Student Council***. Members in the State Student Advisory Council Association plan culture and service projects and are very active at Giddings. They also participate in public school Student Advisory Council which includes competitions.

- ***PBIS.*** Positive Behavioral and Incentive Supports for Education is state mandated and TJJD is in its second year. TJJD has national consultants and has hired coaches with an Education job grant for each campus. The focus is on positive behaviors and support as opposed to anything punitive. The use of PBIS has resulted in decreases in incidents, restraints and security referrals from school. PBIS is working well at Giddings and is being rolled out facility wide. The tracking database which is now used agency wide was created by the Giddings staff. The majority of Giddings issues did not occur in School.

- ***Staff experience***. Staff is tenured for over 20 years. They did not have a good response to the addition of more short-term youth at the facility as opposed to sentenced offenders and took longer to adjust. A big challenge is that 34% of the youth are special education eligible so special education requirements must be met as outlined by state and federal law. Three years ago TEA audited TJJD at our request and there were 96 areas of noncompliance. The last submission of documentation as evidence of full compliance is in process and as a result, the services to our youth have improved greatly.

- ***Innovative lessons.*** Giddings has a very active technology team. The agency chose 5-6 teachers from each school in our agency who wanted to train in a digital age, they then go back and train other teachers. The Giddings staff is very superior in this area and they have ActivBoards, ActiveSlates, document cameras, digital cameras and clickers.

Feedback from the February 17, 2012 Texas Juvenile Justice Department Board Meeting [Estela Medina, Doug Vance]

Chair Estela Medina and Vice-Chair Doug Vance attended the TJJD Board meeting on February 17, 2012 and presented the Advisory Council's list of priorities and projects developed at the previous meeting and provided a copy of the minutes. In addition, the Board received a transition document from the previous Advisory Council. The presentation was informational so the Council will prioritize these issues and present them at an upcoming Board meeting for a vote. These top issues will be decided by having the members poll their regional associations and asked for specific input on specific standards as well as looking to the summary of results from the TJJD 2012 Customer Survey currently being conducted. The members will email their polling results to Melanie Cleveland to be compiled with a copy to the Chair and Vice Chair. The agenda at the Regional Chief Probation Conference on March 8, 2012 will set the stage for regional opportunity discussions.

Recommended Advisory Council on Juvenile Services Priorities [Open Discussion]

Ms. Townsend reviewed the list of issues developed in the previous meeting at the member's request. She identified funding, mental health, the commitment capacity and Strategic Planning as major issues to the agency. The council added performance measures, program development and standards to the list. The Strategic Plan is the agency's largest and most pressing priority. The results of the TJJD 2012 Customer Survey will be key in giving the Advisory Council a better idea of specific work to assist the Board and Agency in their mission.

TJJD Strategic Planning [Cherie Townsend]

The focus groups at the Chief's Summit on March 8, 2012 will be looking at very specific areas with the three key areas being prevention and early intervention, mental health and aftercare. The focus groups will specifically be asked about the status, gaps in services and priorities. The TJJD 2012 Customer Survey is available online and reaches beyond the focus groups. It was distributed at the Juvenile Law Conference which included judges, prosecutors and defense attorneys. The

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closing date for survey submissions is March 31; however, preliminary information may be available to the council by the end of April to use in prioritizing issues for the Board's consideration.

The big issues are juvenile case management system (JCMS), the Border project, mental health and Parole. The Parole issue was broadened to include the issue of "after care" and "out of home" placement. Some counties want to take responsibility for handling parole. The agency Strategic Plan will consider the parole process and whether contracting after-care and placement should be expanded. The Strategic Planning process will identify the areas that need reworking. These focus groups will look at some agency concerns such as:

- Early intervention and prevention
- Parole
- Alternatives for placement for extremely troubled youth
- Continuum of services

Ms. Townsend has met with the Texas Council on Offenders with Mental Impairments (TCOOMMI) on the issue of continuum of services and she would like to report back to the Advisory Council on the possibility of developing a pilot program.

Funding [Open Discussion]
The Advisory Council agreed this would fall back under the Strategic Planning.

Schedule Future Meetings [Cheryln Townsend]
The Advisory Council received the TJJD Board Meeting dates and the next meeting is April 6, 2012 in Fort Worth. The Advisory Council will be a standing agenda item at every Board Meeting so a council member will need to present on behalf of the Advisory Council.

The next Advisory Council meeting will be at the Corsicana facility on Tuesday, May 1, 2012 at 11 a.m. Materials and information will be provided beforehand.

Estela Medina, Doug Vance, Randy Turner and Mark Williams are possible presenters at the next TJJD Board Meeting.

Closing Remarks and Adjourn [Estela Medina]
The Advisory Council is on the agenda at the Chiefs' Summit and Estella Medina and Doug Vance as well as the other chiefs will give an update on the Council's work thus far. The meeting was adjourned at 4:23.

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Texas Juvenile Justice Department

Strategic Plan 2013-2017 Activity Update

March 29, 2012

The following activities related to the preparation of the 2013-2017 TJJD Strategic Plan have occurred since the last update presented at the February 17, 2012 board meeting.

Stakeholder Input

- **25th Annual Juvenile Law Conference** (Robert O. Dawson Juvenile Law Institute). Held February 27-29, 2012 in San Antonio. Attendees include juvenile court judges, prosecutors, defense attorneys, probation personnel, and other juvenile justice practitioners.
  - TJJD Stakeholder Survey was distributed to over 500 participants. 104 completed survey responses were received.

- **Focus Groups at the Chief Juvenile Probation Officer Summit.** The 2012 CJPO Summit was held on March 8-9, 2012 in San Marcos. The group of approximately 150 attendees were broken into five facilitated focus groups to provide written input on the following key strategic topics:
  - Prevention and Early Intervention
  - Mental Health Services
  - Establishing a Continuum of Youth Services

- **Statewide Stakeholder Email Survey.** On March 12, 2012 an email with a link to the TJJD Stakeholder Survey was sent to the following groups:
  - 168 Chief Juvenile Probation Officers
  - Facility Administrators in 95 community-operated juvenile facilities
  - Probation Quality Assurance Coordinators statewide
  - Advocacy Groups

- **TJJD Employees Statewide.** A link to the TJJD Stakeholder Survey was posted on the TJJD Gateway System for all TJJD employees to complete.

- **Volunteers.** An email to 1,080 TJJD volunteers was sent with a link to the Stakeholder Survey.

- **Families.** Emails were sent to all families for whom TJJD had email addresses providing the link to the Stakeholder Survey. Additionally, the family liaisons gave out hard copies of the survey at two visitation weekends at state facilities.

- **Financial and Capital Needs Assessment.** A survey was sent to all state operated facilities and half-way houses requesting completion of an operational and capital asset needs assessment.

- **Legislative Budget Board.** TJJD staff met with Legislative Budget Board staff on March 13, 2012 to brief LBB staff on the status of the agency strategic planning process, the new organizational structure changes and discussion of the TJJD goals and measures for the budget structure. Future monthly weekly/monthly meetings are planned to continue the budget structure and strategic planning initiatives.

- **Total Responses to Date.** To date, 627 completed surveys have been received from agency stakeholders.

Strategic Plan Elements

- **Strategic Plan Instructions.** In March, the Governor's Office of Budget, Planning and Policy (GOBPP) and the Legislative Budget Board (LBB) published the detailed *Instructions for Preparing and Submitting Agency Strategic Plans for Fiscal Years 2013.* The instructions contain Governor Perry's Statewide Strategic Planning Elements for Texas State Government, *Strengthening Our Prosperity*, which identifies the mission and philosophy of Texas State Government and priority goals and benchmark performance measures. The instructions also identify critical due dates:
  - **April 20, 2012:** Budget structure revision requests are due.
  - **July 6, 2012:** The agency's strategic plan is due.

- **Budget Structure Revisions.** Intensive staff reviews are underway to identify needed changes in goals, objectives, strategies, measures, and measure definitions, which are the basis of items of appropriation.

- **Internal and External Assessment.** Staff evaluations are underway of the key factors that influence the agency, including trends, conditions, opportunities, and obstacles based on quantitative data and qualitative information. The assessment accounts for significant factors affecting the agency, including strengths, weaknesses, opportunities, and threats for the planning period. The written assessment is a concise summary of the information collected and analyzed.

- **Historically Underutilized Business (HUB) Plan.** The staff is updating the agency's HUB Plan, which must be incorporated into the Strategic Plan, for the agency's planned use of HUBs in procurement and public works contracts. The Plan must include statements for a goal and objective as well as specific strategies for specific programs to achieve the goal. The Plan must also include an assessment of the agency's previous use of HUBs.

- **Workforce Plan.** A strategic planning staffing analysis is underway for the development of the agency's workforce plan that follows the guidelines developed by the State Auditor. The plan identifies critical staffing and training needs, including succession planning.

TJJD STRATEGIC PLANNING AND BUDGET STRUCTURE
FY ~~2012-2013~~ 2014-2015

GOAL A: Community Juvenile Justice
To ensure public safety, offender accountability and the rehabilitation of juvenile offenders through a comprehensive, coordinated, community based juvenile justice system by providing funding in partnership with juvenile boards and probation departments. To assist local juvenile probation departments in developing programs and services to divert high-risk youth from commitment to the Department of Juvenile Justice. To provide training, technical assistance, and funding to new and existing juvenile probation officers and detention officers in accordance with state law. To provide an alternative for children who have been expelled from public school for certain offenses.

OBJECTIVE A.1: Grants for Community Juvenile Justice Services
~~Seventy percent of juveniles disposed to deferred prosecution or probation supervision will not be adjudicated for a new offense or violation of a court order within one year of being placed on supervision.~~
Provide funding and support to local juvenile probation departments to maximize the development of community-based programs to divert offenders from the Department of Juvenile Justice~~, resulting in no more than 3% of juveniles committed to the Department of Juvenile Justice~~.

• Outcome Measures:
- 1.1.1 Rate of Successful Completion of Deferred Prosecution (Key)
- 1.1.2 Rate of Successful Completion of Court-ordered Probation (Key)
- 1.1.3 Re-Referral Rate (Key)
- 1.1.4 Adjudication Rate
~~- 1.1.5 Rate of Successful Completion of Intensive Supervision Probation~~
- 1.1.6 Total Number of Commitments to JJD by Juvenile Courts (Key)
- 1.1.7 Referral Rate of Youth Served by Prevention and Intervention

STRATEGY A.1.1: Prevention and Intervention
Provide prevention and intervention programs and services intended to prevent or intervene in at-risk behaviors that lead to delinquency, truancy, dropping out of school, or referral to the juvenile justice system.

Output Measures:
- 1.1.1.1 Total Number of Youth Served in Prevention and Intervention Services
- 1.1.1.2 ADP Youth Served in Prevention and Intervention Services

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STRATEGY A.1.2: Community Supervision

Provide funding to juvenile probation departments for the provision of basic juvenile probation services. Provide funding ~~to statutory guidelines 1 through 3 of the Progressive Sanctions Model~~ for juvenile ~~dispositions~~ supervision and treatment to juvenile offenders with ~~mental impairments~~ special needs.

• Output Measures:
- ~~1.1.2.1 ADP: Youth Supervised Prior to Disposition (Key)~~
- 1.1.2.2 ADP: Youth Supervised under Deferred Prosecution (Key)
- 1.1.2.3 ADP: Youth Supervised under Court-ordered Probation (Key)
- ~~1.1.2.4 # County Juvenile Probation Depts Utilizing Federal Title IV-E Dollars~~
- ~~1.1.2.5 Average Daily Population/Youth under Intensive Supervision Probation (Key)~~

• Efficiency Measures:
- ~~1.1.2.1 Average State Cost Per Juvenile Referral (Key)~~
- 1.1.2.2 Average State Cost Per Juvenile Supervised Per Day (Key)
- ~~1.1.2.3 State Cost Per Day for Youth Served on Intensive Supervision Probation (Key)~~

• Explanatory/Input Measures:
- 1.1.2.1 Total Number of Delinquent Referrals
- 1.1.2.2 Total Number of Referrals (Key)
- 1.1.2.3 Total Number of Felony Referrals (Key)
- ~~1.1.2.4 Number of Juveniles Receiving Title IV-E Services~~

STRATEGY A.1.3: Diversion Programs

Provide finding to juvenile boards and departments for diversion of juveniles from commitment to the Juvenile Justice Department. ~~Provide funding to create specialized programs that supply intensive supervision and treatment to juvenile offenders with mental impairments in collaboration with the Texas Correctional Office on Offenders with Medical and Mental Impairments~~.

STRATEGY A.1.4: ~~Post-Adjudication~~ Community Facilities

Provide ~~finding to juvenile boards and departments for diversion of juveniles from commitment to the Juvenile Justice Department.~~ Provide funding to juvenile Boards and Juvenile Probation Departments to operate and place ~~local residential placement facilities for~~ youth~~.~~ in pre- and post-adjudication residential facilities. ~~who are at guideline level five in the Progressive Sanctions Model. Provide funding for operating costs to local secure pre and post adjudication facilities and non-secure correctional facilities.~~

• Output Measure:
- 1.1.4.1 Average Daily Population of Residential Placements (Key)

• Efficiency Measure:
- 1.1.4.1 State Cost Per Day Per Youth for Residential Placement (Key)

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STRATEGY A.1.5: Juvenile Justice Alternative Education Programs
Provide funding for juvenile justice alternative education programs.

• Output Measures:
- 1.1.5.1 Number of Mandatory Students Entering JJAEPs (Key)
- 1.1.5.2 Mandatory Student Attendance Days in JJAEP During the Reg School Yr (Key)

• Explanatory/Input Measures:
- 1.1.5.1 Number of Discretionary Students Entering JJAEPS
- 1.1.5.2 Number of Non-expelled Students Entering JJAEPs

STRATEGY A.1.6: Harris County Leadership Academy~~Boot Camp~~
Provide funding for the juvenile leadership academy~~boot camp~~ in Harris County.

OBJECTIVE A.2: Assist and Monitor Community Juvenile Justice Services
Provide training in legal requirements and best practices to juvenile boards and probation departments. Conduct statutorily required inspections and investigations in juvenile detention and correctional facilities, both secure and non-secure. Provide technical assistance in the areas of compliance with agency standards, state and federal regulations, and best practices in juvenile probation and corrections.

STRATEGY A.2.1: Training and Certification
Provide training, ~~and~~ certification and technical assistance ~~technical assistance~~ to juvenile probation staff, boards, professionals in juvenile probation and probation departments, including matters related to case management, ~~program planning~~ and ~~delinquency prevention; monitor probation departments for~~ compliance with Juvenile Justice Department standards and applicable federal regulations~~; monitor county and private detention and post-adjudication centers for compliance with Juvenile Justice Department standards and applicable federal regulations~~

• Output Measures:
- 1.2.1.1 Number of Training Hours Provided (Key)
- 1.2.1.2 Number of Professionals Trained
- 1.2.1.6 Total Number of Officers Certified (Key)

• Efficiency Measure:
~~- 1.2.1.1 State Cost Per Training Hour~~

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STRATEGY A.2.2: Monitoring and Inspections
Conduct inspections and technical assistance to juvenile boards and probation departments; monitor probation departments for compliance with Juvenile Justice Department standards and applicable federal regulations; monitor county and private pre and post-adjudication facilities for compliance with Juvenile Justice Department standards and applicable federal regulations.

• Output Measures:
- 1.2.2.1 Number of Annual Facility Inspections Conducted in Juvenile Pre-adjudication Secure Detention, Post-adjudication Secure Correctional and Non-secure Correctional Facilities
- ~~1.2.2.2 Number of Hours of Legal Assistance~~
- 1.2.2.3 Total Number of Child Abuse Claims Investigated
- 1.2.2.4 Number of Completed Administrative Investigative Cases (from B.2.1)

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GOAL B: State Services and Facilities
To protect the public by providing a safe and secure correctional environment for youth.[1] To provide all JJD youth individualized opportunities to progress in their education, complete a diploma or GED, and/or develop marketable workplace skills.[2] To deliver a continuum of needs-based services that reduce delinquent or criminal behavior and facilitate successful community reintegration.[3]

OBJECTIVE B.1: Provide ~~Institutional~~ Youth Services
~~To prevent, through physical security, offenses which would have led to arrests for over 6,000 offenses per year through FY 2015.~~ To increase to 70 percent by the end of fiscal year ~~2015~~ 2017 the percentage of youth who have been on parole for at least 30 days and are employed at least part-time; are attending school, college, GED preparation, or are participating in vocational or technical training. To reduce the one year rearrest rate to 40 percent by the end of fiscal year ~~2015~~2017.

• Outcome Measures:
- 2.1.1 Turnover Rate of Juvenile Correctional Officers (Key)
- 2.1.2 Personal Productivity Rate
- 2.1.3 Diploma or GED Rate (JJD-operated Schools) (Key)
- 2.1.4 Percent Reading at Grade Level at Release (Key)
- 2.1.5 Industrial Certification Rate in JJD-operated Schools
- 2.1.6 Rearrest Rate (Key)
- 2.1.7 One-year Rearrest Rate for Violent Felony Offenses (Key)
- 2.1.8 Reincarceration Rate: Within One Year (Key)
- 2.1.9 Reincarceration Rate: Within Three Years (Key)
- 2.1.10 Reincarceration Rate: Felonies or Misdemeanors
- ~~2.1.11 One-year Rearrest Rate: Treated Sex Offenders for Violent Sex Offenses~~
- ~~2.1.12 Rearrest Rate: Youth Receiving Specialized Treatment~~

[1] Texas Family Code, Section 51.01(1),(2), (3), and (4) and Human Resources Code, Sections 61.0356, 61.0451(a), and 61.076(a)(3)
[2] Texas Human Resources Code, Sections 61.034(b) and 61.076(a)(1)
[3] Texas Human Resources Code, Sections 61.002, 61.071(a), 61.072, 61.076(a)(1)(2), 61.0761, and 61.0814(a)

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STRATEGY B.1.1: Assessment, ~~and~~ Orientation and Placement
Provide a system of assessment and orientation which is culturally competent and accurately determines the relative security risk and treatment needs of committed youth so they are placed in appropriate programs.

• Output Measure:
- 2.1.1.1 Average Daily Population: Assessment and Orientation (Key)

• Efficiency Measure:
- 2.1.1.1 Assessment and Orientation Cost Per Youth Day

• Explanatory/Input Measures:
- 2.1.1.1 New ~~Commitments~~Admissions
~~- 2.1.1.2 Total Residential Intakes~~

STRATEGY B.1.2: Facility Operations
Provide JJD-operated secure correctional programs under conditions that promote the youth's positive development and the interests and safety of the public, youth, and staff.

• Output Measure:
- 2.1.2.1 Average Daily Population: Institutional Programs (Key)

• Efficiency Measure:
- 2.1.2.1 Capacity Cost in Institutional Programs Per Youth Day (Key)

• Explanatory/Input Measures:
- 2.1.2.1 Youth Per Direct Supervision JCO Staff Per Shift
~~- 2.1.2.2 Youth Per Paid JCO Per Shift~~

STRATEGY B.1.3: Education
Provide or facilitate year-round preparation programs for GED, high school diploma, post-secondary education, and workforce opportunities that support successful transition to communities after release from institutions.

• Output Measures:
- 2.1.3.1 Average Daily Attendance in JJD-operated Schools (Key)
- ~~2.1.3.2 Percent of Math Level Gain (Key)~~
- 2.1.3.3 Median Math Gain Per Month of Instruction (Key)
~~- 2.1.3.4 Percent of Reading Level Gain (Key)~~
- 2.1.3.5 Median Reading Gain Per Month of Instruction (Key)
~~- 2.1.3.6 Average Daily Attendance in Career and Technical Education Courses~~
~~- 2.1.3.7 Student Enrollment in Texas Education Agency Secondary Courses~~
~~- 2.1.3.8 Student Enrollment in Career and Technical Education Courses~~
- 2.1.3.9 Number of Industrial Certifications Earned by Youth

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• Efficiency Measure:
- 2.1.3.1 Education and Workforce Cost in JJD operated Schools Per Youth Day

• Explanatory/Input Measures:
~~- 2.1.3.1 Percent Reading at Grade Level at Commitment~~
- ~~2.1.3.2 Median Years Reading Under Grade Level at Commitment~~

STRATEGY B.1.4: Halfway House Operations
Provide JJD-operated nonsecure correctional programs under conditions that promote the youth's positive development and the interests and safety of the public and youth.

• Output Measure:
- 2.1.4.1 Average Daily Population: Halfway House Programs (Key)

• Efficiency Measure:
- 2.1.4.1 Capacity Cost in Halfway Houses Per Youth Day (Key)

STRATEGY B.1.5: Health Care
Provide health care to address a youth's medical and dental needs while in residential care.

• Output Measure:
- 2.1.5.1 Average Daily Population: ~~Managed~~ Health Care

• Efficiency Measure:
- 2.1.5.1 Cost of Health Care Services Per Youth Day (Key)

STRATEGY B.1.6: Mental Health (Psychiatric) Care
Provide psychiatric services to address a youth's mental health psychiatric needs while in residential care.

• Output Measure:
- 2.1.6.1 Average Daily Population: ~~Managed~~ Mental Health Services

• Efficiency Measures:
- 2.1.6.1 Cost of Mental Health (Psychiatric) Services Per Youth Day (Key)
~~- 2.1.6.2 Cost of Managed Mental Health (Psychiatric) Services Per Youth Day (Key)~~

STRATEGY B.1.7: General Rehabilitation Treatment
Provide, through individualized, evidenced-based interventions, a competency-based, general rehabilitative treatment program appropriate to youth of all cultures.

• Output Measure:
- 2.1.7.1 Average Daily Population: General Rehabilitation Treatment (Key)

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• Efficiency Measure:
- 2.1.7.1 General Rehabilitation Treatment Cost Per Youth Day (Key)

STRATEGY B.1.8: Specialized Rehabilitation Treatment
Provide a system of culturally competent, individualized, and evidence-based specialized treatment programs for youth with needs, to include capital or serious violent offense history, sexual offense history, alcohol or other drug abuse or dependency history, or mental health related issues.

• Output Measures:
- 2.1.8.1 Average Daily Population: Specialized Treatment (Key)
- 2.1.8.2 Average Daily Population: Capital & Serious Violent Offender Treatment
- 2.1.8.3 Average Daily Population: Sexual Behavior Treatment
- 2.1.8.4 Average Daily Population: Alcohol and Other Treatment
- 2.1.8.5 Average Daily Population: Mental Health Treatment
- 2.1.8.6 Specialized Treatment Equity Ratio

• Efficiency Measure:
- 2.1.8.1 Specialized Treatment Cost Per Youth Day (Key)

Strategy B.1.9: Contract Capacity
Provide additional secure and nonsecure residential capacity through contracts with private service providers that promote the youth's positive development and the interests and safety of the public and youth.

• Output Measure:
- 2.1.9.1 Average Daily Population: Contract Programs (Key)

• Efficiency Measure:
- 2.1.9.1 Capacity Cost in Contract Programs Per Youth Day (Key)

STRATEGY B.1.10: Parole Services
Provide a system of re-entry services to youth on parole who are placed at home and remaining under JJD jurisdiction.

• Output Measures:
- 2.1.10.1 Average Daily Population: Parole (Key)
- ~~2.1.10.2 Average Daily Population: Contract Parole~~
- ~~2.1.10.3 Average Daily Population: Specialized Aftercare Services~~

• Efficiency Measure:
- 2.1.10.1 Parole Cost Per Youth Day (Key)

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• Explanatory/Input Measures:
~~- 2.1.10.1 Parole Revocation Intakes to Residential Programs~~
~~- 2.1.10.2 Youth Released from Residential Programs to Parole~~
~~- 2.1.10.3 Parole Discharges~~

OBJECTIVE B.2: Conduct Oversight of ~~Institutional~~ State Services
Conduct fair and impartial investigations that will lead to completed cases forwarded to the appropriate entity for further action. Oversee the delivery of health care services which comply with current agreements, standards, and best practices.

STRATEGY B.2.1: Office of the Inspector General
Conduct criminal investigations related to allegations of crime committed by JJD employees and crimes at JJD-operated and contracted facilities. Conduct administrative investigations related to allegations of Abuse, Neglect, Exploitation, and JJD policy violations committed by JJD employees at JJD-operated and contracted facilities. Locate and apprehend JJD youth who have escaped or absconded from JJD-operated or contracted facilities, or who have violated a condition of JJD parole.

• Output Measures:
- 2.2.1.1 Number of Completed Criminal Investigative Cases
- ~~2.2.1.2 Number of Completed Administrative Investigative Cases~~ (move to 1.2.2.4)
- 2.2.1.3 Number of Apprehended JJD Youth

• Explanatory/Input Measures:
- 2.2.1.1 Number of Allegations Reported to the Office of Inspector General
- 2.2.1.2 Allegations Per 100 Average Daily Residential Population

STRATEGY B.2.2: Health Care Oversight
Provide administrative oversight of health and mental health services.

STRATEGY B.2.3: Interstate Agreement
Implement the interstate cooperative agreement regarding the return and supervision of runaways and the supervision of juvenile probationers and parolees.

• Output Measure:
- 2.2.3.1 Youth Served through Interstate Compact

OBJECTIVE B.3: Maintain State Facilities
Maintain state facilities at 100% compliance with current life safety, health, and fire codes and standards at all times.

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STRATEGY B.3.1: Construct and Renovate Facilities

~~(Construct and renovate JJD facilities to provide proper conditions and sufficient capacity.~~Provide ongoing maintenance and repair of facilities to ensure a safe and secure environment for youth and staff, and to prevent the deterioration of buildings and infrastructure.

• Efficiency Measure:
- 2.3.1.1 Change Orders and Add-ons as a % of Budgeted Project Const. Costs

GOAL C: Office of the Independent Ombudsman

To provide assistance to JJD youth and ensure that systems of services are appropriate and equally accessible.

OBJECTIVE C.1: Office of the Independent Ombudsman

Meet with youth, families, employees, and advocacy groups such that services are investigated and problems are reported to the appropriate entity for further action.

STRATEGY C.1.1: Office of the Independent Ombudsman

Investigate, evaluate, and secure the rights of youth committed to JJD, including youth on parole.

• Output Measure:
- 3.1.1.1 Number of Youth Directly Served through the Office of the Independent Ombudsman

GOAL D: Indirect Administration

To provide administrative and technical support to assist the agency in performing its function according to statute.

OBJECTIVE D.1: Provide Administrative Management

Provide the administrative management necessary to accomplish the agency's mission.

STRATEGY D.1.1: Central Administration

Provide executive, legal, human resources, finance, research, and internal audit functions.

STRATEGY D.1.2: Information Resources

Provide a secure and effective statewide information infrastructure to the agency.

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