

BOARD MEETINGS

May 15, 2020

Austin, Texas



TEXAS
JUVENILE  JUSTICE
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES



TEXAS
JUVENILE JUSTICE
DEPARTMENT

Virtual Board Meeting

<https://www.tjtd.texas.gov/index.php/board#upcoming-meetings>

Friday, May 15, 2020 – 9:00 a.m.

1. Call to order
Chairman Ritchey
2. Prayer
Chairman Ritchey
3. Pledge
Chairman Ritchey
4. Discussion, consideration, and possible approval regarding excused absences (Action)
Chairman Ritchey
5. Discussion, consideration, and possible approval regarding the January 24, 2020 Board meeting minutes (Action)
Chairman Ritchey / Page 5
6. Report from the chairman
Chairman Ritchey
7. Public comments (must email Jeannette.Cantu@tjtd.texas.gov by 9am on May 14, 2020 to register for public comment)
Chairman Ritchey
8. Report from the executive director
Camille Cain
9. Report from the chief inspector general
Chief Forrest Mitchell / Page 12
10. Discussion, consideration and possible approval regarding the acknowledgment of gifts (Action) **Emily Anderson / Page 31**
11. Discussion, consideration and possible approval regarding the Human Resources Audit (Action) **Eleazar Garcia / Page 35**
12. Discussion regarding the Internal Audit Follow-Up Report
Eleazar Garcia / Page 50
13. Discussion regarding the Internal Audit Status Update

14. Discussion, consideration, and possible approval regarding contract renewal for Willoughby Management, LLC, requiring board approval pursuant to GAP.385.1101 (Action)

Christian von Wupperfeld / Page 61

15. Discussion, consideration, and possible approval regarding contract extension(s) for Consolidated Telecom, Inc., requiring board approval pursuant to GAP.385.1101 (Action)

Christian von Wupperfeld / Page 64

16. Discussion, consideration, and possible approval regarding the FY 2021 probation funding allocations (Action)

Amy Miller / Page 67

17. Discussion, consideration, and possible approval regarding the FY 2021-2025 Strategic Plan (Action)

Sean Grove / Page 90

18. Discussion, consideration, and possible approval regarding the naming of a Texas Juvenile Justice Department Halfway House (Action)

Sean Grove / Page 198

19. Discussion, consideration, and possible approval to publish the following in the *Texas Register* for a 30-day public comment period and possible conditional approval to adopt the repeals and final rules: Repeal of 37 TAC §§380.9501, 380.9502, 380.9517, and 380.9535 (concerning behavior management); new §380.9502 and §380.9510 (concerning behavior management); and revisions to §§380.9503, 380.9504, 380.9520, 380.9551, 380.9555, and 380.9557 (concerning behavior management and due process hearings) (Action)

Sean Grove and Kaci Singer / Page 201

20. Discussion, consideration, and possible approval to publish revision to 37 TAC §380.9183 (concerning Health Care Services for Youth) and §380.9188 (concerning Suicide Alert for High Restriction Facilities) in the *Texas Register* for a 30-day public comment period and possible conditional approval to adopt the final rules (Action)

Dr. Scott Lopor / **This agenda item has been withdrawn*

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

Kaci Singer / Page 250

a. Grisel Ayala, Certification No. 33878, 20-33878-190284

b. Fernando X Moreno, Certification No. 32077, 20-32077-190301

22. Closed Session – Executive Session

Chairman Ritchey

- 1) Government Code §551.071 Consultation with attorney (see footnote);
 - a. Discussion regarding settlement of Hudson Insurance Company a/s/o Sunset Logistics' claim against TJJJ; and
 - b. Discussion regarding settlement of lawsuit *PHI Inc. v. TJJJ*.
- 2) Government Code §551.072 Deliberation regarding real property (John C. Wende and Parrie Haynes trusts); and
- 3) Government Code §551.074 Discussion regarding personnel.

23. Reconvene in Open Session

Chairman Ritchey

24. Discussion, consideration, and possible action regarding settlement approval of Sunset Logistics' claim against TJJJ (Action)

Christian von Wupperfeld / Page 262

25. Discussion, consideration, and possible action regarding settlement approval of a lawsuit with Phi Inc. v. TJJJ (Action)

Christian von Wupperfeld / Page 265

26. Adjourn

Chairman Ritchey

- The Texas Juvenile Justice Board reserves the right to limit the time and scope of public comments as deemed appropriate by the Board.
- The Texas Juvenile Justice Board 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 Texas Juvenile Justice Board may go into closed session with respect to any item as authorized by the Texas Open Meetings Act, as codified in Texas Government Code Section 551.071.
- If ADA accommodations are needed, please contact Jeannette Cantu at 512.490.7004 or Jeannette.Cantu@tjjd.texas.gov
- The Texas Juvenile Justice Board reserves the right to broadcast its meeting live.



TEXAS
JUVENILE JUSTICE
DEPARTMENT

Board Meeting

11209 Metric Boulevard, Building H, Ste. A
Lone Star Conference Room
Austin, TX 78758
Friday, January 24, 2020 – 9:00 a.m.

Call to order

Chairman Ritchey called the meeting to order at 9:00 a.m.

Prayer

Douglas Brodie led the board prayer.

Pledge

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

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

Judge Lisa Jarrett moved to approve the absence of Chief Scott Matthew. Jimmy Smith seconded. The motion passed.

Discussion, consideration, and possible approval regarding the October 24, 2019 Board meeting minutes (Action)

Ms. Mona Lisa Chambers wanted to ensure that the record showed she abstained from the Harris County disciplinary agenda items. Chief Pama Hencerling moved to approved as corrected. Jimmy Smith seconded. The motion passed.

Report from the chairman

Chairman Ritchey announced new upcoming meeting dates and asked Jeannette Cantu to email the following dates to the board members.

April 30 Committee Meetings
May 1 Board Meeting
June 12 Board visit to Evins facility
August 6 Committee Meetings
August 7 Board Meeting

Public comments

There were no public comments.

Report from the executive director

Camille Cain, Executive Director, began her report with staffing changes: Nate Jackson has agreed to take on the critical role of Chief Information Officer, Emily Anderson is now the Chief Financial and Operating Officer, Zachary Valdez is now the acting director for the Construction and Maintenance Division, and Rodney Sigler is the new director of Human Resources.

We have been busy planning for 2020 but first, I'd like to reflect for a minute on the last two years. When I joined TJJD, it was with many thoughts for how the Department could implement strategic plans for the future. We spent the first several months identifying significant opportunities for change and forming our team. We are blessed with people who care about the youth we serve, are driven and dedicated to improvement, and seem to have boundless energy. As the first several months led into Legislative Appropriation Request deadlines, we worked to develop a funding request that would increase our placement options, increase critical funding to probation so that they could access resources needed to keep the right youth shallow in the system, add important resources for a population—both at the county and state levels—with dramatically increasing and deeper mental health needs and other important focuses. We still believe these focuses are important.

As I joined the Department, I was asked by state leaders to find ways to decrease the population of our facilities. Lou Serrano focused on working with probation to increase diversion and decrease commitments and state services worked to streamline our processes for release to ensure that youth past there expected lengths of stay were reviewed actively, rather than every few months. Our population on my first day was 1026. Today, it is 793.

2019 was marked with development of the Texas Model of Corrections with Shandra Carter and her amazing team leading the way. We kicked off the beginning of implementation on September 1, 2019. As Shandra would put it we are still on shaky legs, learning and working through issues as we go. We know that real reform, at every level of the Department, is not a light switch, it is a long-term challenge. We know from other places, such as Williamson County, that getting this right takes time, training, and an ongoing commitment to reform. We are doing this on a scale that is unprecedented. Our goal is deep and lasting reform and that takes time.

Our efforts at the Model, in its first days, using August data as a benchmark—and controlling for population, from September through December, just four months in, the results are promising. I am cautiously optimistic. Since we started in September, overall rule violations are down 29% with minor violations down 35% and major violations down 12%. Security referrals are down 29%, use of OC spray is down 10%, physical restraints are down 31%, and mechanical restraints are down 26%.

As we move into 2020, I'd like to first talk for a moment about the youth in our care.

- Our youth have growing mental health needs. In 2014, at the point of intake, we identified 21% of our youth as having moderate to severe mental health needs. In 2019, we were at 53%.
- Our youth have cognitive difficulties. Our youth are, on average, 4 grades behind in reading. In the general public, people who have an IQ that is below average, impaired, or have an intellectual disability are 24% of the population, for our youth it is 58%.
- In the general public, it is estimated that between 6 and 12% of the population have 4 or more adverse childhood experiences—or ACES. At TJJD, 57% of our boys and 86% of our girls have 4 or more.
- 41% of our girls screen at the highest level of concern in the sex trafficking tool CSE-IT.
- 68% of our youth have an incarcerated family member.
- 71% of our youth have a clear history of abuse, neglect, or family violence.

We have many plans moving forward. In regards to Texas Model implementation:

- We will be implementing a Model certification process, allowing staff to prove and be recognized for their talent and capability at managing youth using Model principles.

- We are hiring a group of Texas Model implementers for each facility, who will learn at the knee of Troy McPeak and Tom Adamski and will provide full-time training and modeling on our dorms.
- We will begin training on the concepts of behavior shaping so that we can focus on shaping good behaviors and avoid shaping negative ones.
- We will be moving beyond the Texas Model Handbook to a more robust, written integrated Texas Model
- We will be adding support for our dorm team leaders, because success of implementation rests at the dorm level. Their ability to form good cultures and reinforce Model tenets are our key to the future.
- We are working to change our stage progression methods and to implement more model-aligned stage privileges, incentives for good behavior or progress, and sanctions to hold you appropriately accountable for negative behavior.
- And we are revisiting our youth services team processes to ensure that we catch lack of progress early and appropriately use incentives, stage progression, and sanctions to move youth toward real progress.

As we consider future LAR requests, we are considering how sustainable our current facilities are in regards to staffing and, therefore, population levels. That task is ongoing as we see where our efforts lead and how sustainable staffing levels can be over the course of the next few months. Emily Anderson in concert with Cynthia Brown and now Rodney Sigler have done yeoman's work to increase the staffing at our facilities and continue to do so. We are continuing to expand our efforts, but we've hired an additional 60 coaches at Mart in the last couple of months and Ron Jackson has gone from 79% hired level in November to 97% as of yesterday.

We also recognize that less populous facilities are a key to behavior management and progress among youth. Smaller milieus are more easy to manage and cut down on the opportunities for both gangs and controlling cliques to exercise control over other youth. We are actively looking for opportunities to find options for our youth and are working on additional placements for girls, including therapeutic environments for girls who have been sex trafficked. We are working on numbers but will be asking for new placement locations for our youth in our Legislative Appropriations Request later this year.

More counties are expressing interest in the Texas Model. We are committed to helping them and are working on structured ways to get them get the information, training, and planning resources they need to move forward.

We also recognize that for the Model to flourish, reduction of violence in our facilities must be a continued goal. While our goal is that the Model, over time, will decrease violence overall. To properly implement the Model now, our staff need to feel safe and know that they have options when youth are causing problems in the milieu by not helping to maintain a safe environment. Currently, we have approximately 45 youth who, through fighting or assault, have caused two or more injuries to someone else within the past six months. We have many plans and ongoing work in this area.

Within secure facilities we are expanding the Phoenix Program, revising the Redirect Program, implementing a Violence Intervention Continuum, improving Due Process, working on Gang Activity, adding new levels of review for Parole Decisions, augmenting Conditions of Parole, clarifying the Revocation process, clarifying the policy on County Jail Holds and the OIG is helping with Record Keeping.

Bandera County Juvenile Probation Department – Terrific Opportunities: Bandera Nature Experience and Wilderness Extravaganza

Matthew Haynie, Chief Juvenile Probation Officer provided a presentation on their Bandera Nature Experience and Wilderness Extravaganza program.

Report from The Advisory Council on Juvenile Services

Chief Ed Cockerell, Chairman of the Advisory Council on Juvenile Services, stated the Advisory Council last met on November 8, 2019. He discussed the items that were presented during that meeting.

Report from the chief inspector general

Forrest Mitchell, Chief Inspector General, provided an update regarding OIG operations. Yesterday, he briefed the Safety and Security Committee about the number of calls, complaints, investigations, discipline dispositions, and criminal cases filed in both the first quarter and in 2019. OIG remains concerned with the violence, gangs, and disruptive behaviors at the state secure facilities. We are actively working with facility leadership, state programs, the Office of General Counsel, the Release Review Panel, and the Special Prosecution Unit in an attempt to apply our investigative resources on the most violent or disruptive juvenile offenders. We continue to work towards providing the TJJJ staff the safest environment possible for treatment and rehabilitation through the implementation of the Texas Model and Trauma informed care by focusing on PREA and sexual misconduct incidents, violence, and organized criminal activity.

Last fiscal year, 45 TJJJ offenders were sentenced to TDCJ on new felony offenses stemming from OIG criminal investigations. We are communicating with all of those parties to make sure we can provide them with the necessary facts and evidence on any criminal or delinquent conduct investigated by OIG so they can make informed release decisions. I have also asked my command staff to work more closely with our investigators and the Release Review Panel to make sure we handle our caseloads appropriately.

I am pleased to report we continue to work with the Criminal Justice Department at Sam Houston State University on the implementation of a new complaint tracking and investigative software solution for the Incident Reporting Center and the OIG. They have studied our business processes, adapted their program, and provided us a demonstration of new system. We are now moving to a data testing phase.

We continue to work with IT on the New Visitor Management Tracking System that will be installed at all five secure facilities. The OIG gate house security staff, as well as the telecommunicators at the IRC will be trained on the system. First to process all persons, but also to conduct the necessary background checks in accordance with state law. I also advised the Committee yesterday that OIG has finally completed its application and all of the necessary requirements for TCOLE, and I am pleased to announce that I will be signing the training provider contract with TCOLE next week. I cannot thank Xavier and his team enough for their hard work and perseverance through a process which has taken nearly a year. This involved developing training files, systems, and even another audit in order to prepare ourselves for this tremendous responsibility.

Chief Mitchell also had to report some sad news, his Assistant Chief, Xavier Casares, has accepted a position with another state agency and will be leaving the OIG at the end of the month. Words cannot properly express our appreciation for all of the things that he has done for the OIG and TJJJ. Xavier joined the OIG in 2013 after retiring from the McAllen Police Department. He started as a Lieutenant with the OIG, and worked all the way up to Assistant Chief. For those newer board members appointed during the last session, Xavier briefly served as the interim IG after the departure of my predecessor for another state agency. Xavier, this agency and department is a much better place because of your hard work and efforts. Thank you for everything you have done for us, and we wish you the very best in your new position. We recognized his service by presenting him with a plaque.

Report from the Trust Committee

Jimmy Smith, reported all members were present for their committee meeting yesterday. He reported on items that were discussed during committee and stated that Christina Garza will be presenting a couple of items to the board for their consideration.

Discussion, consideration, and possible approval of the 2020 burn plan for prescribed fire(s) at Parrie Haynes Ranch pursuant to the approved Wildlife Management Plan and Memorandum of Agreement with the Texas Parks and Wildlife Department (Action)

Christina Garcia, Staff Attorney and Contracts Supervisor, reported on the 2020 burn plan for prescribed fire(s) at the Parrie Haynes Ranch. The Trust has an agreement with the Texas Parks and Wildlife Foundation to develop and implement a wildlife management plan. The approved plan calls for prescribed fires on sections of the Ranch. Prescribed fires require a burn plan. This years prescribed fires are anticipated at the end of this month and next month pending said approval by the board. Working with TPWD provides the most cost effective provision of prescribed fire services and the MO is in place to ensure the safety of all parties involved. Approval of the 2020 burn plan will allow the biologist and the TPWD to move forward with the recommended prescribed fires in the approved plan.

Mr. Smith moved to approve the resolution. Judge Jarrett seconded. The motion passed.

Discussion, consideration, and possible approval for the Boys and Girls Club of Central Texas to host bird hunts as youth hunting events conducted by the Texas Youth Hunting Program at the Parrie Haynes Ranch (Action)

Christina Garcia, Staff Attorney and Contracts Supervisor, reported the Parrie Haynes Trust currently leases the Parrie Haynes Ranch to the Boys and Girls Club of Central Texas. The lease prohibits activities involving the use or discharge of firearms without prior Board approval. The Boys and Girls club seeks approval to host bird hunts at the Ranch and there are two (2) bird hunts anticipated in 2020: The 2020 Spring Turkey Hunts and the 2020 Late Summer Dove Hunts. The Board has provided general approval of the hunting program however, the current resolution ensures bird hunts are also approved hunting events and also ensures the Board is aware of all planned events.

Ms. Lattimore moved to approve the resolution. Mr. Morales seconded. The motion carried.

Report from the Finance and Audit Committee

Commissioner Morales reported that all members were present except for Stephanie Moreno. Nate Jackson announced that he's been appointed as Chief Information Officer. He provided updates on JCMS migration, Body-worn cameras, BMC refresh, visitor track system, fiber optic cable refreshment, fixed overhead cameras replacement, RFID, blue phones and other ongoing projects. Emily Anderson gave an update on the financial status and also presented gifts that will come before the board for acknowledgment. Mr. Eleazar Garcia gave an update on the agency implementation of audit findings and recommendations.

Discussion, consideration, and possible approval regarding an acknowledgement of gifts (Action)

- a. **Dallam County Welfare Board**
- b. **The Dallas Meditation Center**
- c. **The Hope Irving Church**

Emily Anderson, Chief Financial Officer, reported that Dallam County Child Welfare Board donated \$500 for the purchase of items at the halfway houses. The Dallas Meditation Center donated various winter clothing to the Dallas District Parole Office, estimated at \$812.00. The Hope Irving Church provided a meal for the youth and their families as well as various clothing items, totaling \$1,100.00

Commissioner Morales moved to approve the acknowledgment. Judge Jarrett seconded. The motion carried.

Discussion, consideration, and possible approval for a request to exceed capital transfer authority (Action)

This agenda item was withdrawn from the agenda.

Report from the Programs Committee

Edeska Barnes reported all members were present for the committee meeting. He reported that updates were provided by Louis Serrano regarding probation services and Shandra Carter regarding state services. A presentation on the Texas Model was provided by Troy McPeak. Todd Novak provided discussion on options to limit the risk of homelessness coming out of Halfway Houses and Parole. Appointments to the Advisory Council will be heard by the full board for consideration.

Discussion, consideration, and possible approval of appointments to the Advisory Council for Juvenile Services (Action)

Louis Serrano, Deputy Director of Probation Services, reported that the agency solicited nominations from the seven regional associations and would like to bring forward the following nominations for your consideration and approval: The Honorable Natalia Oakes the Honorable Mark Allen (re-nomination), Chief Ed Cockrell (re-nomination), and Chief Teri Ann Trull. Chief Edeska Barnes stated that the Programs Committee recommended these nominations be approved by the full board as presented.

Chief Pama Hencerling moved to approve the resolution. Jimmy Smith seconded. The motion carried.

Report from the Safety and Security Committee

Judge Lisa Jarrett reported the committee heard from Chief Forrest Mitchell and Ombudsman, J.D. Robertson.

Review, discussion, and possible action regarding the Bexar County Juvenile Board Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.600(a)(3) related to Secure Post-Adjudication Facility Pre-Admission Records Requirements (Action)

Scott Friedman, Staff Attorney, reported this item was discussed yesterday during the Safety and Security Committee meeting. Information was discussed regarding a permanent variance request from the Bexar County Juvenile Board for the departments weekend program, specific to post adjudication pre-admission placement requirements. Staff have reviewed the application and have worked closely with the department and we have an acceptable resolution for the board to consider to the grand the permanent variance. There is a supplemental handout with a draft resolution for the boards consideration.

Allison Palmer moved to grant the variance. James Castro seconded. The motion carried.

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

- a. **Shatner Gooden, Certification No. 10071, 20-10071-190092**
- b. **Jordan Brazell, Certification No. 31708, 20-31708-190225**
- c. **Kaitlyn Hoffman, Certification No. 34137, 20-34137-190306**

Kaci Singer, Staff Attorney, presented the agreed orders.

Item A and C – James Castro moved to approve. Pama Hencerling seconded. Mona Lisa Chambers opposed. The motion passed.

Item B – Judge Lisa Jarrett moved to approve. Jimmy Smith seconded. Edeska Barnes abstained. Mona Lisa Chambers opposed. The motion passed.

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

- a. **Bryston Bass, Certification No. 31028, 20-31028-190246**

- b. Zachary Rogers, Certification No. 32707, 20-32707-190266
- c. Austin Howell, Certification No. 33325, 20-33325
- d. Marcus Barber, Certification No. 33933, 20-33933-190269
- e. Ihezue, Jr., Bright, Certification No. 34006, 20-34006-190238
- f. Rene Flores, Certification No. 28721, 20-28721-190233

Kaci Singer, Staff Attorney, presented the default orders.

Item A, B, C and F – Allison Palmer moved to approve. James Castro seconded. The motion passed.

Item D – Jimmy Smith moved to approve. Commissioner Morales seconded. Edeska Barnes and Mona Lisa Chambers abstained. The motion passed.

Item E – This item was withdrawn from the agenda because the officer has since responded.

Closed Session – Executive Session

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

Reconvene in Open Session

The meeting adjourned at 10:52 a.m.

Q2 Fiscal Year 2020

Incident Reporting Center	Total
Total Inbound Calls to the Incident Reporting Center	4941
Complaints Entered for County Abuse/Neglect/Exploitation	671
After Hours Calls for the Office of Independent Ombudsman	139
Calls Regarding Other State Business	926

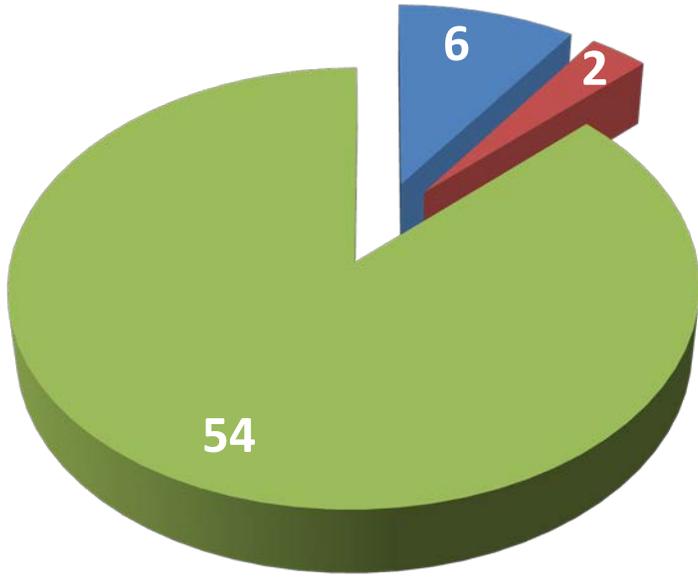
Criminal Investigations

Facilities	EVN	GNS	GID	Mart	RJ	Ayres	BWH	McFad	Schf	Tamayo	Wil	Contract	Regional Parole	Probation/Other/Blank	Total
Complaints Entered by the IRC	645	362	620	760	422	12	39	18	11	11	17	87	165	36	3205
Investigations															
Open	51	66	37	44	81	2	7	3	0	8	1	10	84	4	398
Closed	194	68	56	82	165	0	5	4	2	7	2	4	95	5	689
Types of Investigations															
Sexual Abuse	4	4	9	7	14	0	1	0	0	0	0	5	0	1	45
Narcotics or Contraband	8	3	4	4	4	0	1	0	0	0	0	0	0	0	24
Suicidal Behavior	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Deaths	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Abuse of Office	3	5	1	2	2	0	1	0	0	0	0	2	0	0	16
Assaults on other youth	1	1	0	2	0	0	1	0	0	0	0	0	0	0	5
Assaults on employees	24	23	17	14	47	0	1	0	0	1	0	0	0	0	127
Escapes / Absconders	0	0	0	1	0	2	1	3	0	6	1	0	84	1	99
Gang Intelligence	9	22	3	14	6	0	0	0	0	0	0	0	0	0	54
Other:	2	8	3	0	8	0	1	0	0	1	0	3	0	2	28

Prosecution Data	Total
Cases submitted for review	117
Special Prosecution Unit	116
District / County Attorney	1
Indictments	51
Convictions	90
Declinations	31
Taken Into Consideration (TIC)	92
Dismissals	15
Arrest (Non-DTA)	101
Directives to Apprehend issued	98
DTAs apprehended by OIG	0
DTAs apprehended with assistance	0
DTAs apprehended by other LEO	77



Total number, and type, of suspects involved in OIG-CID criminal sexual allegation investigations
2nd Quarter FY 20 (12/1/2019 - 2/29/2020): 62



- Employees
- Other
- Youth

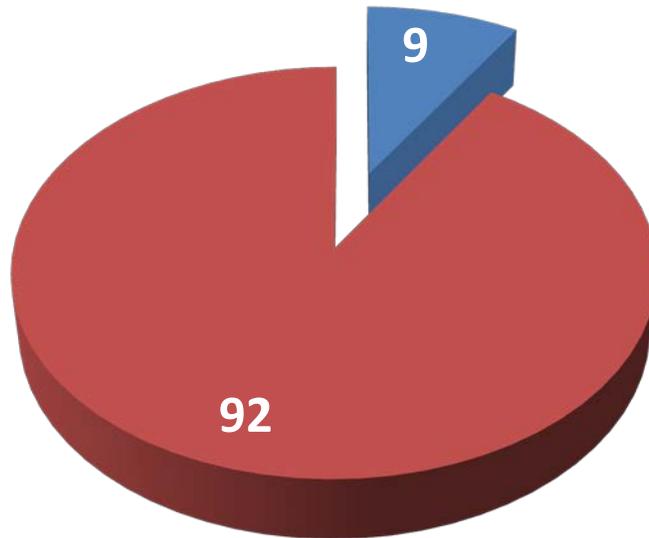
Figure 1 - Sexual Abuse Cases Suspect Types

Other:

A contract care Youth Development Coach was seen allowing an offender to kiss her twice on the cheek.

A county female offender claimed to have performed oral sex and digitally penetrated a TJJJ offender.

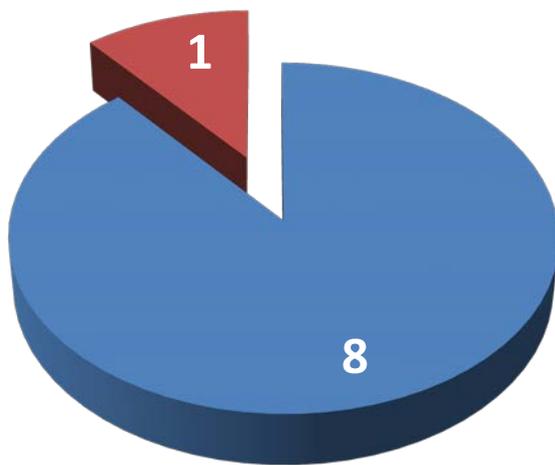
Total number of arrests made by OIG-CID and stemming from criminal investigations
2nd Quarter FY 20 (12/1/2019 - 2/29/2020): 101



■ Employees
■ Youth

Figure 2 - Arrests by Suspect Type

Total number of arrests made by OIG-CID and stemming from criminal investigations
2nd Quarter FY 20 (12/1/2019 - 2/29/2020): 9



- Possession Of Child Pornography
- Possession Of Controlled Substances Para

Figure 3 - Cases for Arrested Staff

Total number of arrests made by OIG-CID and stemming from criminal investigations
 2nd Quarter FY 20 (12/1/2019 - 2/29/2020): 92

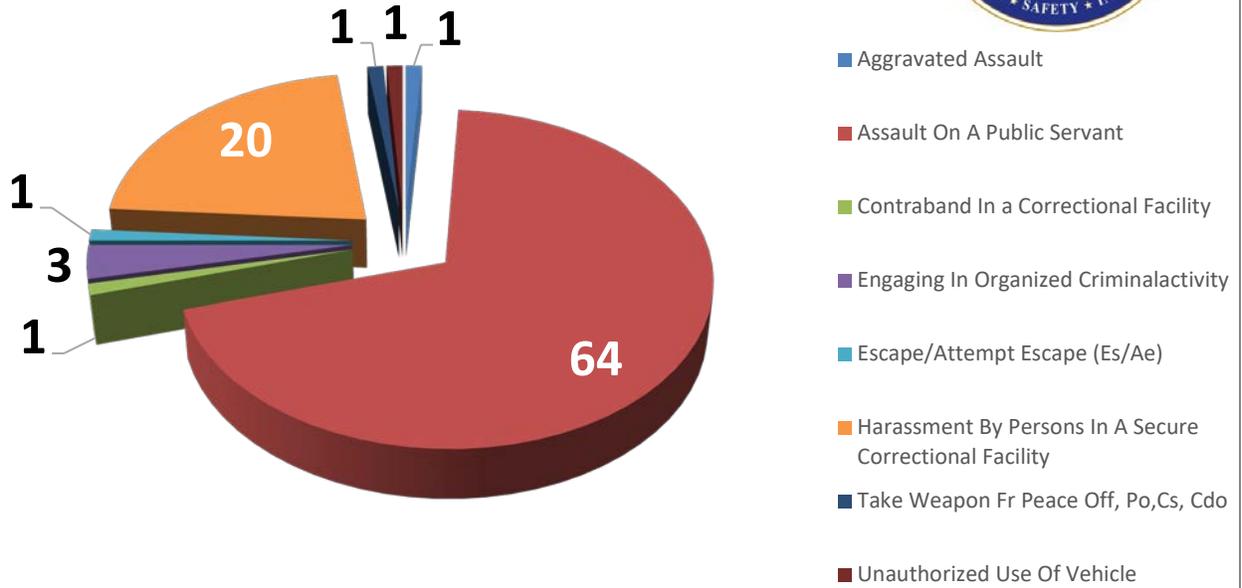


Figure 4 - Cases for Arrested Youth



	FY 2019	FY 2020
Abuse	279	75
Neglect	43	48
Exploitation	17	13
Policy Violations/Fraud, Waste or Abuse	185	1
Total Investigations Opened During the Reporting Timeframe	524	137

	FY 2019	FY 2020
Confirmed	111	26
Exonerated	5	1
Unfounded	269	91
Unable to Determine	56	3
Under Investigation	345	72
Total Investigations Closed During the Reporting Time Frame	441	121
Total Investigations Opened and Closed During the Reporting Time Frame	965	258
Average Days to Closure	78	52

Disposition Definitions

Confirmed – an investigation established the allegation did occur.

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

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

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



SECURE FACILITY	FY 2019	FY 2020
EVINS	Total	Total
Abuse	40	14
Neglect	9	13
Exploitation	6	0
Policy Violation/FWA	44	0
SUB TOTAL	99	27
GAINESVILLE		
Abuse	38	10
Neglect	15	5
Exploitation	2	5
Policy Violation/FWA	55	0
SUB TOTAL	110	20
GIDDINGS		
Abuse	79	18
Neglect	5	10
Exploitation	2	0
Policy Violation/FWA	24	0
SUB TOTAL	110	28
MCLENNAN II		
Abuse	65	13
Neglect	1	10
Exploitation	3	5
Policy Violation/FWA	12	1
SUB TOTAL	81	29
MCLENNAN RTC		
Abuse	3	0
Neglect	3	5
Exploitation	1	0
Policy Violation/FWA	7	0
SUB TOTAL	14	5
MCLENNAN PHOENIX		
Abuse	10	1
Neglect	0	1
Exploitation	0	0
Policy Violation/FWA	1	0
SUB TOTAL	11	2
RON JACKSON		
Abuse	23	12
Neglect	9	3
Exploitation	0	3
Policy Violation/FWA	30	0
SUB TOTAL	62	18

HALFWAY HOUSE	FY 2019	FY 2020
AYRES HOUSE		
A/N/E/PV	1-A	1-A
BROWNWOOD HOUSE		
A/N/E/PV	0	0
COTTRELL HOUSE		
A/N/E/PV	1-A	0
MCFADDEN RANCH		
A/N/E/PV	2-A; 1-N; 2-PV	0
SCHAEFFER HOUSE		
A/N/E/PV	0	0
TAMAYO HOUSE		
A/N/E/PV	0	0
WILLOUGHBY HOUSE		
A/N/E/PV	1-A; 2-E	1-A
TOTAL	10	2

CONTRACT CARE	FY 2019	FY 2020
AMIKIDS		
A/N/E/PV	3-PV; 1-E	0
BYRD'S		
A/N/E/PV	0	0
GARZA COUNTY		
A/N/E/PV	0	1-A
GIOCOSA		
A/N/E/PV	0	0
GULF COAST		
A/N/E/PV	0	0
KRAUSE		
A/N/E/PV	0	2-N
PEGASUS		
A/N/E/PV	0	0
RITE OF PASSAGE F		
A/N/E/PV	0	1-A
RITE OF PASSAGE M		
A/N/E/PV	4-A; 4-PV	2-A
TRUECORE		
A/N/E/PV	12-A; 3-PV	0
TOTAL	27	6

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Reports Received by Report Type*		
Report Type	From 12/1/2018 To 2/28/2019	From 12/1/2019 To 2/29/2020
Grievance	706	530
Serious Incidents	218	224
Non-Reportable	141	121
Abuse, Neglect & Exploitation Cases	94	72
Other	30	23
Complaint	14	20
Duplicate	32	20
Non-Jurisdiction	24	17
Standards Violation	5	13
Total Reports Received	1,264	1,040

Reports Received by Program Type*		
Program Type	From 12/1/2018 To 2/28/2019	From 12/1/2019 To 2/29/2020
Pre-Adjudication (Detention)	553	645
Post-Adjudication (Secure)	474	294
Post-Adjudication (Non Secure)	206	65
Probation	17	20
JJAEP	3	9
Unknown	10	6
Other	1	1
Total Reports Received	1,264	1,040

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ANE Investigations by Type of Complaint and Assessed Date*		
Complaint Type	From 12/1/2018 To 2/28/2019	From 12/1/2019 To 2/29/2020
Emotional Abuse	1	0
Exploitation	1	0
Neglect - Medical	2	0
Neglect - Supervisory	24	13
Physical Abuse - Non-Restraint	22	21
Physical Abuse - Physical Restraint	42	43
Sexual Abuse - Contact	12	0
Sexual Abuse - Non-Contact	3	5
Verbal Abuse	3	0
Serious Physical Abuse	0	9
Physical Abuse - Mechanical Restraint	0	4
Total Investigations Assessed	110	95

Serious Incidents by Type of Complaint and Assessed Date*		
Complaint Type	From 12/1/2018 To 2/28/2019	From 12/1/2019 To 2/29/2020
Attempted Escape	5	9
Attempted Suicide	115	74
Escape	4	6
Escape-Furlough	7	8
Reportable Injury	31	23
Youth On Youth Assault - Physical	7	19
Youth on Youth Sexual Conduct	49	84
Serious Injury	0	1
Total	218	224

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ANE Investigations by TJJD Actions*		
Action	From 12/1/2018 To 2/28/2019	From 12/1/2019 To 2/29/2020
Concur With Internal Investigation Disp	13	0
Does Not Meet Abuse/Neglect Definition	9	0
Reason To Believe	19	0
Ruled Out	60	0
Unable To Determine	8	5
Unable To Investigate - No Information	1	0
Pending	0	34
Confirmed	0	16
Already Investigated By TJPC	0	1
Unfounded	0	39
Total Investigations Opened in Timeframe	110	95
Total Investigations Pending	0	34
Total Investigations Completed in Timeframe	85	149
Total Investigations Opened and Completed in Timeframe	13	20
Average Days to Close	76	114

ANE Investigations by Local Entity Actions*		
Action	From 12/1/2018 To 2/28/2019	From 12/1/2019 To 2/29/2020
Administrative Leave	4	0
None	62	44
Re-trained	13	8
Reprimanded	12	5
Resigned	2	3
Terminated	17	6
Pending	0	29
Total Investigations Opened in Timeframe	110	95

*The number of "cases" opened or reports received may not match the number of ANE investigations and/or dispositions as investigations and dispositions are reported by perpetrator and/or victim, and in some cases there may be multiple perpetrators and/or victims.

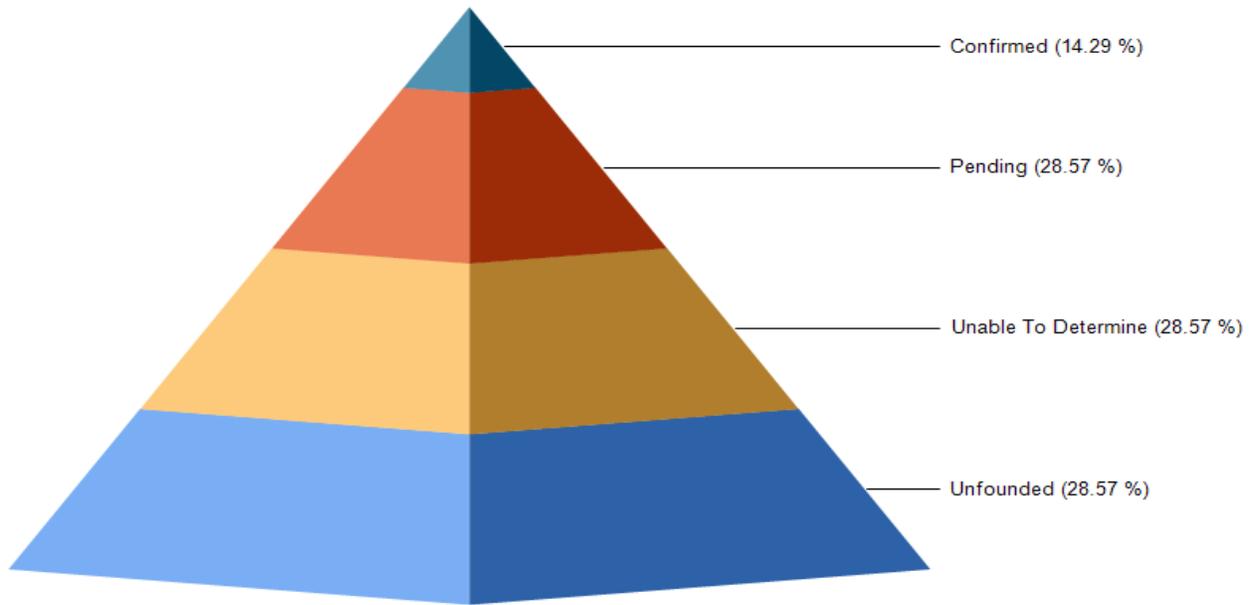
**The individual counts for ANE investigations by TJJD actions are listed based on a cases assessed date. Totals for cases completed and pending are at an aggregate level.

***Effective 9/1/19 "Confirmed" replaced the disposition Reason To Believe and "Unfounded" replaced the disposition Ruled Out.

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TJJD Dispositions for Sexual Abuse-Related ANE Investigations



Texas Juvenile Justice Department

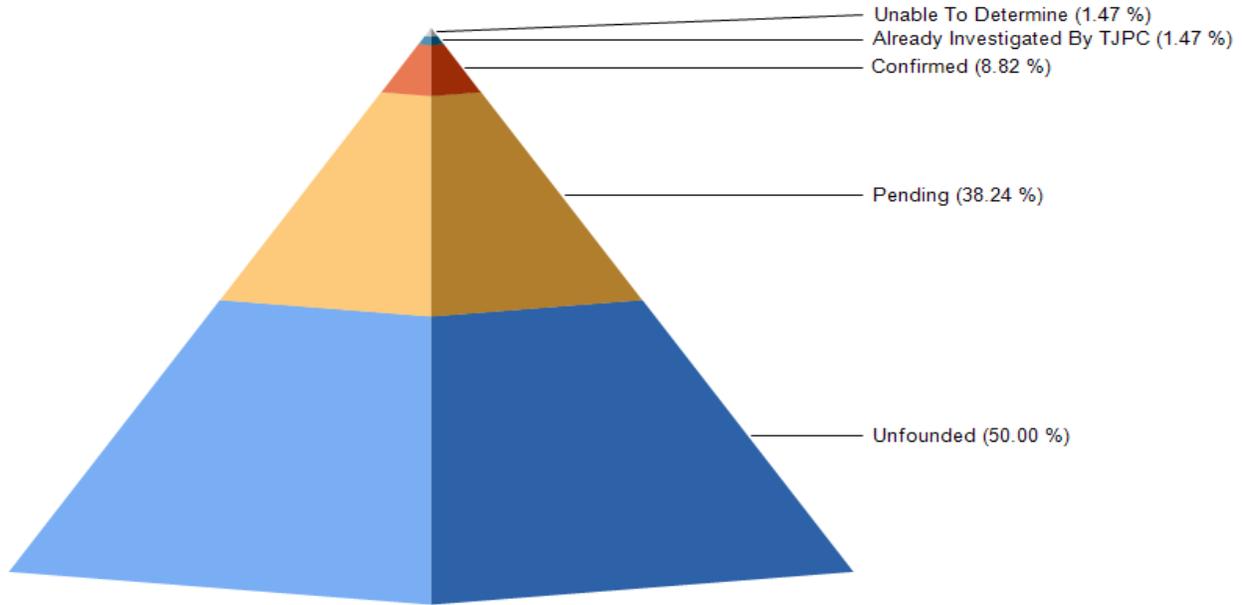
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TJJD Dispositions for Physical Abuse-Related ANE Investigations



Texas Juvenile Justice Department

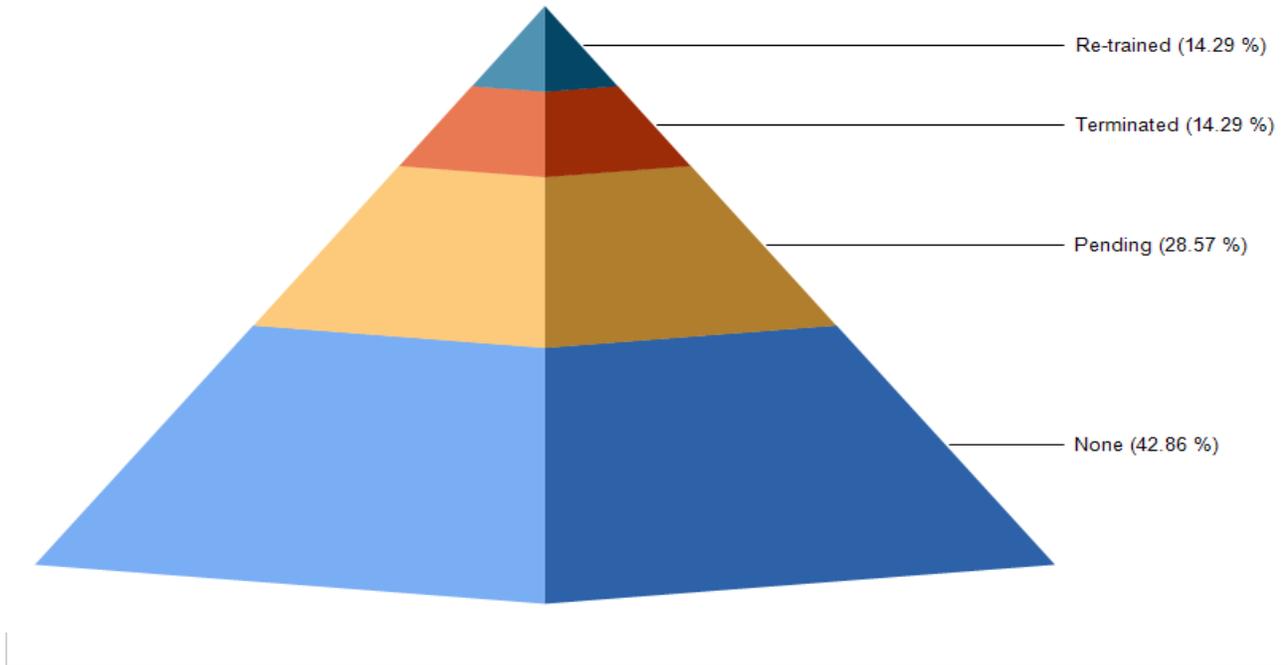
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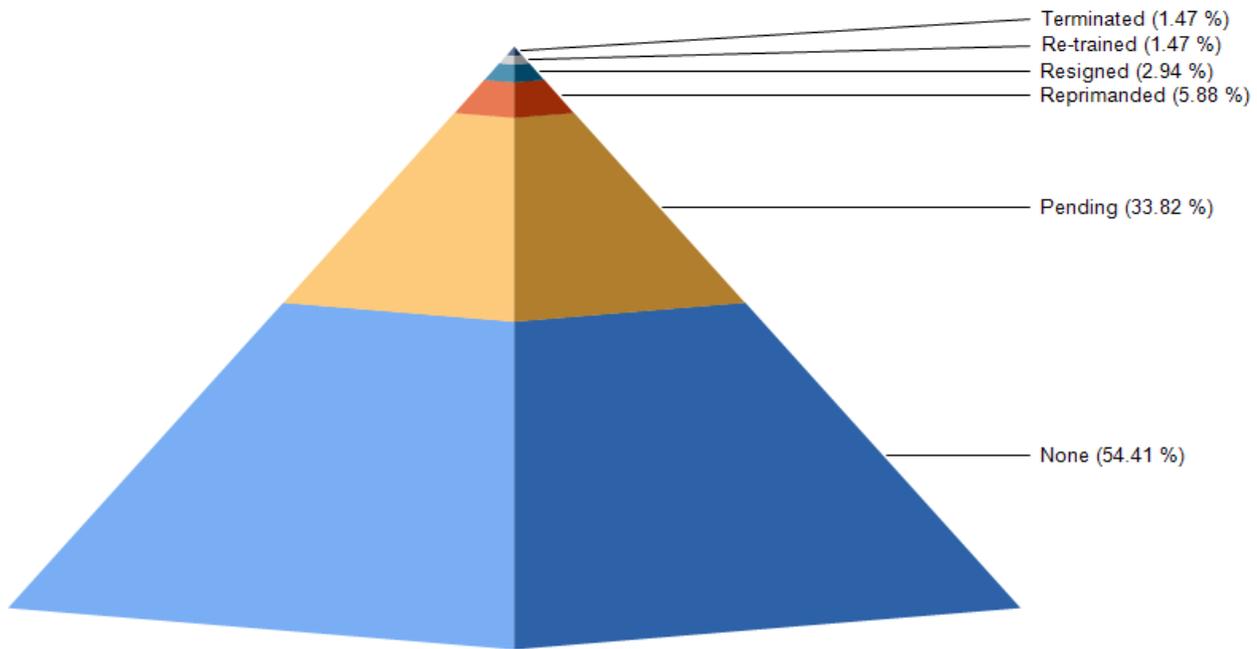
Local Dispositions for Sexual Abuse-Related ANE Investigations



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Local Dispositions for Physical Abuse-Related ANE Investigations



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Reports Received by County and Facility*		Abuse, Neglect, Exploitation	Complaint	Duplicate	Grievance	Non-Jurisdiction	Non-Reportable	Other	Serious Incident	Standards Violation	Total
ANGELINA	ANGELINA COUNTY JUVENILE DETENTION CENTER (11)	0	0	0	0	0	0	1	0	0	1
	Total ANGELINA County	0	0	0	0	0	0	1	0	0	1
ATASCOSA	ATASCOSA COUNTY JUVENILE JUSTICE CENTER (40)	0	0	0	0	0	0	0	0	1	1
	Total ATASCOSA County	0	0	0	0	0	0	0	0	1	1
BELL	BELL COUNTY JUVENILE SERVICES CENTER (35)	0	0	0	0	0	0	0	1	0	1
	Total BELL County	0	0	0	0	0	0	0	1	0	1
BEXAR	BEXAR COUNTY JJAEP (N/A)	0	1	0	0	0	0	0	0	0	1
	BEXAR COUNTY JUVENILE DETENTION CENTER (278)	11	1	1	36	0	0	2	15	2	68
	CYNDI TAYLOR KRIER JUVENILE CORRECTIONAL TREATMENT (96)	5	1	4	32	0	3	2	16	3	66
	Total BEXAR County	16	3	5	68	0	3	4	31	5	135
BRAZORIA	BRAZORIA COUNTY JUVENILE DETENTION CENTER (78)	0	0	0	0	1	0	0	0	0	1
	Total BRAZORIA County	0	0	0	0	1	0	0	0	0	1
BRAZOS	R. J. HOLMGREN JUVENILE JUSTICE CENTER (48)	0	1	0	0	0	3	0	1	0	5
	Total BRAZOS County	0	1	0	0	0	3	0	1	0	5
BROWN	THE OAKS BROWNWOOD (113)	3	0	2	40	1	1	1	9	1	58
	Total BROWN County	3	0	2	40	1	1	1	9	1	58
CAMERON	AMADOR R. RODRIGUEZ BOOT CAMP & EDUCATIONAL CENTER (32)	0	0	0	0	0	1	0	2	0	3
	DARRELL B. HESTER JUVENILE JUSTICE CENTER (61)	0	0	0	7	0	0	0	8	0	15
	L.I.F.E. & B.R.A.V.E. RESIDENTIAL PROGRAM (16)	0	0	0	0	0	0	0	0	2	2
	L.I.F.E. RESIDENTIAL PROGRAM (16)	0	0	0	1	0	0	0	0	0	1
	Total CAMERON County	0	0	0	8	0	1	0	10	2	21
COLLIN	JOHN R. ROACH JUVENILE DETENTION CENTER (144)	0	0	0	5	0	0	0	8	0	13
	Total COLLIN County	0	0	0	5	0	0	0	8	0	13
DALLAS	DALLAS COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	0	0	1	0	0	0	0	0	1
	DALLAS COUNTY YOUTH VILLAGE (72)	3	0	0	6	0	1	0	1	0	11
	DR. JEROME MCNEIL JR. DETENTION CENTER (322)	1	1	3	65	0	27	2	29	1	129
	LETOT CENTER (40)	3	1	0	6	0	9	1	9	0	29
	LETOT RESIDENTIAL TREATMENT CENTER (96)	1	0	0	1	0	3	2	2	0	9
	LYLE B. MEDLOCK TREATMENT FACILITY (96)	1	0	0	0	1	0	0	1	0	3
	MARZELLE HILL TRANSITION CENTER (48)	1	0	0	10	0	4	0	0	1	16
	Total DALLAS County	10	2	3	89	1	44	5	42	2	198
	DENTON COUNTY JUVENILE DETENTION CENTER (128)	1	0	0	47	0	1	0	4	0	53
DENTON COUNTY SECURE CORRECTIONAL FACILITY (128)	0	0	0	6	0	0	0	0	0	6	
Total DENTON County	1	0	0	53	0	1	0	4	0	59	
ECTOR	ECTOR COUNTY YOUTH CENTER (21)	1	0	0	30	0	0	0	3	0	34
	Total ECTOR County	1	0	0	30	0	0	0	3	0	34
EL PASO	EL PASO COUNTY JJAEP (N/A)	0	0	0	0	0	1	0	0	0	1
	EL PASO COUNTY JUVENILE DETENTION CENTER (62)	0	0	0	0	0	1	0	1	0	2
	EL PASO COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	1	0	0	0	0	0	0	0	1
	SAMUEL F. SANTANA CHALLENGE PROGRAM (48)	0	1	0	0	0	1	0	0	0	2
	Total EL PASO County	0	2	0	0	0	3	0	1	0	6
ELLIS	ELLIS COUNTY SHORT-TERM DETENTION FACILITY (8)	0	0	0	1	0	0	0	0	0	1
	Total ELLIS County	0	0	0	1	0	0	0	0	0	1
FORT BEND	FORT BEND COUNTY JJAEP (N/A)	0	0	0	0	0	0	0	1	0	1
	FORT BEND COUNTY JUVENILE DETENTION CENTER (80)	0	0	0	0	0	2	0	0	0	2
	FORT BEND COUNTY JUVENILE LEADERSHIP ACADEMY - SEC (22)	0	0	0	0	0	1	0	1	0	2
	Total FORT BEND County	0	0	0	0	0	3	0	2	0	5
GALVESTON	JERRY J. ESMOND JUVENILE JUSTICE CENTER (10)	0	0	0	1	0	0	0	1	1	3
	Total GALVESTON County	0	0	0	1	0	0	0	1	1	3
GARZA	GARZA COUNTY REGIONAL JUVENILE CENTER (96)	0	0	0	7	2	0	0	1	0	10
	Total GARZA County	0	0	0	7	2	0	0	1	0	10
GRAYSON	COOKE, FANNIN AND GRAYSON COUNTY DETENTION CENTER (30)	1	0	0	2	0	0	0	4	0	7
	GRAYSON COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	0	0	0	0	1	0	0	0	1
	GRAYSON COUNTY POST-ADJUDICATION FACILITY (85)	0	0	0	0	0	0	0	1	0	1
	TEXAS MONARCH ACADEMY FOR GIRLS (N/A)	1	0	0	0	0	0	0	2	0	3
	Total GRAYSON County	2	0	0	2	0	1	0	7	0	12
GUADALUPE	GUADALUPE COUNTY JUVENILE DETENTION CENTER (39)	0	2	0	0	0	0	0	1	0	3
	Total GUADALUPE County	0	2	0	0	0	0	0	1	0	3
HARRIS	HARRIS COUNTY JJAEP (N/A)	0	0	0	1	0	0	1	0	0	2
	HARRIS COUNTY JUVENILE JUSTICE CENTER (250)	6	1	3	11	1	8	2	23	0	55
	HARRIS COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	2	0	0	1	0	2	0	1	0	6
	HARRIS COUNTY YOUTH VILLAGE (128)	4	1	0	7	0	9	0	12	0	33
	LEADERSHIP ACADEMY (96)	2	0	0	22	0	1	0	5	0	30
	South Campus (N/A)	1	0	0	0	0	0	0	0	0	1
	Total HARRIS County	15	2	3	42	1	20	3	41	0	127
HARRISON	WILLOUGHBY JUVENILE SERVICES (26)	1	0	0	0	0	1	1	1	0	4
	Total HARRISON County	1	0	0	0	0	1	1	1	0	4
HAYS	HAYS COUNTY JUVENILE POST-DETENTION CENTER (114)	1	1	0	9	0	2	0	2	0	15
	HAYS COUNTY JUVENILE PRE-DETENTION CENTER (34)	2	0	0	4	0	3	0	4	0	13
	Total HAYS County	3	1	0	13	0	5	0	6	0	28
HENDERSON	HENDERSON COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	0	0	0	1	0	0	0	0	1
	Total HENDERSON County	0	0	0	0	1	0	0	0	0	1
HIDALGO	JUDGE MARIO E. RAMIREZ JR. JUVENILE JUSTICE CENTER (96)	0	0	0	7	0	0	0	7	0	14
	Total HIDALGO County	0	0	0	7	0	0	0	7	0	14
HOOD	LAKE GRANBURY YOUTH SERVICES (96)	1	0	0	12	0	0	0	6	0	19
	Total HOOD County	1	0	0	12	0	0	0	6	0	19
KARNES	KARNES/WILSON COUNTY JJAEP (N/A)	0	0	0	0	0	1	0	0	0	1
	Total KARNES County	0	0	0	0	0	1	0	0	0	1
LUBBOCK	LUBBOCK COUNTY JUVENILE JUSTICE CENTER (49)	2	0	0	12	0	0	0	1	0	15
	Total LUBBOCK County	2	0	0	12	0	0	0	1	0	15
MCLENNAN	BILL LOGUE JUVENILE JUSTICE CENTER (80)	0	0	0	2	0	1	0	2	0	5
	MCLENNAN COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	0	0	0	0	0	0	1	0	1
	Total MCLENNAN County	0	0	0	2	0	1	0	3	0	6
MIDLAND	BARBARA CULVER JUVENILE DETENTION CENTER (28)	1	0	0	0	0	0	0	0	0	1
	Total MIDLAND County	1	0	0	0	0	0	0	0	0	1
MILAM	ROCKDALE REGIONAL JUVENILE JUSTICE CENTER (N/A)	0	0	0	1	0	2	0	0	0	3
	THE CENTER FOR SUCCESS AND INDEPENDENCE ROCKDALE A (41)	0	0	1	7	0	1	0	4	0	13
	Total MILAM County	0	0	1	8	0	3	0	4	0	16
MONTGOMERY	MONTGOMERY COUNTY JJAEP (N/A)	0	0	0	0	0	1	0	0	0	1
	MONTGOMERY COUNTY JUVENILE DETENTION CENTER (85)	0	0	0	0	0	10	0	5	0	15
	Total MONTGOMERY County	0	0	0	0	0	11	0	5	0	16
NUECES	NUECES COUNTY JUVENILE JUSTICE CENTER/OVERFLOW (60)	0	0	0	0	0	3	0	1	0	4
	ROBERT N. BARNES REGIONAL JUVENILE FACILITY (96)	0	0	0	4	0	0	0	0	0	4
	Total NUECES County	0	0	0	4	0	3	0	1	0	8
RANDALL	RANDALL COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	0	0	0	1	0	1	0	0	2
	THE YOUTH CENTER OF THE HIGH PLAINS (48)	0	0	0	27	0	3	4	2	0	36
	Total RANDALL County	0	0	0	27	1	3	5	2	0	38
ROCKWALL	ROCKWALL COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	0	0	0	0	0	1	0	0	1
	Total ROCKWALL County	0	0	0	0	0	0	1	0	0	1
SAN PATRICIO	SAN PATRICIO COUNTY JUVENILE DETENTION CENTER (20)	0	0	0	0	0	1	0	2	0	3
	Total SAN PATRICIO County	0	0	0	0	0	1	0	2	0	3
SMITH	H.O.P.E. ACADEMY (69)	1	0	0	0	0	0	0	0	0	1
	SMITH COUNTY JUVENILE DETENTION CENTER (69)	1	0	0	3	0	0	0	0	0	4
	Total SMITH County	2	0	0	3	0	0	0	0	0	5
TARRANT	LYNN W. ROSS JUVENILE DETENTION CENTER (120)	7	0	4	82	0	0	1	9	1	104
	TARRANT COUNTY JJAEP (N/A)	0	0	0	0	0	1	0	0	0	1
	Total TARRANT County	7	0	4	82	0	1	1			

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ANE Investigations by County and Facility*		Neglect - Supervisory	Physical Abuse - Mechanical Restraint	Physical Abuse - Non-Restraint	Physical Abuse - Physical Restraint	Serious Physical Abuse	Sexual Abuse - Non-Contact	Total
BEXAR	BEXAR COUNTY JUVENILE DETENTION CENTER (278)	1	0	3	9	3	0	16
	CYNDI TAYLOR KRIER JUVENILE CORRECTIONAL TREATMENT (96)	1	0	4	3	0	1	9
	Total BEXAR County	2	0	7	12	3	1	25
BROWN	THE OAKS BROWNWOOD (113)	2	1	0	1	0	0	4
	Total BROWN County	2	1	0	1	0	0	4
DALLAS	DALLAS COUNTY YOUTH VILLAGE (72)	0	0	0	2	1	0	3
	DR. JEROME MCNEIL JR. DETENTION CENTER (322)	1	0	0	0	0	0	1
	LETOT CENTER (40)	0	0	0	1	2	0	3
	LETOT RESIDENTIAL TREATMENT CENTER (96)	0	0	1	1	0	0	2
	LYLE B. MEDLOCK TREATMENT FACILITY (96)	0	0	0	1	0	0	1
	MARZELLE HILL TRANSITION CENTER (48)	0	0	0	3	0	0	3
	Total DALLAS County	1	0	1	8	3	0	13
DENTON	DENTON COUNTY JUVENILE DETENTION CENTER (128)	0	0	0	1	0	0	1
	Total DENTON County	0	0	0	1	0	0	1
ECTOR	ECTOR COUNTY YOUTH CENTER (21)	0	0	0	2	0	0	2
	Total ECTOR County	0	0	0	2	0	0	2
GRAYSON	GRAYSON COUNTY POST-ADJUDICATION FACILITY (85)	0	0	0	0	0	1	1
	TEXAS MONARCH ACADEMY FOR GIRLS (N/A)	1	0	0	0	0	0	1
	Total GRAYSON County	1	0	0	0	0	1	2
HARRIS	HARRIS COUNTY JUVENILE JUSTICE CENTER (250)	0	0	4	4	2	0	10
	HARRIS COUNTY YOUTH VILLAGE (128)	0	0	2	2	0	0	4
	LEADERSHIP ACADEMY (96)	0	0	1	2	0	0	3
	South Campus (N/A)	0	0	1	0	0	0	1
	Total HARRIS County	0	0	8	8	2	0	18
HARRISON	WILLOUGHBY JUVENILE SERVICES (26)	0	0	0	1	0	0	1
	Total HARRISON County	0	0	0	1	0	0	1
HAYS	HAYS COUNTY JUVENILE POST-DETENTION CENTER (114)	0	0	0	1	0	0	1
	HAYS COUNTY JUVENILE PRE-DETENTION CENTER (34)	1	0	0	1	0	0	2
	Total HAYS County	1	0	0	2	0	0	3
HOOD	LAKE GRANBURY YOUTH SERVICES (96)	0	0	0	0	0	1	1
	Total HOOD County	0	0	0	0	0	1	1
LUBBOCK	LUBBOCK COUNTY JUVENILE JUSTICE CENTER (49)	0	3	0	0	0	0	3
	Total LUBBOCK County	0	3	0	0	0	0	3
MIDLAND	BARBARA CULVER JUVENILE DETENTION CENTER (28)	0	0	0	0	0	1	1
	Total MIDLAND County	0	0	0	0	0	1	1
SMITH	H.O.P.E. ACADEMY (69)	2	0	0	0	0	0	2
	SMITH COUNTY JUVENILE DETENTION CENTER (69)	0	0	2	0	0	0	2
	Total SMITH County	2	0	2	0	0	0	4
TARRANT	LYNN W. ROSS JUVENILE DETENTION CENTER (120)	0	0	2	5	1	0	8
	Total TARRANT County	0	0	2	5	1	0	8
TOM GREEN	TOM GREEN COUNTY JUVENILE DETENTION CENTER (25)	3	0	0	0	0	0	3
	Total TOM GREEN County	3	0	0	0	0	0	3
TRAVIS	GARDNER-BETTS JUVENILE JUSTICE CENTER (120)	0	0	0	1	0	0	1
	MEURER INTERMEDIATE SANCTIONS CENTER (118)	0	0	1	2	0	0	3
	Total TRAVIS County	0	0	1	3	0	0	4
WILLIAMSON	WILLIAMSON COUNTY CORE RESIDENTIAL TREATMENT PROGR (55)	1	0	0	0	0	1	2
	Total WILLIAMSON County	1	0	0	0	0	1	2
Total Statewide		13	4	21	43	9	5	95

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Serious Incidents by County and Facility*		Attempted Escape	Attempted Suicide	Escape	Escape-Furlough	Reportable Injury	Serious Injury	Youth On Youth Assault - Physical	Youth on Youth Sexual Conduct	Total
BELL	BELL COUNTY JUVENILE SERVICES CENTER (35)	0	0	0	0	0	0	0	1	1
	Total BELL County	0	0	0	0	0	0	0	1	1
BEXAR	BEXAR COUNTY JUVENILE DETENTION CENTER (278)	0	1	0	0	3	0	0	11	15
	CYNDI TAYLOR KRIER JUVENILE CORRECTIONAL TREATMENT (96)	0	4	0	0	1	0	0	11	16
	Total BEXAR County	0	5	0	0	4	0	0	22	31
BRAZOS	R. J. HOLMGREEN JUVENILE JUSTICE CENTER (48)	0	0	0	0	0	0	1	0	1
	Total BRAZOS County	0	0	0	0	0	0	1	0	1
BROWN	THE OAKS BROWNWOOD (113)	1	0	1	0	2	0	0	5	9
	Total BROWN County	1	0	1	0	2	0	0	5	9
CAMERON	AMADOR R RODRIGUEZ BOOT CAMP & EDUCATIONAL CENTER (32)	0	0	0	2	0	0	0	0	2
	DARRELL B. HESTER JUVENILE JUSTICE CENTER (61)	0	7	0	0	0	0	1	0	8
	Total CAMERON County	0	7	0	2	0	0	1	0	10
COLLIN	JOHN R. ROACH JUVENILE DETENTION CENTER (144)	0	3	0	0	1	0	0	4	8
	Total COLLIN County	0	3	0	0	1	0	0	4	8
DALLAS	DALLAS COUNTY YOUTH VILLAGE (72)	0	0	0	0	1	0	0	0	1
	DR. JEROME MCNEIL JR. DETENTION CENTER (322)	0	21	0	0	1	0	2	5	29
	LETOT CENTER (40)	1	0	1	3	0	0	0	4	9
	LETOT RESIDENTIAL TREATMENT CENTER (96)	0	0	0	2	0	0	0	0	2
	LYLE B. MEDLOCK TREATMENT FACILITY (96)	0	0	0	0	1	0	0	0	1
	Total DALLAS County	1	21	1	5	3	0	2	9	42
DENTON	DENTON COUNTY JUVENILE DETENTION CENTER (128)	0	1	0	0	0	0	1	2	4
	Total DENTON County	0	1	0	0	0	0	1	2	4
ECTOR	ECTOR COUNTY YOUTH CENTER (21)	1	1	0	0	0	0	0	1	3
	Total ECTOR County	1	1	0	0	0	0	0	1	3
EL PASO	EL PASO COUNTY JUVENILE DETENTION CENTER (62)	0	0	0	0	0	0	1	0	1
	Total EL PASO County	0	0	0	0	0	0	1	0	1
FORT BEND	FORT BEND COUNTY JJAEP (N/A)	0	0	0	0	1	0	0	0	1
	FORT BEND COUNTY JUVENILE LEADERSHIP ACADEMY - SEC (22)	0	0	1	0	0	0	0	0	1
	Total FORT BEND County	0	0	1	0	1	0	0	0	2
GALVESTON	JERRY J. ESMOND JUVENILE JUSTICE CENTER (10)	0	0	0	0	0	0	0	1	1
	Total GALVESTON County	0	0	0	0	0	0	0	1	1
GARZA	GARZA COUNTY REGIONAL JUVENILE CENTER (96)	0	0	0	0	0	0	0	1	1
	Total GARZA County	0	0	0	0	0	0	0	1	1
GRAYSON	COOKE, FANNIN AND GRAYSON COUNTY DETENTION CENTER (30)	0	0	0	0	2	0	0	2	4
	GRAYSON COUNTY POST-ADJUDICATION FACILITY (85)	0	0	0	0	1	0	0	0	1
	TEXAS MONARCH ACADEMY FOR GIRLS (N/A)	1	0	1	0	0	0	0	0	2
	Total GRAYSON County	1	0	1	0	3	0	0	2	7
GUADALUPE	GUADALUPE COUNTY JUVENILE DETENTION CENTER (39)	0	0	0	0	1	0	0	0	1
	Total GUADALUPE County	0	0	0	0	1	0	0	0	1
HARRIS	HARRIS COUNTY JUVENILE JUSTICE CENTER (250)	0	17	0	0	2	0	4	0	23
	HARRIS COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	0	0	0	0	0	1	0	1
	HARRIS COUNTY YOUTH VILLAGE (128)	3	1	1	1	1	0	2	3	12
	LEADERSHIP ACADEMY (96)	0	2	0	0	1	0	2	0	5
	Total HARRIS County	3	20	1	1	4	0	9	3	41
HARRISON	WILLOUGHBY JUVENILE SERVICES (26)	0	1	0	0	0	0	0	0	1
	Total HARRISON County	0	1	0	0	0	0	0	0	1
HAYS	HAYS COUNTY JUVENILE POST-DETENTION CENTER (114)	1	0	0	0	0	0	0	1	2
	HAYS COUNTY JUVENILE PRE-DETENTION CENTER (34)	1	2	1	0	0	0	0	0	4
	Total HAYS County	2	2	1	0	0	0	0	1	6
HIDALGO	JUDGE MARIO E. RAMIREZ JR. JUVENILE JUSTICE CENTER (96)	0	0	0	0	0	0	0	7	7
	Total HIDALGO County	0	0	0	0	0	0	0	7	7
HOOD	LAKE GRANBURY YOUTH SERVICES (96)	0	0	0	0	0	0	0	6	6
	Total HOOD County	0	0	0	0	0	0	0	6	6
LUBBOCK	LUBBOCK COUNTY JUVENILE JUSTICE CENTER (48)	0	1	0	0	0	0	0	0	1
	Total LUBBOCK County	0	1	0	0	0	0	0	0	1
MCLENNAN	BILL LOGUE JUVENILE JUSTICE CENTER (80)	0	2	0	0	0	0	0	0	2
	MCLENNAN COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	1	0	0	0	0	0	0	1
	Total MCLENNAN County	0	3	0	0	0	0	0	0	3
MILAM	THE CENTER FOR SUCCESS AND INDEPENDENCE ROCKDALE A (65)	0	0	0	0	2	0	2	0	4
	Total MILAM County	0	0	0	0	2	0	2	0	4
MONTGOMERY	MONTGOMERY COUNTY JUVENILE DETENTION CENTER (85)	0	2	0	0	0	0	1	2	5
	Total MONTGOMERY County	0	2	0	0	0	0	1	2	5
NUECES	NUECES COUNTY JUVENILE JUSTICE CENTER/OVERFLOW (60)	0	1	0	0	0	0	0	0	1
	Total NUECES County	0	1	0	0	0	0	0	0	1
RANDALL	THE YOUTH CENTER OF THE HIGH PLAINS (48)	0	0	0	0	0	0	0	2	2
	Total RANDALL County	0	0	0	0	0	0	0	2	2
SAN PATRICIO	SAN PATRICIO COUNTY JUVENILE DETENTION CENTER (20)	0	1	0	0	0	0	0	1	2
	Total SAN PATRICIO County	0	1	0	0	0	0	0	1	2
TARRANT	LYNN W. ROSS JUVENILE DETENTION CENTER (120)	0	0	0	0	0	0	0	9	9
	Total TARRANT County	0	0	0	0	0	0	0	9	9
TAYLOR	TAYLOR COUNTY JUVENILE DETENTION CENTER (22)	0	1	0	0	0	1	0	0	2
	Total TAYLOR County	0	1	0	0	0	1	0	0	2
TRAVIS	GARDNER-BETTS JUVENILE JUSTICE CENTER (120)	0	2	0	0	0	0	0	2	4
	MEURER INTERMEDIATE SANCTIONS CENTER (118)	0	0	0	0	0	0	0	1	1
	TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	1	0	0	0	0	0	1	2
	Total TRAVIS County	0	3	0	0	0	0	0	4	7
VICTORIA	VICTORIA COUNTY JUVENILE JUSTICE CENTER (72)	0	1	0	0	0	0	1	0	2
	Total VICTORIA County	0	1	0	0	0	0	1	0	2
WICHITA	JUDGE ARTHUR R. TIPPS JUVENILE JUSTICE CENTER (32)	0	0	0	0	1	0	0	0	1
	Total WICHITA County	0	0	0	0	1	0	0	0	1
WILLIAMSON	WILLIAMSON COUNTY CORE RESIDENTIAL TREATMENT PROGR (55)	0	0	0	0	0	0	0	1	1
	Total WILLIAMSON County	0	0	0	0	0	0	0	1	1
WILSON	WILSON COUNTY JUVENILE PROBATION DEPARTMENT (N/A)	0	0	0	0	1	0	0	0	1
	Total WILSON County	0	0	0	0	1	0	0	0	1
Total Statewide		9	74	6	8	23	1	19	84	224

Texas Juvenile Justice Department
Office of the Inspector General
Administrative Investigations - County
Q2FY20



ANE Investigations by County, Complaint, and TJJD Disposition Action*

		Already Investigated By TJPC	Confirmed	Unable To Determine	Unfounded	Total	
BEXAR	BEXAR COUNTY JUVENILE DETENTION CENTER (278)	Neglect-Related	0	1	0	0	1
		Physical Abuse-Related	0	1	0	6	7
		Sexual Abuse-Related	0	0	0	3	3
	CYNDI TAYLOR KRIER JUVENILE CORRECTIONAL TREATMENT (96)	Neglect-Related	0	1	0	0	1
		Physical Abuse-Related	0	2	0	5	7
		Sexual Abuse-Related	0	1	0	0	1
Total BEXAR County		0	6	0	14	20	
BROWN	THE OAKS BROWNWOOD (113)	Neglect-Related	0	2	0	0	2
		Physical Abuse-Related	0	0	0	2	2
	Total BROWN County		0	2	0	2	4
DALLAS	DALLAS COUNTY YOUTH VILLAGE (72)	Physical Abuse-Related	1	0	0	1	2
		Sexual Abuse-Related	0	0	0	1	1
	DR. JEROME MCNEIL JR. DETENTION CENTER (322)	Neglect-Related	0	1	0	0	1
		Physical Abuse-Related	0	0	0	1	1
	LETOT CENTER (40)	Sexual Abuse-Related	0	0	2	0	2
	LETOT RESIDENTIAL TREATMENT CENTER (96)	Physical Abuse-Related	0	1	0	0	1
	LYLE B. MEDLOCK TREATMENT FACILITY (96)	Physical Abuse-Related	0	0	0	0	0
	MARZELLE HILL TRANSITION CENTER (48)	Physical Abuse-Related	0	0	0	3	3
Total DALLAS County		1	2	2	6	11	
DENTON	DENTON COUNTY JUVENILE DETENTION CENTER (128)	Physical Abuse-Related	0	0	0	1	1
	Total DENTON County		0	0	0	1	1
ECTOR	ECTOR COUNTY YOUTH CENTER (21)	Physical Abuse-Related	0	0	0	2	2
	Total ECTOR County		0	0	0	2	2
GRAYSON	GRAYSON COUNTY POST-ADJUDICATION FACILITY (85)	Sexual Abuse-Related	0	0	1	0	1
	TEXAS MONARCH ACADEMY FOR GIRLS (N/A)	Neglect-Related	0	0	0	0	0
	Total GRAYSON County		0	0	1	0	1
HARRIS	HARRIS COUNTY JUVENILE JUSTICE CENTER (250)	Physical Abuse-Related	0	1	0	4	5
		Sexual Abuse-Related	0	0	2	0	2
	HARRIS COUNTY YOUTH VILLAGE (128)	Physical Abuse-Related	0	0	0	0	0
	LEADERSHIP ACADEMY (96)	Physical Abuse-Related	0	0	0	3	3
	South Campus (N/A)	Physical Abuse-Related	0	0	0	0	0
Total HARRIS County		0	1	2	7	10	
HARRISON	WILLOUGHBY JUVENILE SERVICES (26)	Physical Abuse-Related	0	0	0	0	0
	Total HARRISON County		0	0	0	0	0
HAYS	HAYS COUNTY JUVENILE POST-DETENTION CENTER (114)	Physical Abuse-Related	0	1	0	0	1
	HAYS COUNTY JUVENILE PRE-DETENTION CENTER (34)	Neglect-Related	0	0	0	1	1
		Physical Abuse-Related	0	0	0	1	1
Total HAYS County		0	1	0	2	3	
HOOD	LAKE GRANBURY YOUTH SERVICES (96)	Sexual Abuse-Related	0	0	0	0	0
	Total HOOD County		0	0	0	0	0
LUBBOCK	LUBBOCK COUNTY JUVENILE JUSTICE CENTER (49)	Physical Abuse-Related	0	0	0	3	3
	Total LUBBOCK County		0	0	0	3	3
MIDLAND	BARBARA CULVER JUVENILE DETENTION CENTER (28)	Sexual Abuse-Related	0	0	0	1	1
	Total MIDLAND County		0	0	0	1	1
SMITH	H.O.P.E. ACADEMY (69)	Neglect-Related	0	0	0	0	0
	SMITH COUNTY JUVENILE DETENTION CENTER (69)	Physical Abuse-Related	0	0	0	0	0
	Total SMITH County		0	0	0	0	0
TARRANT	LYNN W. ROSS JUVENILE DETENTION CENTER (120)	Physical Abuse-Related	0	0	1	2	3
		Sexual Abuse-Related	0	0	0	1	1
	Total TARRANT County		0	0	1	3	4
TOM GREEN	TOM GREEN COUNTY JUVENILE DETENTION CENTER (25)	Neglect-Related	0	3	0	0	3
	Total TOM GREEN County		0	3	0	0	3
TRAVIS	GARDNER-BETTS JUVENILE JUSTICE CENTER (120)	Physical Abuse-Related	0	0	0	0	0
	MEURER INTERMEDIATE SANCTIONS CENTER (118)	Physical Abuse-Related	0	1	0	2	3
	Total TRAVIS County		0	1	0	2	3
WILLIAMSON	WILLIAMSON COUNTY CORE RESIDENTIAL TREATMENT PROGR (55)	Neglect-Related	0	1	0	0	1
		Sexual Abuse-Related	0	1	0	0	1
	Total WILLIAMSON County		0	2	0	0	2
Total Statewide		1	18	6	43	68	

Texas Juvenile Justice Department

Office of the Inspector General Administrative Investigations - County

Q2FY20



ANE Investigations by County, Complaint, and Local Disposition Action*

			None	Reprimanded	Resigned	Re-trained	Terminated	Total
BEXAR	BEXAR COUNTY JUVENILE DETENTION CENTER (278)	Neglect-Related	0	1	0	0	0	1
		Physical Abuse-Related	6	0	1	0	0	7
		Sexual Abuse-Related	3	0	0	0	0	3
	CYNDI TAYLOR KRIER JUVENILE CORRECTIONAL TREATMENT (96)	Neglect-Related	0	0	1	0	0	1
		Physical Abuse-Related	7	0	0	0	0	7
		Sexual Abuse-Related	0	0	0	0	1	1
Total BEXAR County			16	1	2	0	1	20
BROWN	THE OAKS BROWNWOOD (113)	Neglect-Related	1	0	0	0	1	2
		Physical Abuse-Related	1	1	0	0	0	2
	Total BROWN County			2	1	0	0	1
DALLAS	DALLAS COUNTY YOUTH VILLAGE (72)	Physical Abuse-Related	2	0	0	0	0	2
		Sexual Abuse-Related	1	0	0	0	0	1
	DR. JEROME MCNEIL JR. DETENTION CENTER (322)	Neglect-Related	0	0	0	1	0	1
	LETOT CENTER (40)	Physical Abuse-Related	1	0	0	0	0	1
		Sexual Abuse-Related	2	0	0	0	0	2
	LETOT RESIDENTIAL TREATMENT CENTER (96)	Physical Abuse-Related	0	0	1	0	0	1
	LYLE B. MEDLOCK TREATMENT FACILITY (96)	Physical Abuse-Related	0	0	0	0	0	0
	MARZELLE HILL TRANSITION CENTER (48)	Physical Abuse-Related	3	0	0	0	0	3
	Total DALLAS County			9	0	1	1	0
DENTON	DENTON COUNTY JUVENILE DETENTION CENTER (128)	Physical Abuse-Related	1	0	0	0	0	1
	Total DENTON County			1	0	0	0	0
ECTOR	ECTOR COUNTY YOUTH CENTER (21)	Physical Abuse-Related	2	0	0	0	0	2
	Total ECTOR County			2	0	0	0	0
GRAYSON	GRAYSON COUNTY POST-ADJUDICATION FACILITY (85)	Sexual Abuse-Related	0	0	0	0	1	1
	TEXAS MONARCH ACADEMY FOR GIRLS (N/A)	Neglect-Related	0	0	0	0	0	0
	Total GRAYSON County			0	0	0	0	1
HARRIS	HARRIS COUNTY JUVENILE JUSTICE CENTER (250)	Physical Abuse-Related	4	1	0	0	0	5
		Sexual Abuse-Related	0	0	0	2	0	2
	HARRIS COUNTY YOUTH VILLAGE (128)	Physical Abuse-Related	0	0	0	0	0	0
	LEADERSHIP ACADEMY (96)	Physical Abuse-Related	2	0	0	1	0	3
	South Campus (N/A)	Physical Abuse-Related	0	0	0	0	0	0
	Total HARRIS County			6	1	0	3	0
HARRISON	WILLOUGHBY JUVENILE SERVICES (26)	Physical Abuse-Related	0	0	0	0	1	1
	Total HARRISON County			0	0	0	0	1
HAYS	HAYS COUNTY JUVENILE POST-DETENTION CENTER (114)	Physical Abuse-Related	0	1	0	0	0	1
		Neglect-Related	0	0	0	1	0	1
	HAYS COUNTY JUVENILE PRE-DETENTION CENTER (34)	Physical Abuse-Related	1	0	0	0	0	1
		Total HAYS County			1	1	0	1
HOOD	LAKE GRANBURY YOUTH SERVICES (96)	Sexual Abuse-Related	0	0	0	0	0	0
	Total HOOD County			0	0	0	0	0
LUBBOCK	LUBBOCK COUNTY JUVENILE JUSTICE CENTER (49)	Physical Abuse-Related	3	0	0	0	0	3
	Total LUBBOCK County			3	0	0	0	0
MIDLAND	BARBARA CULVER JUVENILE DETENTION CENTER (28)	Sexual Abuse-Related	1	0	0	0	0	1
	Total MIDLAND County			1	0	0	0	0
SMITH	H.O.P.E. ACADEMY (69)	Neglect-Related	0	0	0	0	1	1
	SMITH COUNTY JUVENILE DETENTION CENTER (69)	Physical Abuse-Related	0	0	0	0	0	0
	Total SMITH County			0	0	0	0	1
TARRANT	LYNN W. ROSS JUVENILE DETENTION CENTER (120)	Physical Abuse-Related	4	0	0	0	0	4
		Sexual Abuse-Related	1	0	0	0	0	1
	Total TARRANT County			5	0	0	0	0
TOM GREEN	TOM GREEN COUNTY JUVENILE DETENTION CENTER (25)	Neglect-Related	0	0	0	3	0	3
	Total TOM GREEN County			0	0	0	3	0
TRAVIS	GARDNER-BETTS JUVENILE JUSTICE CENTER (120)	Physical Abuse-Related	0	0	0	0	0	0
	MEURER INTERMEDIATE SANCTIONS CENTER (118)	Physical Abuse-Related	2	1	0	0	0	3
	Total TRAVIS County			2	1	0	0	0
WILLIAMSON	WILLIAMSON COUNTY CORE RESIDENTIAL TREATMENT PROGR (55)	Neglect-Related	0	0	0	0	1	1
		Sexual Abuse-Related	0	0	0	0	1	1
	Total WILLIAMSON County			0	0	0	0	2
Total Statewide			48	5	3	8	7	71



TEXAS
JUVENILE JUSTICE
DEPARTMENT

Memorandum

To: TJJJ Board Members

From: Camille Cain, Executive Director
Emily Anderson, Chief Financial Officer

Subject: Acknowledgement of Gifts

Date: May 1, 2020

Texas Government Code, Chapter 575, provides that a state agency that has a governing board may accept a gift with an actual or estimated value of \$500 or more only if the agency has the authority to accept the gift, and a majority of the board acknowledges the acceptance of the gift in an open meeting no later than the 90th day after the date the gift is accepted. The Government Code also provides that a state agency may not accept a gift from a person who is a party to a contested case before the agency. TJJJ policy GAP.385.8170 (Acceptance of Gifts of \$500 or more) implements these provisions.

- The Valley View United Methodist Church donated \$500 toward the purchase of clothes for the Gainesville State School clothes closet.

Staff recommends acknowledgement of these gifts pursuant to the provisions of the Government Code and TJJJ policy. Following the Board's approval, a letter will be sent to Reverend Murray of the Valley View United Methodist Church to notify him of the acknowledgement and to express appreciation for their support of the Texas Juvenile Justice Department.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVAL TO ACKNOWLEDGE THE ACCEPTANCE OF GIFTS FOR THE TEXAS JUVENILE JUSTICE DEPARTMENT

On this **1st day of May 2020**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Stephanie Moreno					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Motion:		Second:			

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

WHEREAS, the Texas Government Code requires a majority of the Board to acknowledge, in an open meeting, gifts with an actual, or estimated, value of \$500 or more; and

WHEREAS, TJJD received \$500 from the Valley View United Methodist Church for the purchase of clothes for the Gainesville State School clothes closet.

NOW, THEREFORE BE IT RESOLVED THAT the Board authorizes the acknowledgement of the donation and formally accepts this generous gift in support of the Texas Juvenile Justice Department.

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

Signed this 1st day of May 2020.

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman



TEXAS
JUVENILE JUSTICE
DEPARTMENT

Memorandum

To: TJJJ Board Members

From: Camille Cain, Executive Director
Emily Anderson, Chief Financial Officer

Subject: Acknowledgement of Gifts

Date: May 1, 2020

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- The Volunteer Council of Texas Youth in San Antonio donated \$600 which will be used for activities and incentives for Ayres Halfway House youth.

Staff recommends acknowledgement of these gifts pursuant to the provisions of the Government Code and TJJJ policy. Following the Board's approval, a letter will be sent to Linda Tippins of the Volunteer Council for Texas Youth in San Antonio to notify her of the acknowledgement and to express appreciation for their support of the Texas Juvenile Justice Department.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVAL TO ACKNOWLEDGE THE ACCEPTANCE OF GIFTS FOR THE TEXAS JUVENILE JUSTICE DEPARTMENT

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Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Stephanie Moreno					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Motion:		Second:			

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

WHEREAS, the Texas Government Code requires a majority of the Board to acknowledge, in an open meeting, gifts with an actual, or estimated, value of \$500 or more; and

WHEREAS, TJD received \$600 from the Volunteer Council of Texas Youth in San Antonio for activities and incentives for the Ayres Halfway House youth.

NOW, THEREFORE BE IT RESOLVED THAT the Board authorizes the acknowledgement of the donation and formally accepts this generous gift in support of the Texas Juvenile Justice Department.

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

Signed this 1st day of May 2020.

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman



TEXAS
JUVENILE JUSTICE
DEPARTMENT

BOARD MEMBERS

*The Honorable Wes Ritchey, Chair
Dalhart, Texas*

*David "Scott" Matthew
Georgetown, Texas*

*The Honorable Lisa Jarrett
San Antonio, Texas*

*Edeska Barnes
Jasper, Texas*

*James Castro
Bergheim, Texas*

*Pama Hencerling
Victoria, Texas*

*Allison Palmer
San Angelo, Texas*

*Melissa Martin
Deer Park, Texas*

*Ann Lattimore
Cedar Park, Texas*

*Mona Lisa Chambers
Houston, Texas*

*James Smith
Midland, Texas*

*The Honorable Vincent Morales, Jr.
Fort Bend, Texas*

EXECUTIVE DIRECTOR

Camille Cain

Chief Auditor

Eleazar Garcia, CIA, CRMA

www.tjjd.texas.gov

Human Resources Audit

Project 20-5

May 2020

Internal Audit Mission

To enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight.

Internal Audit Team Members

Karen McCarther
Stephanie Clarkson
Rose Samudio, CIA
Stephanie Valdez, CGAP – Deputy Chief Auditor

For additional copies contact:

Texas Juvenile Justice Department
Office of Internal Audit
P.O. Box 12757
Austin, TX 78711
512-490-7190



Memorandum

To: TJJD Board Members
Camille Cain, Executive Director

From: Eleazar Garcia, Chief Auditor

Subject: Human Resources Audit 20-5

Date: May 1, 2020

Attached for your review and approval is our draft report on the internal audit of Human Resources. This is a limited scope audit and is part of the Fiscal Year 2020 Audit Plan.

The overall objective for this audit was to determine whether operations over employee leave benefits are functioning as intended. The scope included review of the Family Medical Leave Act (FMLA), management of the sick leave pool, administration of employee-to-employee sick leave donations, and leave reporting. The period for the audit covered July 1, 2018 through February 1, 2020. The audit work included testing related to the human resources policies and procedures for leave benefits.

Recommendations to strengthen controls and improve accountability were provided to management. Management concurs with the results of the work and responses to the recommendations are included at the end of the report. We appreciate the cooperation and assistance provided throughout the audit.

cc Executive Management

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DRAFT

EXECUTIVE SUMMARY

This report presents the results of the Texas Juvenile Justice Department's (TJJD) Human Resources audit, which is included in the fiscal year (FY) 2020 Audit Plan. The audit objective is to determine whether operations over employee leave benefits are functioning as intended.

Controls should be strengthened to ensure compliance with agency policies and procedures and to provide more effective practices.

- The review and approval process for Family Medical Leave Act (FMLA) leave should be formalized to ensure adherence to the Code of Federal Regulations.
- The employee to employee sick leave donation process should be formalized to ensure adherence to the Texas Government Code.
- The Sick Leave Pool should be managed to ensure availability of pool hours.
- External reporting on Investigation Leave should be completed as required.
- Access to CAPPs HR should be reviewed to ensure protection of employee records.

As part of the audit, additional information was provided to agency management in order to assist in their review and analysis of policies and procedures related to employee leave.

DRAFT – Do Not Release

BACKGROUND

The Texas Juvenile Justice Department's Human Resource division is provided guidance on administering leave benefits by various authoritative regulations including the Code of Federal Regulation-Title 29, the Family and Medical Leave Act (FMLA) of 1993, and the Texas Government Code. Leave benefits are mostly administered through Central Office, with assistance and coordination from the local facility human resource offices.

The overall objective of this audit is to determine whether operations over employee leave benefits are functioning as intended.

- Sub-objective 1: To determine if FMLA Leave is granted for the allowed timeframe and if required medical certification is obtained.
- Sub-objective 2: To determine if employee to employee donations of sick leave are administered in accordance with Texas Government Code.
- Sub-objective 3: To determine if the Sick Leave Pool is managed to ensure availability of pool hours.

The scope includes control and compliance tests related to employee FMLA, Sick Leave Pool, employee-to-employee sick leave donations, and extended leave. The period of review covers July 1, 2018 through February 1, 2020. Additional findings were identified in the planning phase related to external reporting requirements and CAPPs HR access. Information was also provided to management with the review of agency leave policies from other state agencies.

The methodologies used consist of researching laws and regulations, reviewing agency's policies and procedures, analyzing data and reports, identifying and collecting information, conducting interviews with management and staff in Central Office and at the secure facilities, assessing system and process controls, and evaluating test results.

This audit was conducted in conformance with the *International Standards for the Professional Practice of Internal Auditing* and *Generally Accepted Government Auditing Standards*. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. Furthermore, Internal Audit conforms to the independence requirements of the *Generally Accepted Government Auditing Standards* by reporting directly to the governing board and being free of operational responsibilities that would impair ability to make independent reviews of agency operations. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

RESULTS

Controls should be strengthened to ensure compliance with agency policies and procedures and to provide more effective practices.

The review and approval process for Family Medical Leave Act (FMLA) leave should be formalized to ensure adherence to the Code of Federal Regulations.

FMLA allows eligible employees to take paid or unpaid leave for up to 12 workweeks (480 hours) within a 12-month period for qualifying reasons. Eligible employees must have at least 12 months of total state service and must have physically worked 1,250 hours immediately prior to the beginning of FMLA leave. To be considered for approved FMLA leave, an employee must provide HR with medical certification to support the qualifying reason for leave, which can be related to the employee's own serious medical condition, or to care for a family member with a serious health condition.

- A. **FMLA leave coverage is approved for periods longer than the allowed 480 hours.** According to the Code of Federal Regulations, FMLA leave entitlement is limited to a total of 12 workweeks (480 hours) of leave during any 12-month period.
- 15 (30%) of 50 occurrences reviewed were documented in CAPPs over the allowed 480 hours of leave. The largest amount of FMLA taken for one occurrence (within a 12-month period) was 1808 hours. Six (40%) occurrences were over 900 hours of FMLA leave.
 - Human Resources approved 10 (67%) of 15 occurrences to exceed the 480 hours on the FMLA Designation form (HR-113a), and the remaining five (33%) were approved subsequent to the initial FMLA approval.
 - Per discussion and review, the FMLA return date on the initial designation form (HR-113a) is based on the provided medical certification, even if it exceeds the 480 hours of FMLA entitlement, which overstates the employees FMLA coverage.
 - The CAPPs HR system was recently updated to provide an internal control which will disallow entry of FMLA time beyond the approved return date; however, the return date is not always entered into CAPPs. Instead, a work around has been established to correct the time card after the employee has entered time to exceed 480 FMLA hours, even though the employee's FMLA Designation form approved FMLA for longer than the 480 hours.
- B. **Medical certification is not always provided to support the duration or extension of leave.** Per Code of Federal Regulations and agency policy, leave is approved based on medical certification and additional medical documentation is required for any time exceeding the initial authorized period once FMLA hours are exhausted.
- Of the 50 FMLA occurrences, six (12%) occurrences did not include the required doctor's medical certification to support the duration of leave. The longest duration of leave without approved medical documentation was 66 days. The average number of days without approved medical documentation was 39 days.

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- Per discussion with facility HR departments, timeframes are inconsistent for when additional medical documentation is obtained, and there is no formal approval for extended leave once FMLA is expired. Two employees reviewed took eight months of leave after their approved FMLA period, with approval only from their local HR department.
 - Because there is no agency policy on approving extended leave after FMLA has expired, one location altered an agency form to use for employees on leave beyond the approved FMLA period in order to notify the employee their leave is now under the sick leave policy, not FMLA.
 - Two (4%) of 50 occurrences had no FMLA documentation that could be located by Human Resources. Facility HR stated they were unable to locate any documentation for the two occurrences because FMLA documentation is maintained in boxes, not the employee file.
- C. **FMLA designations are not always timely and the approval process is informal.** The Code of Federal Regulations requires an employer to provide approval of FMLA designation within five days of obtaining required medical certifications.
- 32 (64%) of 50 occurrences did not have the initial FMLA designation within five days as required by the Code of Federal Regulations. The longest duration to complete the designation was 72 days from receipt of the medical certification. The average duration to complete designation was 25 days for those that were delayed.
 - Per discussion with local HR staff, delays in completing the designation were due to staffing shortages and recent turnover. HR staff stated employees are verbally told they can take FMLA leave before receiving the approved designation, and the employee frequently checks in with HR during their leave to ensure their paperwork has been approved.
 - One facility HR department stated FMLA approvals are frequently late and sometimes aren't completed until the employee has already returned from leave. At the time of discussion with this location, there were 15 employees on FMLA and seven (47%) did not have approved designations. One employee had been on leave for 66 days and the designation was not yet complete.
 - Agency policy does not indicate a timeframe for when FMLA designation must be made after receiving all required documentation.
 - The FMLA designation form does not have a section for HR signature authorizing approval.
 - Central Office stated they only verify eligibility and availability of hours and Facility HR departments approve FMLA locally; however, all facilities stated Central Office HR approves FMLA.
 - Agency policy does not formally dictate who is responsible for approving FMLA Leave.

The employee to employee sick leave donation process should be formalized to ensure adherence to the Texas Government Code.

Texas Government Code Chapter 661 authorizes qualifying state employees to transfer any amount of accrued sick leave hours to another qualifying employee within the same agency. While there are no

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agency policies on this process, the HR department has an informal process in which a written request is sent to Central Office HR for approval, and the donation is to be documented on an internal HR Sick Leave Donation Processing form. The processing form includes applicable information about the donor and recipient, and includes an approval/disapproval from the HR Director or designee.

- A. **Sick Leave donations are made by former employees.** According to the Texas Government Code, the donor must be a current employee of the same agency.
- Eight of 74 (11%) sick leave donations reviewed were made by former TJD staff who were not employed with the agency at time of donation.
 - For these eight former employees, donations were made on average 70 days after their date of separation from the agency. The max number of days between separation and donation was 216 days.
 - Per discussion, HR staff allows former employees to donate their sick leave hours if the employee did not donate their hours to the pool at separation or transfer the hours to another state agency.
 - CAPPs has a control to prevent donations from former employees if the donation is requested after separation and entered on the date of request; however, HR staff enter the donations on the date of separation instead of the date of request to avoid receiving a CAPPs error message.
- B. **Sick leave donations are made to recipients with available sick leave balances at the time of donation.** The Texas Government Code requires the receiving employee to exhaust their sick leave hours, including any time the employee is eligible to withdraw from the sick leave pool, prior to receiving donated sick leave hours.
- Thirty-six of 69 (52%) sick leave donations reviewed were made to recipients with sick leave balances (sick leave, sick leave pool, and/or sick leave donations). Of the 36 donations, 14 (39%) recipients had a balance of more than 40 hours at time of donation.
 - The Sick Leave Donation Processing Form requires HR to document the recipient's sick leave balance at the time of the review; however, sick Leave balances were blank on four (6%) approved donations.
 - Per discussion with HR, if an employee is retiring with sick leave hours, HR allows the employee to donate their hours to any employee, regardless if the recipient has a balance of sick leave.
- C. **Documentation is not consistently maintained for all processed donations.** For the 74 donations reviewed:
- Human Resources was unable to provide any documentation for five (7%) donations to support the donation was requested or approved.
 - The approval section on the Sick Leave Donation Processing Form was blank for ten (14%). In addition, two (20%) of these 10 did not have the accompanying donation request.
 - One (1%) of the 74 donations was disapproved by the HR Director; however, the donation was processed.

The Sick Leave Pool should be managed to ensure availability of pool hours.

Texas Government Code allows a state agency to establish a program for allowing agency employees to voluntarily transfer sick leave hours to a Sick Leave Pool. Eligible employees may request hours from the sick leave pool if they have exhausted their sick leave balance and have a catastrophic illness or injury. Texas Government Code states an employee may not withdraw time from the Sick Leave Pool in an amount that exceeds the lesser of 1/3 of the total time in the pool or 90 days (720 hrs.). Agency policy outlines stricter limitations on awarded hours by setting a maximum number of hours based on years of service with TJJJ. All transaction of hours to or from the Sick Leave Pool are recorded on an internal tracking Sick Leave Pool Log, which also tracks the Sick Leave Pool balance. At the time of the audit, the balance on the Sick Leave Pool Log was 632.50 hours less than the Sick Leave Pool balance in CAPPs. Additionally, the balance in CAPPs decreased by 11,682 hours between FY2018 and FY2019.

- A. **The total hours awarded to employees from the sick leave pool are more often based on longevity with the agency, not need.** Texas Government Code requires medical certification be provided along with a request to withdraw hours from the pool; however, the agency certification form does not include a duration of the illness/condition.
- Upon review of the 104 Sick Leave Pool awards, 79 (76%) awards were granted at the maximum increment based on service, including five (6%) employees granted 400 hours, and six (8%) granted 360 hours.
 - Policy allows employees to request a max number of hours based on their years of service with the agency, regardless of medical condition.
 - Upon discussion with HR, the employee identifies the number of requested hours on the request form and if they have a qualifying medical condition, meet all eligibility requirements, and have the appropriate number of years of service, the hours are awarded.
- B. **The frequency of Sick Pool awards allowed per person is inconsistent.** While agency policy outlines a max number of hours per award, there is no documented limit on the number of awards.
- Review of the Sick Leave Pool Log showed employees receiving multiple maximum awards on the same day for different conditions, or multiple awards within a two-week period.
 - The Log also shows employees denied pool hours due to a second request for the same condition, but other employees are approved multiple times for the same condition.
- C. **Unused Sick Leave Pool hours are not always returned to the pool.** Per agency policy, when the employee returns to work or no longer needs intermittent leave for medical purposes, the local Human Resources Office is required to notify Central Office of any unused hours to return back to the pool.
- Of the 25 employees reviewed with sick leave pool awards, 14 (56%) returned their unused hours to the pool as required. The 11 (44%) remaining employees did not take all of their awarded pool hours and the residual hours were not returned to the pool.

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- Eight (73%) employees did not utilize any of their awarded pool hours for six or more months from date of award. A total of 1,500 hours were unused/unreturned and the number of months of inactivity ranged from six to 18 months. Three (38%) of these employees were awarded hours more than a year ago and never used them.
- Three (27%) employees have not had inactivity greater than 6 months from date of award; and two of these employees used hours on a monthly basis since the date of the award which ranged from 10 to 19 months.

D. Donations and returns to the Sick Leave Pool are not always entered into CAPPs. All transactions to and from the Sick Leave Pool are recorded on a manual tracking log before they are entered into CAPPs. At the time of the audit, the balance on the Sick Leave Pool Log was 632.50 hours less than the Sick Leave Pool balance in CAPPs.

- Of the 115 employees reviewed with returned/donated Pool hours documented on the Sick Leave Pool Log, seven (6%) transactions (total of 603 hours) were not reported in CAPPs.
 - Five (72%) transactions were donations from employee at termination; however, the donation was not recorded in CAPPs timely. CAPPs deletes any unused hours after six months from termination date; therefore, hours were coded by CAPPs as “Sick Leave Lost-System”. A total of 344 hours were lost and not donated to the Pool as requested by the terminated employee.
 - One (14%) transaction of 203 hours was not returned to the pool as requested by the local HR department. At time of review, the employee timecard still showed a balance of 203 hours.
 - One (14%) transaction of 56 hours was entered in CAPPs as an Employee-to-Employee Sick Leave Donation, instead of a Pool Donation as requested by the terminated employee.
 - Upon being notified of discrepancies, HR Leave Coordinator was able to make the corrections within CAPPs and transferred all identified hours to the Pool.

External reporting on Investigation Leave should be completed as required.

Texas Government Code allows the administrative head of an agency to grant paid leave to an employee who is the subject of an investigation being conducted by the agency, or a victim or witness to an event under investigation. CAPPs HR utilizes timekeeping code “INLVT-Investigation Leave Taken” to record hours granted for this purpose. The Texas Government Code requires an agency to submit a quarterly report to the Legislative Budget Board and the State Auditor’s Office including the name of each employee who has been granted more than 168 hours of investigation leave during the quarter. The report must also include the reason the employee remains on leave.

Quarterly reports on investigation leave are not provided to the State Auditor’s Office and Legislative Budget Board as required.

- Of the eight employees who used Investigation Leave during the first quarter of FY2020, two (25%) used more than 168 hours, and should have been reported to the State Auditor’s Office and Legislative Budget Board.

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- The State Auditor’s Office stated they have not received any reports on Investigation Leave since the start of the requirement in FY2018.

Access to CAPPs HR should be reviewed to ensure protection of employee records.

The agency utilizes the Centralized Accounting and Payroll/Personnel System (CAPPs) to manage human resources functions including, hiring, payroll, time reporting, and employee records. All agency employees have self-service access to CAPPs HR to update their personal information and record time and leave; however, Human Resources staff have an elevated level of access which allows them to edit timecards, view and edit personnel records, adjust the sick leave pool, and increase employee leave balances as approved.

Access to CAPPs HR is not reviewed and knowledge of access levels and capabilities is limited.

- Of the 42 users with an elevated level of access to CAPPs HR (access other than self-service), one user (2%) had inappropriate access based on job function. This access level allows the user to review and edit all Human Resources related information for all TJJJ employees.
- Agency knowledge of CAPPs HR role capabilities is limited due to turnover in the IT and HR departments since the roll-out of CAPPs HR. Per discussion with IT, access is made based on the request by the user. Because IT and HR do not maintain a list of access levels and capabilities, access requests are based on mirroring access held by similar employee functions.

Assistance was provided to management with the review of agency leave policies.

At the start of the audit, executive management was in the process of reviewing and updating agency leave policies. As part of this audit, Auditors reviewed policies from other state agencies related to FMLA, Sick Leave Pool, and employee-to-employee sick leave donations. This information was provided to agency management in order to assist in their review and analysis of policies and procedures related to employee leave.

RECOMMENDATIONS

RECOMMENDATION	MGT RESPONSE CURRENT STATUS PROJ. COMPLETION DATE
<p>1. Human Resource management should centralize the FMLA approval process and ensure procedures are established for:</p> <p>A. Accurate and timely approval of FMLA designation, not to exceed the allowed duration.</p> <p>B. Requesting and approving subsequent medical certifications.</p> <p>C. Separate formal approval of extended leave once FMLA has expired.</p>	<p>CONCUR Planned July 1, 2020</p> <p>The Director of Human Resources will increase centralization of managing the FMLA process and maximize usage of CAPPs control to assist with the management of FMLA. HR Director or designee approval of extended leave. Formalize the maintenance of FMLA documentation. Establish QA processes.</p>
<p>2. The Director of Human Resources should establish an agency policy and form for the administration of employee to employee sick leave donations. The policy should adhere to the Government Code and should consider standardized record keeping of donation requests and approvals.</p>	<p>CONCUR Planned August 1, 2020</p> <p>Based on recommendations the Human Resources Director will establish an agency policy and forms for the administration of employee to employee sick leave donations. The policy should adhere to the Government Code and should consider standardized record keeping of donation requests and approvals.</p>
<p>3. The Director of Human Resources should ensure effective management of the sick leave pool by:</p> <p>A. Setting clear expectations in policy for the award of hours.</p> <p>B. Formalizing expectations as to when unused sick leave pool hours should be returned to the pool.</p> <p>C. Periodic reconciliation of transactions on the Sick Leave Pool Log to CAPPs.</p>	<p>CONCUR Planned August 1, 2020</p> <p>The Director of Human Resources will work with Office of General Counsel (policies), HR Employee Services, HR policy, and the Chief of Staff to make any needed revisions to associated current policies and forms – clarify expectations on awards (i.e. limitations on awards, correlating award to medical certification, consistently awarding, etc.). Create and implement a process that monitors and/or recoups unused hours along with implementation of a monthly reconciliation process.</p>

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<p>4. The Director of Human Resources should ensure accurate and timely reporting of HR functions to external entities as required.</p>	<p>CONCUR April 30, 2020 Underway</p>	<p>The Director of Human Resources replaced vacant Employee Services Supervisor position, and will ensure the new supervisor is assigned the task of monitoring the Comptroller’s - FMX calendar that instructs all agencies on when reports are due, along with all other reports that must be sent to the CPA, State Auditor’s Office, and Legislative Budget Board.</p>
<p>5. Chief Information Officer should collaborate with the Human Resources Director to ensure access to CAPPs HR is periodically reviewed for appropriateness.</p>	<p>CONCUR Planned May 30, 2020</p>	<p>The IT Division and HR Division will establish and implement a regular time period where CAPPs HR users and their access will be reviewed for appropriateness. In order to conduct the review, IT will provide the list of users and their levels to HR. HR will review each user for appropriateness and provide any updates to IT for any necessary changes. IT will submit the updates to the Comptroller’s Office as required and provide a confirmation to HR once the updates are complete.</p>

STATUS OF RECOMMENDATION

PLANNED: Management concurs with the recommendation but actual implementation of the recommendation has not begun.

UNDERWAY: The implementation process of the recommendation has been started.

MANAGEMENT REPORTS IMPLEMENTED: All new procedures, policies, systems, processes, related documents, and other elements relevant to the audit recommendation have been prepared, approved, and put into operation.

FACTORS PREVENT IMPLEMENTATION: Management concurs with the recommendation; however, due to resource constraints and competing priorities is not able to implement or can only partially implement the recommendation.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVING THE HUMAN RESOURCES AUDIT REPORT

On this 1st day of May 2020, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Vacant					
Motion:		Second:			

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

WHEREAS, the Texas Internal Auditing Act (Government Code, Chapter 2102) requires Board reviews of audit reports submitted by the Office of Internal Audit; and

WHEREAS, an audit report must be filed with the Governor’s Office - Budget and Policy Division, the State Auditor’s Office, and the Legislative Budget Board not later than the 30th day after the date the report was submitted to the Board;

NOW, THEREFORE BE IT RESOLVED THAT the Board acknowledges receipt and review and endorses the distribution of the Office of Internal Audit’s report on the Human Resources Audit as required by statute.

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

Signed this 1st day of May 2020

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman



TEXAS
JUVENILE JUSTICE
DEPARTMENT

BOARD MEMBERS

The Honorable Wes Ritchey, Chair
Dalhart, Texas

David "Scott" Matthew
Georgetown, Texas

The Honorable Lisa Jarrett
San Antonio, Texas

Edeska Barnes
Jasper, Texas

James Castro
Bergheim, Texas

Pama Hencerling
Victoria, Texas

Allison Palmer
San Angelo, Texas

Melissa Martin
Deer Park, Texas

Ann Lattimore
Cedar Park, Texas

Mona Lisa Chambers
Houston, Texas

James Smith
Midland, Texas

The Honorable Vincent Morales, Jr.
Fort Bend, Texas

EXECUTIVE DIRECTOR

Camille Cain

Chief Auditor

Eleazar Garcia, CIA, CRMA

www.tjtd.texas.gov

Internal Audit Follow-Up Report

Project 20-2

May 2020

Internal Audit Mission

To enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight.

Team Members

Denise Campbell, CIA
Stephanie Valdez, CGAP



Memorandum

To: Texas Juvenile Justice Department Board of Directors
Camille Cain, Executive Director

From: Eleazar Garcia, Chief Auditor

Subject: Internal Audit Follow-Up Report 20-2

Date: May 1, 2020

This report contains a status update on the agency's implementation of management actions to previously reported audit findings and recommendations.

Follow-up on audit recommendations is an ongoing process requiring assessment of management responses and actions. Internal Audit utilizes CCH® TeamMate TeamCentral as the follow-up database. TeamCentral provides agency management the ability to provide statuses and/or adjust implementation dates directly into the database. Internal Audit will work with management and perform verification work on the statuses reported by management as "Implemented".

The scope of the follow-up was established based on information reported by management as of February 20, 2020. It entailed verification of implementation for action plans *reported by management as implemented*. In addition, Internal Audit performed follow-up on recommendations for findings reported by the State Auditor's Office. In all, the follow-up encompassed 8 audits and 18 recommendations. Verification includes reviewing and analyzing evidence of implementation of the management actions by interviewing staff, reviewing supporting documentation, and conducting tests to determine effectiveness of the management's actions. Based on the results of the verification work, recommendations will be either closed or returned to "Underway" if they are found not fully implemented.

This audit follow-up review was conducted in conformance with the *International Standards for the Professional Practice of Internal Auditing*. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. Furthermore, Internal Audit conforms to the independence requirements of the *Generally Accepted Government Auditing Standards* by reporting directly to the governing board and being free of operational responsibilities that would impair ability to make independent reviews of agency operations. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Cc Executive Management

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RESULTS

Management continues to address and improve upon the implementation of corrective actions.

Follow-up on audit recommendations is an ongoing process requiring assessment of management responses and actions. The status of management actions was determined based on the following:

- **Underway** - The implementation process of the recommendation has been started.
- **Management Reports as Implemented** - Management reports that corrective action has been implemented and Internal Audit has not yet verified the implementation.
- **Closed - Verified** - Corrective action has been implemented and verified by Auditors.
- **Closed - Not Verified** - Due to similar finding in recent audit, recommendation moved under more current management action plan and follow-up will continue.
- **Closed – Not Applicable** – Due to changes in agency processes, initial finding and recommendation is no longer applicable.
- **Management Accepts Risk** - Management has accepted the risk and has not implemented the recommendation.

A. Current Verification

Verification was completed for 18 recommendations as follows: 16 *TJJD Internal Audit* recommendations reported by management as implemented as of February 20, 2020, plus two open *external audit* recommendations by the Texas State Auditor’s Office.

In all, 9 (50%) of the 18 recommendations reviewed were “Closed-Verified” and one (6%) was “Closed-Not Applicable” as a result of the verification tests performed.

1. Internal Audits

Internal Audit Follow-up Results	# of Recommendations	Percentage
Closed - Verified	8	50%
Underway	7	44%
Closed – Not Applicable	1	6%
Total	16	100%

2. External Audits

External Audit Follow-up Results	# of Recommendations	Percentage
Closed-Verified	1	50%
Underway	1	50%
Total	2	100%

3. Overview of Test Results

The table below shows the results of the 8 audits and 18 recommendations that were reviewed.

Audit Title	Verified and Closed	Closed – Not Applicable	Underway	Grand Total
17-7 Endowment Trust Fund Audit	0	0	1	1
18-1A Cottrell Halfway House Audit	1	0	0	1
18-1B Evins Regional Juvenile Center (ERJC)	1	0	0	1
18-1C Gainesville State School	0	0	3	3
19-5 Ethics Program	4	0	1	5
18-6A Federal Grant Audit - Partial Restore	2	0	0	2
19-1A Ayres House	0	1	2	3
19-7 SAO Audit - Contracting at TJJD	1	0	1	2
Total	9	1	8	18

B. Overall Implementation Status of Audit Recommendations

The recommendation tracking database contains 308 recommendations for 52 audits as of March 31, 2020. The following chart provides the updated status of the recommendations as of completion of current testing:

Status	Number of Recommendations	Percentage
Closed -Verified	250	81%
Closed - Not Verified	6	2%
Closed – No Longer Applicable	1	1%
Mgmt. Reports Implemented	6	2%
Underway	45	14%
Total	308	100%

Detailed Results for Recommendations Closed During This Review

The following table outlines the results for the 10 recommendations that have been closed during this review period.

Audit Control #/Title	Recommendation	Status Summary	Status
18-1A Cottrell Halfway House Audit	Director of Contracts, Procurement, and Facility Business Management should update policy to ensure periodic reports of open purchase orders are forwarded to the facilities on a quarterly or semi-annual basis and POs are finalized or identified for closure as part of the process.	Purchasing staff are using a query to pull reports in the Centralized Accounting and Payroll/Personnel System (CAPPS) for zero-dollar PO's. Some PO's may remain open for continuous items, services, contracts, or with limitations within the CAPPS program itself, however, purchasers are completing the process weekly or monthly.	Verified and Closed
18-1B Evins Regional Juvenile Center (ERJC)	The Chief Inspector General should collaborate with the Deputy Executive Director for State Services to implement procedures for detection of non-metal contraband at facility gatehouses. Additionally, policy should be updated to reflect expected practice.	The Chief Inspector General issued a General Order for Gatehouse Operations which provides direction to personnel on performing procedures to detect non-metal contraband. Random pat down searches are performed, and on all persons at direction of the Chief Inspector General, and logged in the daily activity records at the gatehouse.	Verified and Closed
18-6A Federal Grant Audit	The Chief Financial Officer should ensure all grants are accounted for in external financial reports and should ensure the completion and submission of the Annual Federal Funds Report.	The Grant Coordinator submitted the Annual Federal Funds Report for FY2018 to the Office of the Governor in September of 2019 as required by Texas Administrative Code and the document was acknowledged by the Office of the Governor. The federal grant and applicable funds were included and verified within the Annual Financial Report dated 12/17/2019.	Verified and Closed
18-6A Federal Grant Audit	The Chief Financial Officer should implement a grant management process to ensure state and federal requirements are met. The following should be considered: Grant policies should be revised to reflect current expected practices. Executive approval should be obtained prior to applying for grant funding to ensure alignment with agency goals and objectives. Grant records should be maintained in a centralized location. Grant renewals should be submitted timely to ensure funds are secured. Expectations based on the type of grants should be	The Grant Administration policy was revised and still requires the executive director or designee to approve grants, all federally-funded grant procurements must comply with 2 CFR 200 (which contains requirements for federal procurements) and adds clarification of which state laws require TJJJ to send specific grant-related information to the Office of the Governor.	Verified and Closed

Audit Control #/Title	Recommendation	Status Summary	Status
	communicated to parties involved in the grant process. Compliance with State and Federal requirements should be reviewed and reported periodically.		
19-5 Ethics Program	A. Evaluate and document into policy if exceptions to performing prior employment reference checks is allowable or B. If current policy remains in force, ensure completion of the HR-024 documents completion of reference checks prior to hiring applicants.	Current policy remains in force and prior employment reference checks are required and completed.	Verified and Closed
19-5 Ethics Program	The Chief Inspector General should evaluate if specific training courses should be developed for OIG personnel regarding ethics that cover the state employee expectations set forth in Texas Government Code 572.051.	The Training Plan created for Annual OIG Training Mandates includes Ethics for OIG personnel. The Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) codes is used to externally document/report the completion of ethics training in the Texas Commission on Law Enforcement (TCOLE) database.	Verified and Closed
19-5 Ethics Program	As part of the periodic ethics review, the Texas Ethics Officer should ascertain with the Chief Information Officer IT access reviews are completed.	The Chief Information Officer confirmed with the Ethics Officer IT access control monitoring is occurring and the department will continue to strengthen processes to stay in alignment with regulations.	Verified and Closed
19-5 Ethics Program	The General Counsel should: Amend PRS.02.03 to change annual audit to an annual review of the ethics program. Perform a periodic review for compliance to the Ethics program. Collaborate with the Board Chair to implement formal ethics reporting to an appropriate Board committee and/or full Board.	The Standards of Conduct and Ethics (PRS.02.03) policy was updated to include annual briefings on the status of the agency's ethics program to the Board. A report on the ethics program was presented to the Executive closed Session during the January 2020 Board meeting.	Verified and Closed
19-1A Ayres House	The Director of Nursing should update policy regarding the inventory of delivered medication, and communicate this policy change to all Halfway Houses.	UTMB no longer provides medical services to TJJD halfway houses as HWH youth are now receiving prescriptions at a local pharmacy. Due to this change in processes/procedures, the recommendation related to creating policies for delivery of mailed prescriptions is no longer applicable.	Closed-Not Applicable
19-7 SAO Audit - Contracting at TJJD	The Department should: Ensure that all issues identified during site visits are reported.	A multi-level review process was implemented in Monitoring & Inspections to evaluate the Finding reports. Three people are now performing the edits and reviews of these reports with the third and final	Verified and Closed

Audit Control #/Title	Recommendation	Status Summary	Status
		review and approval completed by the Director of Monitoring and Inspections.	

TEXAS JUVENILE JUSTICE DEPARTMENT
Office of Internal Audit
Quarterly Status Update
May 2020

I. Projects Completed	REPORTED
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Discretionary Audits

20-5 Human Resources Audit	05/2020
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Other Projects

19-3 FY 2018 Annual Internal Audit Report	10/2019
19-3 FY 2018 Annual Quality Assurance and Improvement Program	10/2019
19-4 Annual Risk Assessment and FY2019 Audit Plan	10/2019
19-2 Audit Follow-Up Report	01/2020 & 05/2020

II. UNDERWAY PROJECTS	PROJECTED PHASE COMPLETION DATE		
	Planning	Fieldwork	Report

Mandatory Audits

20-6 Texas Administrative Code 202 Audit	05/2020	07/2020	08/2020
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Other Projects

19-6 County Grants Audit	12/2019	04/2020	08/2020
20-7 Release Review Panel	05/2020	07/2020	10/2020
20-3 Annual Quality Assurance and Improvement Program	10/2019	09/2020	10/2020
20-4 Annual Risk Assessment	05/2020	07/2020	08/2020

III. PENDING PROJECTS	PROJECTED START DATE
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Facility Audit	08/2020
Facility Audit	08/2020
FY 2019 Annual Internal Audit Report	10/2020

ADDITIONAL REQUESTS (Consulting/Assistance Projects - No Report Issued to the Board)

Construction Committee Meetings – Chief Auditor and/or Deputy Chief Auditor participate in discussions of proposed construction projects.

EXTERNAL AUDIT PROFESSIONAL CONTRIBUTION

State Agency Internal Audit Forum (SAIAF) – Chief Auditor Eleazar Garcia serves as the Vice-Chair of the SAIAF committee. SAIAF is a voluntary association composed of representatives of each state agency and institution of higher education with an Internal Audit function.

The mission of SAIAF is to promote the effective and efficient use of state agency Internal Audit resources toward accountability, productivity, and enhancement of management control over operations.

SAIAF Goals:

1. Exchange ideas and information,
2. Solve problems of common objectives,
3. Facilitate professional development,
4. Communicate needs and issues to the State Auditor’s Office, and provide unified input to interested parties.

CIA Exam Committee – Two Audit staff participate in the local CIA exam question committee.

Quarterly Report on Performance Measures

Performance Measures		
Measure	To Date	Annual Goal
The percent of the approved 2020 audit plan completed.	40%	>= 80%
The percent of projects completed within 110% of budget.	80%	>= 75%
The percentage of high-risk areas included in audit work.	25%	>= 60%
The percent of staff time spent on planned audit activities.	65%	>= 70%

To: TJJJ Board Members

From: Camille Cain, Executive Director

Christian von Wupperfeld, General Counsel

Subject: Discussion, consideration, and possible approval regarding contract renewal for Willoughby Management, LLC, requiring board approval pursuant to GAP.385.1101 (Action)

Date: May 4, 2020

TJJJ General Administrative Policy 385.1101 (GAP.385.1101), paragraph (d)(1), requires TJJJ staff to present certain contracts to the Board for approval, among those are any contract exceeding \$500,000. TJJJ staff is therefore requesting Board approval for renewal of the contract below, which has a total contract value exceeding \$500,000.

1. TJJJ staff requests Board approval to exercise the option to renew the following lease with the existing lessor for a two-year term at the listed not-to-exceed (NTE) amount:

PROVIDER FOR TWO-YEAR LEASE RENEWAL	YEARLY NTE AMOUNT	TWO-YEAR NTE AMOUNT	TOTAL CONTRACT NTE VALUE (INCLUDING RENEWAL)
Willoughby Management, LLC - Willoughby House (CON0000272)	\$78,000.00	\$156,000.00	\$1,265,390.28

TJJJ staff respectfully requests Board consideration and approval of the proposed contract renewal and approval of Executive Director execution of same.



**Texas Juvenile Justice Department
RESOLUTION**

**A RESOLUTION FOR APPROVAL TO EXECUTE CONTRACT RENEWAL AMENDMENT REQUIRING BOARD
APPROVAL PURSUANT TO TEXAS JUVENILE JUSTICE DEPARTMENT GAP.385.1101**

On this **1st day of May 2020**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Vacant					
Motion:		Second:			

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

WHEREAS, Texas Juvenile Justice Department (TJJD) General Administrative Policy 385.1101(d)(1) requires TJJD staff to present any contracts exceeding \$500,000 to the Board for approval, and the contract renewal below is for a contract with a total contract values exceeding \$500,000; and

WHEREAS, TJJD staff requests Board approval to exercise the option to renew the following lease with the existing lessor for a two-year term at the listed not-to-exceed (NTE) amount:

PROVIDER FOR TWO-YEAR LEASE RENEWAL	YEARLY NTE AMOUNT	TWO-YEAR NTE AMOUNT	TOTAL CONTRACT NTE VALUE (INCLUDING RENEWAL)
Willoughby Management, LLC - Willoughby House (CON0000272)	\$78,000.00	\$156,000.00	\$1,265,390.28

NOW, THEREFORE BE IT RESOLVED THAT the Board authorizes the Texas Juvenile Justice Department Executive Director to the execute two-year contract renewal amendment for the lease identified as CON0000272.

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

Signed this 1st day of May 2020

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman

To: TJJJ Board Members

From: Camille Cain, Executive Director

Christian von Wupperfeld, General Counsel

Subject: Discussion, consideration, and possible approval regarding contract extension(s) requiring board approval pursuant to GAP.385.1101 (Action)

Date: April 17, 2020

TJJJ General Administrative Policy 385.1101 (GAP.385.1101), paragraph (d)(1), requires TJJJ staff to present certain contracts to the Board for approval, among those are any contract exceeding \$500,000. TJJJ staff is therefore requesting Board approval for extension of the contract below, which has a total contract value exceeding \$500,000.

1. TJJJ staff requests Board approval for two (2) six-month options for extension of the following contract with a contract value that exceeds \$500,000, to allow for completion of the solicitation for residential telephone services and time to transition to a new provider, as required.

PROVIDER FOR TWO (2) SIX-MONTH OPTIONS FOR EXTENSION	NTE AMOUNT FOR TWO (2) SIX-MONTH OPTIONS FOR EXTENSION	TOTAL CONTRACT VALUE (INCLUDING EXTENSION(S))
Consolidated Telecom, Inc. – Residential Telephone Services (CON0000311)	\$230,000 (\$115,000 Per Extension)	\$3,954,146

TJJJ staff respectfully requests Board consideration and approval of the proposed contract options for extension and approval of TJJJ Executive Director execution of same.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVAL TO EXECUTE CONTRACT EXTENSION(S) FOR A CONTRACT REQUIRING BOARD APPROVAL PURSUANT TO GAP.385.1101

On this **1st day of May 2020**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Vacant					
Motion:		Second:			

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

WHEREAS, pursuant to TJJJ General Administrative Policy 385.1101 (GAP.385.1101), paragraph (d)(1), TJJJ staff is required to present certain contracts to the Board for approval, among those are any contract exceeding \$500,000.

WHEREAS, TJJJ staff requests Board approval for two (2) six-month options for extension of the following contract with a contract value exceeding \$500,000, to allow completion of the solicitation for residential telephone services and time to transition to a new provider, as required:

PROVIDER FOR TWO (2) SIX-MONTH OPTIONS FOR EXTENSION	NTE AMOUNT FOR TWO (2) SIX-MONTH OPTIONS FOR EXTENSION	TOTAL CONTRACT VALUE (INCLUDING EXTENSION(S))
Consolidated Telecom, Inc. – Residential Telephone Services (CON0000311)	\$230,000 (\$115,000 Per Extension)	\$3,954,146

NOW, THEREFORE BE IT RESOLVED THAT the Board authorizes the Texas Juvenile Justice Department Executive Director to execute two (2) six-month options for extension to contract CON0000311.

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

Signed this 1st day of May 2020

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman

To: TJJJ Board Members

From: Camille Cain, Executive Director

Subject: FY 2021 Probation Department Funding Allocations

Date: May 1, 2020

Staff seeks TJJJ Board approval of proposed Fiscal Year (FY) 2021 probation grant allocations, including State Aid Formula Funding and targeted/competitive grant programs. Specific departmental awards across all grants are shown in the attachments, which are marked “Draft” to indicate that allocations are pending TJJJ Board approval. Departments will be notified that allocations received Board approval as soon as practicable after that occurs. A small amount of funding remains to be allocated under non-reimbursement programs, while reimbursement funding will be allocated to individual departments over the course of the fiscal year. A resolution approving staff’s recommendation and providing necessary funds management flexibility is attached for Board consideration.

SUMMARY

- **State Aid formula funding.** Provides \$131.7 million to counties, providing an additional one-time emergency allocation that will allow each county to receive any funding gains that their data inputs into the formula call for, while ensuring that, during this unprecedented time, no department will receive fewer dollars than they received last year.
- **Targeted and Reimbursement grant funding.** Provides \$28.3 million in legislative appropriations and \$2.1 million in state cost savings, with \$16.6 million obligated to discretionary grant programs. Continues discretionary grant funding as allocated in FY 2020 with the exception of grant awards set to expire at the end of FY 2020, regional service enhancement projects and programs discontinued by individual departments.

STATE AID FORMULA FUNDING

Total SAFF Allocation Methods

During the FY 2020-2021 appropriations process, TJJJ’s funding sources that support the State Aid Formula Funding (SAFF) program were increased by about \$3.7 million for the biennium, or 1.4 percent. Additionally, changes to TJJJ rider language will allow approximately \$3.1 million in refunds

over the biennium to be retained and used to support state aid funding strategies, bringing the increase in funds to 2.6% for the biennium. This marks the first increase in state aid formula funding since the FY 2014-2015 biennium. The funding formula implemented by the agency since FY 2016 is presently undergoing review by the TJJJ Advisory Council, which has not yet made recommendations on alterations to the formula. For FY 2021 staff proposes to utilize the current formula structure, which results in a total allocation of \$131,502,447 in SAFF.

Following is a brief summary of the overall impact to funding levels.

- *Relative to FY 2016*, no departments will find themselves at the 90 percent funding floor (10 percent below their initial FY 2016 State Aid award), 29 will be at the 105 percent ceiling, 136 will fall somewhere in between and no departments will be below 96 percent.
- *Relative to FY 2020*, 21 departments will experience a reduction and 27 departments will see no change in funding levels. A total of 117 departments will experience an increase in funding, with 109 receiving 1% or less increase and 8 experiencing a greater increase.

Because of the unprecedented challenges faced by juvenile probation departments at this time, agency staff propose an alteration to the formula results by maintaining the provision adopted by this board in FY 2020 to adjust the allocation so that no probation department loses funds relative to the previous fiscal year's funding level. This recommendation is made for the following two reasons:

- 1) Many departments are incurring increased expenses in detention and post-adjudication residential operational costs as they work with TJJJ to ameliorate the effects of the COVID-19 pandemic during the last half of FY 2020. Despite challenges and increased expenses related to COVID-19 response in our state services division, TJJJ has been able to set aside some state cost savings for juvenile probation departments. In considering the programs to support with these funds, we believe stabilizing base funding for each department is the best option. This recommendation maintains FY 2021 SAFF increases departments should receive according to the formula while still keeping all departments' funding consistent during this critical time.
- 2) The TJJJ Advisory Council Funding Formula Subcommittee is expected to complete its work in the next few months, allowing TJJJ to implement their recommended alterations of the existing formula structure prior to the FY 2022-2023 biennium. After these alterations are made, the agency will recommend allocations that strictly adhere to formula outputs.

With the recommended alternation in place, total SAFF allocations for FY 2021 increase by approximately \$250,000 to \$131,755,061. This increases funding over FY 2020 levels. Specifically, under this proposal TJJJ will:

- Award SAFF funding based on juvenile population and referrals, subject to a floor of 90 percent and a ceiling of 105 percent of each department's initial FY 2016 State Aid award;¹
- Adjust SAFF awards so that all departments are awarded funding at or above FY 2020 levels.
- Continue preventing or capping increases among departments that have expended funds at a level meaningfully below their allocations;
- Designate 25 percent of each department's total allocation as "Flexible Funds" (departments are able to budget these dollars under any component grant of State Aid based on their unique circumstances and needs); and
- Set the aggregate maximum for Basic Probation Supervision to 5 percent above appropriations.²

Assignment to Component Grants / Flexible Funds

The funding formula determines the total amount allocated to each department, with separate methods used to allocate the total across the component grants of State Aid. As noted, staff proposes placing 25 percent of each department's total in its "Flexible Funds" category. Departments may choose to budget these dollars under any of the five component State Aid grants. The remainder of a department's total is assigned as minimum budgetary thresholds in each of the component grants. As with FY 2016 through FY 2020, each department will be required to submit an initial SAFF budget that conforms to the minimum budgetary thresholds indicated, and that fully allocates its Flexible Funds. Once an approved budget is in place, the department may request to shift funds between categories such that one or more component grants is budgeted below the department's minimum in that category, or to allow it to exceed its Basic Probation Supervision maximum. TJJJ staff review and approve these requests to the extent possible within appropriation transfer limitations in the General Appropriations Act. Additional flexibility is available to departments insofar as SAFF is structured to allow certain types of expenditures to be eligible under more than one component grant. To date, TJJJ staff have been able to work with departments to

¹ The formula also includes an option to "compress" probation allocations to come into balance with appropriations, but this is not needed for FY 2021.

² E.g., in the aggregate, departments may choose to transfer some funds into Basic Probation Supervision from other areas, rather than being capped at appropriations.

resolve *all* requests related to category minima/maxima, either through this inherent flexibility or by shifting funds between categories.

Additional statutory and methodological information impacting the SAFF program that was previously provided to the Board is reprinted at the end of this memo for reference.

TARGETED AND REIMBURSEMENT GRANTS

Staff’s proposal for FY 2021 continues most of the agency’s commitments under targeted grants such as Discretionary State Aid (DSA) and Special Needs Diversionary Programs (SNDP). Staff propose to discontinue the DSA grant first awarded in FY 2017, which was set to conclude after four years. Additionally, staff propose to discontinue the Regional Service Enhancement Project grants beginning in FY 2021. The Prevention and Early Intervention Program has a small amount of money to be obligated because some existing programs have discontinued. Staff propose to maintain all other grant obligations.

The table below provides program allocations in FY 2020 and FY 2021 for targeted and reimbursement grants.

Grant Name	Initial FY 2020 Allocations	Proposed FY 2021 Allocations
Prevention and Intervention	\$3,012,177	\$3,012,177
Special Needs Diversionary Program	\$1,895,175	\$1,895,175
Border Children’s Justice Project	\$100,000	\$100,000
Harris County Leadership Academy	\$1,000,000	\$1,000,000
Title IV-E (reimbursement)	\$4,733,329	\$4,733,329
Mandatory JJAEP (reimbursement)	\$6,000,000	\$6,000,000
Discretionary JJAEP	\$250,000	\$250,000
Discretionary State Aid – Legislative Appropriations	\$3,142,127	\$4,393,953
Discretionary State Aid – State Savings	\$3,000,000	\$2,100,000

Discretionary State Aid – Total	\$6,142,147 ³	\$6,493,953 ⁴
Regional Diversion Alternatives (reimbursement)	\$8,264,405	\$7,000,000 ⁵
Total ⁶	\$31,397,233	\$30,484,634

REFERENCE INFORMATION

Statutory Requirements Related to the State Aid Formula Funding Program

State Aid Formula Funding (SAFF), previously known as Grants A, C and N, exists to ensure juvenile probation services are available in all counties statewide. The program complies with Section 223.001 (a), Human Resources Code (HRC):

Sec. 223.001. DETERMINATION OF AMOUNT OF STATE AID. (a) The department shall annually allocate funds for financial assistance to juvenile boards to provide juvenile services according to current estimates of the number of juveniles in each county, a basic probation funding formula for departments that clearly defines what basic probation entails and which services are provided, and other factors the department determines are appropriate.

As required by provisions in the General Appropriations Act, State Aid Formula Funding is allocated across five component grants that align with TJJJ’s relevant budgetary strategies. These component grants address the range of services, programs, and placements the Legislature has identified as minimum priorities for all probation departments:

- BASIC PROBATION SUPERVISION (BPS): the reporting and case planning of juveniles

³ \$2.1 of the \$3 million in TJJJ state program cost savings provided in FY 2020 were used to fund existing DSA grant obligations. Remaining funds were allocated through new DSA grants.

⁴ \$48,501 of the \$2.1 million in TJJJ state program cost savings will be used to fund existing DSA grant obligations in FY 2021. Remaining funds will be allocated through new DSA grants.

⁵ \$1.2 million was reallocated from RDA reimbursement to support DSA residential projects that provide regional placements in FY 2020.

⁶ Total includes TJJJ state program cost savings. Total legislative appropriations are \$28,033,663 for FY 2020 and \$28,033,662 for FY 2021.

- COMMUNITY PROGRAMS (CP): programs and services for juveniles in the community and related costs
- PRE/POST ADJUDICATION (PPA): placements and related costs
- COMMITMENT DIVERSION (CD): diversion of juveniles from commitment to TJJD
- MENTAL HEALTH SERVICES (MHS): programs and services for sex offenders or juveniles with a mental health diagnosis

HRC Chapter 223 establishes additional program requirements—including the maintenance of local financial support, special rules for multi-county jurisdictions, and others—which are integrated into the State Aid and Target Grants Contract.

Review of Funding Formula

During FY 2016, staff worked with members of the TJJD Advisory Council and solicited input from across all probation departments to develop a new and more equitable probation funding formula that directly links funding to juvenile population and formal referrals, acknowledges economies of scale, mitigates funding shifts via a funding floor and ceiling, and sets aside funds for Discretionary State Aid (DSA). Attached is a document distributed to all probation departments at the end of that extensive and participatory process that reviews the mechanics of the funding formula.

The formula calculates an unadjusted funding level for each department based on population and referral factors, and then compares that total to the applicable funding floor and ceiling. A department cannot fall below its floor or above its ceiling. Over the four-year implementation of the formula, the floor and ceiling gradually diverge to phase-in funding shifts, and to support the gradual expansion of the statutorily required DSA program. For FY 2020, the formula sets a funding floor of 90 percent of a department’s initial FY 2016 State Aid allocation, and a ceiling of 105 percent. E.g., if a department’s initial FY 2016 State Aid award was \$500,000, its FY 2020 funding floor would be 90 percent of that amount (\$450,000), and its funding ceiling would be 105 percent (\$525,000). Whether the department’s actual allocation is one of these, or something in between, is determined by the formula calculation.

Additionally, the formula includes a mechanism to adjust the floor and ceiling when total available system funding is less or more than was available in FY 2016 (a “compression factor”). This guarantees formula-based State Aid is not over- or under-allocated, and ensures funds are available to expand DSA grants even when overall funding constricts. However, under the language of the

relevant statute, TJJD has flexibility to determine how much funding to set aside for DSA, and how quickly to grow that program.⁷

Descriptions of Probation Grant Programs

Prevention and Intervention (P&I) The General Appropriations Act charges four state agencies, the Texas Department of Family and Protective Services, the Texas Juvenile Justice Department, the Texas Education Agency, and the Texas Military Department, with working in concert to provide juvenile delinquency and student dropout prevention and intervention services throughout Texas. These state agencies are required to coordinate the delivery of juvenile delinquency prevention and dropout prevention and intervention services. The Prevention and Intervention (P&I) grants offered by TJJD are the means by which this agency fulfills that legislative mandate.

Special Needs Diversionary Program (SNDP) This program provides mental health treatment and specialized caseload probation supervision. It is administered in a collaborative model by TJJD and the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) or a designated local mental health provider, and features juvenile probation officers from local juvenile probation departments and professional mental health staff from the local mental health centers working together to coordinate services. Program elements include mental health services (including individual and group therapy, skills training, and case management), probation services (such as life skills, anger management, and mentoring), parental support and education, and linkages to long-term community supports.

Border Children's Justice Project (BCJP) This program facilitates collaborative efforts by United States and foreign authorities involving juvenile courts, United States Immigration and Customs Enforcement (ICE), law enforcement, United States and other consulates, child protective agencies and correctional officials. The objective of the BCJP is to return foreign national juvenile offenders to their respective communities after processing in the Texas juvenile justice system, to assist in the return of US citizen juveniles who have committed offenses in Mexico, Central America, or South America to their home communities in the United States and to serve foreign nationals residing in the United States.

⁷ The board adopted a recommendation in FY 2020 to fund DSA grant obligations from community juvenile justice appropriation strategies other than the five strategies that fund the SAFF grant program. With this change, the sections of the reference information describing the mechanisms built into the formula for ensuing gradual expansion of the DSA program become obsolete.

Harris County Leadership Academy As directed by Rider 32 to the General Appropriations Act, TJJD allocates \$1 million each fiscal year to the Harris County Leadership Academy. The Harris County Leadership Academy provides a residential intensive cognitive-based program to redirect the thinking and behavior patterns of male juveniles and remove barriers to their successful transition back to their families and communities. There are no changes to the requirements of Rider 32 for the FY 2020-2021 biennium.

Juvenile Justice Alternative Education Program (Discretionary and Mandatory) Texas Education Code, Chapter 37, and the General Appropriations Act mandate certain counties in Texas to operate a Juvenile Justice Alternative Education Program (JJAEP). Other counties have applied for appropriated funds set aside to operate discretionary JJAEP programs. Students are assigned to a JJAEP program as a result of violating Texas Education Code Chapter 37 listed offenses, including:

- 1) mandatory expulsion from their home school for serious infractions of the Student Code of Conduct;
- 2) discretionary expulsions for serious infractions that occur off-campus as well as other on-campus infractions of the Student Code of Conduct; or
- 3) court-ordered expulsions for Texas Penal Code Title V offenses or probation conditions.

The JJAEP programs' purpose is to provide academic and behavioral interventions that assist students in performing at grade level in language arts, mathematics, science, social studies and self-discipline. Some JJAEP programs are able to provide additional electives. Many JJAEP's utilize curriculum software to support credit recovery.

Title IV-E This federal funding is available to reimburse departments for programs, services, and administration associated with service youth that are eligible for the foster care system. TJJD is the pass-through agency, receiving and processing claims from probation departments, and receiving and distributing reimbursements from the Department of Family and Protective Services. Amounts shown below reflect appropriations, which are estimated and non-binding. Actual reimbursements processed in a year are dependent on the number of eligible youth and the cost of programs and services provided.

Regional Diversion Alternatives and Discretionary State Aid Human Resources Code (HRC) Section 203.017 requires TJJD to implement a regionalization plan designed to keep children receiving juvenile justice services closer to their homes and to improve outcomes through community-based services. Human Resources Code (HRC) Section 223.001 requires the agency to set aside a portion

of appropriated funds for discretionary state aid to fund programs designed to address special needs or projects of local juvenile boards, including projects dedicated to specific target populations based on risk and needs, and with established recidivism reduction goals.

TJJD provides funding for Discretionary State Aid (DSA) grants and for Regional Diversion Alternatives (RDA) grants for individual youth diversions in response to these mandates. The majority of funds are used to reimburse local probation departments for funds spent on community-based treatment services, placement and aftercare services intended to divert approved youth from commitment to TJJD.

Discretionary State Aid grants adhere to the provision of the HRC 203.017 requiring TJJD to assist local juvenile probation departments in research-based program development by:

- 1) providing competitively selected grants to enhance or expand residential program capacity and services in the various regions across Texas;
- 2) providing competitively selected community program grants to support individual probation department programs and services; and
- 3) supporting assessments and services that help probation departments adhere to evidence-based principles.

Regional Diversion Alternatives (individual youth diversions) support an array of rehabilitative services for juvenile offenders including, but not limited to, intensive community-based, residential, re-entry and aftercare programs. Following a year-long, collaborative planning process, diversions began in June 2016. Any probation department that would otherwise recommend a youth for commitment to TJJD may propose an individual diversion plan for approval by TJJD's Regionalization Division. Such plans specify the proposed youth programs and services, provide information regarding the department's prior efforts with the youth, and demonstrate how the proposed plan meets the specific needs of the youth in a research-driven way.

Supplemental and Emergent Needs (S&E) This program is supported through funds de-obligated by probation departments from the previous fiscal year. These funds are placed in a regional S&E pool that is administered by a lead probation department in each region with guidance from TJJD. The funds de-obligated to the regional pools may be used for any cost allowable under the five components of the SAFF program.

**Proposed FY2021 Allocations: State Aid Formula Funding by Component Grant
(pending TJJ Board approval)**

DEPARTMENT	Basic Probation Supervision (minimum)	Community Programs	Pre & Post Adjudication Facilities	Commitment Diversion	Mental Health Services	Flexible Funds	Total, FY21 State Aid	Basic Probation Supervision (maximum)
ANDERSON	\$ 111,013	\$ 97,639	\$ 7,274	\$ 19,134	\$ 28,867	\$ 87,976	\$ 351,903	\$ 170,715
ANDREWS	\$ 21,259	\$ 25,288	\$ 60,976	\$ 6,165	\$ 16,308	\$ 43,332	\$ 173,328	\$ 32,692
ANGELINA	\$ 129,095	\$ 52,363	\$ 170,652	\$ 80,591	\$ 66,227	\$ 166,310	\$ 665,238	\$ 198,522
ATASCOSA	\$ 104,750	\$ 102,254	\$ 46,378	\$ 36,235	\$ 76,677	\$ 122,098	\$ 488,392	\$ 161,084
AUSTIN	\$ 63,029	\$ 50,491	\$ 34,278	\$ 6,445	\$ 2,886	\$ 52,376	\$ 209,505	\$ 96,926
BAILEY	\$ 45,320	\$ 56,741	\$ 1,659	\$ 3,241	\$ 2,154	\$ 36,372	\$ 145,487	\$ 69,694
BANDERA	\$ 12,704	\$ 103,054	\$ -	\$ 6,269	\$ 2,356	\$ 41,461	\$ 165,844	\$ 19,536
BASTROP	\$ 285,250	\$ 153,091	\$ 77,517	\$ 113,597	\$ 48,799	\$ 226,085	\$ 904,339	\$ 438,658
BAYLOR	\$ 33,111	\$ 24,589	\$ -	\$ 2,955	\$ 536	\$ 20,397	\$ 81,588	\$ 50,919
BELL	\$ 287,612	\$ 294,887	\$ 120,776	\$ 311,523	\$ 80,416	\$ 365,072	\$ 1,460,286	\$ 442,290
BEXAR	\$ 1,527,694	\$ 1,198,049	\$ 330,519	\$ 1,227,338	\$ 1,716,422	\$ 2,000,008	\$ 8,000,030	\$ 2,349,285
BOWIE	\$ 27,708	\$ 350,868	\$ 18,656	\$ 41,225	\$ 29,041	\$ 155,833	\$ 623,331	\$ 42,610
BRAZORIA	\$ 254,221	\$ 388,977	\$ 153,995	\$ -	\$ 300,078	\$ 365,757	\$ 1,463,028	\$ 390,940
BRAZOS	\$ 165,707	\$ 109,956	\$ 181,451	\$ 174,065	\$ 183,128	\$ 271,436	\$ 1,085,743	\$ 254,823
BREWSTER	\$ 51,399	\$ 34,176	\$ -	\$ 12,528	\$ 2,053	\$ 33,386	\$ 133,542	\$ 79,042
BROOKS	\$ 31,697	\$ 21,181	\$ 20,746	\$ 7,985	\$ 8,095	\$ 29,902	\$ 119,606	\$ 48,743
BROWN	\$ 116,190	\$ 94,060	\$ 8,324	\$ 14,418	\$ 10,574	\$ 81,189	\$ 324,755	\$ 178,677
BURNET	\$ 100,918	\$ 206,957	\$ 70,335	\$ 6,672	\$ 34,120	\$ 139,668	\$ 558,670	\$ 155,191
CALDWELL	\$ 113,572	\$ 82,478	\$ 46,048	\$ 34,812	\$ 15,857	\$ 97,589	\$ 390,356	\$ 174,650
CALHOUN	\$ 56,787	\$ 53,566	\$ 16,603	\$ 22,821	\$ 19,941	\$ 56,573	\$ 226,291	\$ 87,326
CALLAHAN	\$ 8,145	\$ 18,754	\$ -	\$ 16,373	\$ 1,982	\$ 15,085	\$ 60,339	\$ 12,525
CAMERON	\$ 360,901	\$ 454,587	\$ 778,872	\$ 248,572	\$ 155,507	\$ 666,147	\$ 2,664,586	\$ 554,993
CASS	\$ 108,808	\$ 74,908	\$ 2,464	\$ 7,687	\$ 4,193	\$ 66,020	\$ 264,080	\$ 167,324
CHAMBERS	\$ 76,698	\$ 54,869	\$ -	\$ -	\$ 2,172	\$ 44,580	\$ 178,319	\$ 117,946
CHEROKEE	\$ 154,170	\$ 161,363	\$ 1,213	\$ 40,977	\$ 29,782	\$ 129,168	\$ 516,673	\$ 237,082
CHILDRESS	\$ 60,945	\$ 54,846	\$ 27,671	\$ 6,389	\$ 5,550	\$ 51,800	\$ 207,201	\$ 93,721
COCHRAN	\$ 15,697	\$ 14,695	\$ -	\$ 8,433	\$ 1,522	\$ 13,449	\$ 53,796	\$ 24,139
COKE	\$ 74,228	\$ 38,766	\$ 19,834	\$ 5,758	\$ 9,343	\$ 49,310	\$ 197,239	\$ 114,148
COLEMAN	\$ 5,649	\$ 22,918	\$ -	\$ 20,582	\$ 1,189	\$ 16,779	\$ 67,117	\$ 8,687
COLLIN	\$ 747,744	\$ 554,768	\$ 13,945	\$ -	\$ 182,797	\$ 499,752	\$ 1,999,006	\$ 1,149,879
COMAL	\$ 142,293	\$ 154,038	\$ 103,840	\$ 36,588	\$ 15,382	\$ 150,714	\$ 602,855	\$ 218,819

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**Proposed FY2021 Allocations: State Aid Formula Funding by Component Grant
(pending TJJ Board approval)**

DEPARTMENT	Basic Probation Supervision (minimum)	Community Programs	Pre & Post Adjudication Facilities	Commitment Diversion	Mental Health Services	Flexible Funds	Total, FY21 State Aid	Basic Probation Supervision (maximum)
COMANCHE	\$ 130,885	\$ 78,562	\$ 2,245	\$ 7,841	\$ 3,700	\$ 74,411	\$ 297,644	\$ 201,274
COOKE	\$ 110,700	\$ 37,071	\$ 25,138	\$ 13,045	\$ 31,330	\$ 72,428	\$ 289,712	\$ 170,234
CORYELL	\$ 224,081	\$ 72,902	\$ 70,061	\$ 67,771	\$ 20,685	\$ 151,833	\$ 607,333	\$ 344,591
CRANE	\$ 18,179	\$ 23,692	\$ 6,346	\$ 3,140	\$ 5,861	\$ 19,073	\$ 76,291	\$ 27,956
CROSBY	\$ 24,250	\$ 13,680	\$ 7,387	\$ 10,918	\$ 3,988	\$ 20,074	\$ 80,297	\$ 37,292
CULBERSON	\$ 23,252	\$ 20,775	\$ 2,312	\$ 10,304	\$ 2,751	\$ 19,798	\$ 79,192	\$ 35,757
DALLAM	\$ 50,204	\$ 44,967	\$ -	\$ 9,654	\$ 3,360	\$ 36,062	\$ 144,247	\$ 77,204
DALLAS	\$ 2,799,462	\$ 1,111,895	\$ 1,225,605	\$ 1,548,827	\$ 1,002,564	\$ 2,562,785	\$ 10,251,138	\$ 4,305,007
DAWSON	\$ 42,005	\$ 71,722	\$ 14,546	\$ 15,147	\$ 3,281	\$ 48,901	\$ 195,602	\$ 64,596
DEAF SMITH	\$ 82,357	\$ 34,770	\$ 55,990	\$ 19,313	\$ 18,630	\$ 70,353	\$ 281,413	\$ 126,649
DENTON	\$ 474,024	\$ 403,869	\$ -	\$ 290,192	\$ 522,255	\$ 563,447	\$ 2,253,787	\$ 728,954
DEWITT	\$ 35,179	\$ 44,782	\$ 35,481	\$ 39,444	\$ 9,403	\$ 54,763	\$ 219,052	\$ 54,098
DUVAL	\$ 47,747	\$ 62,814	\$ 38,857	\$ 5,757	\$ 20,497	\$ 58,557	\$ 234,229	\$ 73,425
EASTLAND	\$ 38,671	\$ 59,791	\$ 2,352	\$ 14,577	\$ 6,037	\$ 40,476	\$ 161,904	\$ 59,469
ECTOR	\$ 125,004	\$ 115,100	\$ 55,722	\$ 201,647	\$ 202,061	\$ 233,178	\$ 932,712	\$ 192,231
ELLIS	\$ 173,892	\$ 141,002	\$ 141,667	\$ -	\$ 37,265	\$ 164,609	\$ 658,435	\$ 267,411
EL PASO	\$ 644,150	\$ 1,186,192	\$ 98,848	\$ 437,602	\$ 263,091	\$ 876,628	\$ 3,506,511	\$ 990,573
ERATH	\$ 98,641	\$ 50,189	\$ 23,751	\$ 11,371	\$ 5,053	\$ 63,002	\$ 252,007	\$ 151,690
FANNIN	\$ 89,622	\$ 66,592	\$ 4,408	\$ 9,112	\$ 9,319	\$ 59,685	\$ 238,738	\$ 137,821
FAYETTE	\$ 47,699	\$ 39,664	\$ 9,669	\$ 13,344	\$ -	\$ 36,792	\$ 147,168	\$ 73,352
FLOYD	\$ 71,422	\$ 35,791	\$ -	\$ 5,911	\$ 11,908	\$ 41,677	\$ 166,709	\$ 109,832
FORT BEND	\$ 455,308	\$ 492,336	\$ 307,066	\$ 162,446	\$ 298,528	\$ 571,895	\$ 2,287,579	\$ 700,172
FRIO	\$ 53,543	\$ 64,193	\$ -	\$ 7,350	\$ 3,740	\$ 42,942	\$ 171,768	\$ 82,338
GAINES	\$ 43,801	\$ 45,475	\$ 24,539	\$ 6,378	\$ 8,563	\$ 42,919	\$ 171,675	\$ 67,357
GALVESTON	\$ 205,014	\$ 271,423	\$ 243,880	\$ 254,210	\$ 139,383	\$ 371,304	\$ 1,485,214	\$ 315,270
GARZA	\$ 18,140	\$ 19,511	\$ 12,150	\$ 5,085	\$ 7,041	\$ 20,642	\$ 82,569	\$ 27,896
GRAY	\$ 48,891	\$ 52,150	\$ 41,807	\$ -	\$ 23,786	\$ 55,545	\$ 222,179	\$ 75,184
GRAYSON	\$ 71,020	\$ 126,069	\$ 446,809	\$ 45,845	\$ 69,482	\$ 253,075	\$ 1,012,300	\$ 109,215
GREGG	\$ 133,000	\$ 86,320	\$ 344,114	\$ 61,956	\$ 15,138	\$ 213,510	\$ 854,038	\$ 201,688
GRIMES	\$ 85,263	\$ 9,734	\$ -	\$ 53,795	\$ 4,997	\$ 51,263	\$ 205,052	\$ 131,118
GUADALUPE	\$ 116,734	\$ 143,901	\$ 52,372	\$ 122,394	\$ 124,474	\$ 186,625	\$ 746,500	\$ 179,513

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**Proposed FY2021 Allocations: State Aid Formula Funding by Component Grant
(pending TJJ Board approval)**

DEPARTMENT	Basic Probation Supervision (minimum)	Community Programs	Pre & Post Adjudication Facilities	Commitment Diversion	Mental Health Services	Flexible Funds	Total, FY21 State Aid	Basic Probation Supervision (maximum)
HALE	\$ 37,971	\$ 88,848	\$ 105,143	\$ 21,057	\$ 11,330	\$ 88,116	\$ 352,465	\$ 58,392
HARDIN	\$ 177,735	\$ 65,593	\$ 10,318	\$ 39,787	\$ 55,935	\$ 116,456	\$ 465,824	\$ 273,320
HARRIS	\$ 11,036	\$ 6,412,100	\$ 2,071,474	\$ 2,537,749	\$ 1,165,962	\$ 4,066,107	\$ 16,264,428	\$ 16,972
HARRISON	\$ 177,473	\$ 128,372	\$ 67,348	\$ -	\$ 25,992	\$ 133,062	\$ 532,247	\$ 272,917
HASKELL	\$ 24,013	\$ 20,032	\$ 19,360	\$ -	\$ 2,047	\$ 21,818	\$ 87,270	\$ 36,926
HAYS	\$ 79,914	\$ 226,624	\$ 166,635	\$ 30,287	\$ 105,115	\$ 202,858	\$ 811,433	\$ 122,892
HENDERSON	\$ 90,003	\$ 73,292	\$ 83,240	\$ 18,223	\$ 23,414	\$ 96,057	\$ 384,229	\$ 138,406
HIDALGO	\$ 904,751	\$ 172,030	\$ 502,852	\$ 450,010	\$ 305,288	\$ 778,310	\$ 3,113,241	\$ 1,391,324
HILL	\$ 95,808	\$ 59,787	\$ 49,105	\$ 43,471	\$ 6,421	\$ 84,864	\$ 339,456	\$ 147,333
HOCKLEY	\$ 43,544	\$ 31,676	\$ 57,711	\$ 12,972	\$ 14,213	\$ 53,372	\$ 213,488	\$ 66,962
HOOD	\$ 113,522	\$ 111,133	\$ 16,778	\$ 13,828	\$ 9,700	\$ 88,320	\$ 353,281	\$ 174,574
HOPKINS	\$ 156,121	\$ 127,396	\$ -	\$ 43,945	\$ 25,741	\$ 117,735	\$ 470,938	\$ 240,083
HOUSTON	\$ 51,551	\$ 39,220	\$ 8,153	\$ 3,135	\$ 15,857	\$ 39,306	\$ 157,222	\$ 79,274
HOWARD	\$ 85,461	\$ 47,243	\$ 30,244	\$ 86,196	\$ 22,438	\$ 90,528	\$ 362,110	\$ 131,421
HUNT	\$ 110,428	\$ 85,696	\$ 156,792	\$ 54,670	\$ 56,852	\$ 154,813	\$ 619,251	\$ 169,816
HUTCHINSON	\$ 64,934	\$ 73,574	\$ -	\$ 15,387	\$ 6,495	\$ 53,463	\$ 213,853	\$ 99,855
JACKSON	\$ 24,766	\$ 25,771	\$ 18,307	\$ 21,868	\$ 7,136	\$ 32,616	\$ 130,464	\$ 38,085
JASPER	\$ 168,855	\$ 84,677	\$ 35,700	\$ 45,067	\$ 30,895	\$ 121,732	\$ 486,926	\$ 259,664
JEFFERSON	\$ 235,821	\$ 375,992	\$ 172,012	\$ 136,091	\$ 118,414	\$ 346,110	\$ 1,384,440	\$ 362,645
JIM WELLS	\$ 223,699	\$ 93,856	\$ 16,656	\$ 41,765	\$ 22,551	\$ 132,843	\$ 531,370	\$ 344,004
JOHNSON	\$ 126,242	\$ 162,265	\$ 89,511	\$ 72,893	\$ 121,325	\$ 190,746	\$ 762,982	\$ 194,134
JONES	\$ 44,591	\$ 35,359	\$ 69,188	\$ 3,059	\$ 3,160	\$ 51,786	\$ 207,143	\$ 68,572
KARNES	\$ 108,844	\$ 204,359	\$ -	\$ 22,433	\$ 34,631	\$ 123,422	\$ 493,689	\$ 167,380
KAUFMAN	\$ 204,462	\$ 103,404	\$ -	\$ 68,287	\$ 31,672	\$ 135,942	\$ 543,767	\$ 314,422
KENDALL	\$ 42,041	\$ 42,392	\$ 22,431	\$ 47,143	\$ 8,737	\$ 54,248	\$ 216,992	\$ 64,650
KERR	\$ 21,384	\$ 28,562	\$ 200,131	\$ 13,292	\$ 25,406	\$ 96,259	\$ 385,034	\$ 31,913
KLEBERG	\$ 59,321	\$ 53,661	\$ 25,289	\$ 42,469	\$ 10,438	\$ 63,726	\$ 254,904	\$ 91,224
LAMAR	\$ 119,662	\$ 22,058	\$ -	\$ 114,752	\$ 27,828	\$ 94,767	\$ 379,067	\$ 184,016
LAMB	\$ 44,428	\$ 37,447	\$ 8,885	\$ 14,617	\$ 6,155	\$ 37,177	\$ 148,709	\$ 68,321
LAMPASAS	\$ 18,807	\$ 69,010	\$ 20,491	\$ 10,395	\$ 12,530	\$ 43,744	\$ 174,977	\$ 28,922

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**Proposed FY2021 Allocations: State Aid Formula Funding by Component Grant
(pending TJJ Board approval)**

DEPARTMENT	Basic Probation Supervision (minimum)	Community Programs	Pre & Post Adjudication Facilities	Commitment Diversion	Mental Health Services	Flexible Funds	Total, FY21 State Aid	Basic Probation Supervision (maximum)
LASALLE	\$ 31,862	\$ 24,449	\$ -	\$ 11,167	\$ 1,862	\$ 23,114	\$ 92,454	\$ 48,998
LAVACA	\$ 158,927	\$ 125,441	\$ 17,928	\$ 27,033	\$ 16,585	\$ 115,305	\$ 461,219	\$ 244,398
LEON	\$ 30,888	\$ 7,667	\$ 11,276	\$ 18,563	\$ 1,588	\$ 23,328	\$ 93,310	\$ 47,500
LIBERTY	\$ 145,647	\$ 95,800	\$ -	\$ 40,748	\$ 16,149	\$ 99,448	\$ 397,792	\$ 223,975
LIMESTONE	\$ 88,296	\$ 55,710	\$ 105,763	\$ 12,712	\$ 16,982	\$ 93,155	\$ 372,618	\$ 135,769
LUBBOCK	\$ 60,848	\$ 226,635	\$ 481,480	\$ 307,357	\$ 170,466	\$ 415,595	\$ 1,662,381	\$ 93,572
LYNN	\$ 28,678	\$ 8,421	\$ 5,741	\$ 8,155	\$ 7,128	\$ 19,375	\$ 77,498	\$ 44,101
MCCULLOCH	\$ 25,380	\$ 64,934	\$ 50,714	\$ 14,910	\$ 2,862	\$ 52,934	\$ 211,734	\$ 39,029
MCLENNAN	\$ 213,245	\$ 37,382	\$ 293,999	\$ 391,828	\$ 121,309	\$ 352,588	\$ 1,410,351	\$ 327,927
MADISON	\$ 16,697	\$ 8,058	\$ 5,243	\$ 14,811	\$ 1,104	\$ 15,304	\$ 61,217	\$ 25,676
MATAGORDA	\$ 98,633	\$ 119,630	\$ 20,810	\$ 37,005	\$ 23,310	\$ 99,796	\$ 399,184	\$ 151,678
MAVERICK	\$ 270,521	\$ 277,637	\$ -	\$ 55,725	\$ 27,750	\$ 210,544	\$ 842,177	\$ 416,006
MEDINA	\$ 115,854	\$ 72,553	\$ 66,320	\$ 8,915	\$ 6,328	\$ 89,990	\$ 359,960	\$ 178,160
MIDLAND	\$ 100,489	\$ 183,879	\$ 136,365	\$ 192,066	\$ 127,017	\$ 246,605	\$ 986,421	\$ 154,531
MILAM	\$ 121,615	\$ 86,988	\$ 97,490	\$ 106,721	\$ 31,256	\$ 148,024	\$ 592,094	\$ 187,020
MONTAGUE	\$ 81,615	\$ 36,500	\$ 56,310	\$ 9,664	\$ 13,580	\$ 65,890	\$ 263,559	\$ 124,985
MONTGOMERY	\$ 372,473	\$ 521,675	\$ 169,949	\$ 205,012	\$ 176,743	\$ 481,951	\$ 1,927,803	\$ 572,788
MOORE	\$ 62,124	\$ 6,000	\$ 47,927	\$ 21,400	\$ 16,192	\$ 51,215	\$ 204,858	\$ 93,555
NACOGDOCHES	\$ 92,196	\$ (6,310)	\$ 117,163	\$ 104,870	\$ 37,396	\$ 115,105	\$ 460,420	\$ 141,779
NAVARRO	\$ 78,089	\$ 51,544	\$ 72,701	\$ 27,335	\$ 34,157	\$ 87,942	\$ 351,768	\$ 120,085
NOLAN	\$ 50,125	\$ 46,121	\$ 73,529	\$ 18,223	\$ 11,548	\$ 66,515	\$ 266,061	\$ 77,083
NUECES	\$ 461,970	\$ 517,946	\$ 334,415	\$ 261,724	\$ 182,751	\$ 586,269	\$ 2,345,075	\$ 710,416
OCHILTREE	\$ 39,792	\$ 27,844	\$ 18,383	\$ 6,440	\$ 1,688	\$ 31,382	\$ 125,529	\$ 61,192
ORANGE	\$ 73,570	\$ 110,559	\$ 114,895	\$ 96,546	\$ 22,835	\$ 139,469	\$ 557,874	\$ 113,136
PALO PINTO	\$ 59,493	\$ 41,781	\$ 29,134	\$ 27,174	\$ 5,901	\$ 54,495	\$ 217,978	\$ 91,488
PANOLA	\$ 36,740	\$ 46,818	\$ 43,272	\$ 6,378	\$ 7,136	\$ 46,781	\$ 187,125	\$ 56,498
PARKER	\$ 206,246	\$ 175,899	\$ -	\$ 28,629	\$ 37,303	\$ 149,359	\$ 597,436	\$ 317,165
PECOS	\$ 34,733	\$ 28,921	\$ 35,297	\$ 9,112	\$ 5,112	\$ 37,725	\$ 150,900	\$ 53,412
POLK	\$ 210,528	\$ 104,683	\$ 78,274	\$ 28,303	\$ 34,410	\$ 152,066	\$ 608,264	\$ 323,750
POTTER	\$ 127,322	\$ 1,724	\$ 372,784	\$ 139,223	\$ 90,645	\$ 243,900	\$ 975,598	\$ 192,213
RANDALL	\$ 102,435	\$ 117,498	\$ 216,076	\$ 34,973	\$ 149,259	\$ 206,747	\$ 826,988	\$ 157,525

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**Proposed FY2021 Allocations: State Aid Formula Funding by Component Grant
(pending TJJ Board approval)**

DEPARTMENT	Basic Probation Supervision (minimum)	Community Programs	Pre & Post Adjudication Facilities	Commitment Diversion	Mental Health Services	Flexible Funds	Total, FY21 State Aid	Basic Probation Supervision (maximum)
RED RIVER	\$ 41,989	\$ 2,999	\$ 49,566	\$ 7,091	\$ 3,769	\$ 35,138	\$ 140,552	\$ 61,128
REEVES	\$ 18,915	\$ 51,398	\$ 59,894	\$ 8,073	\$ 11,647	\$ 49,976	\$ 199,903	\$ 29,088
REFUGIO	\$ 33,156	\$ 9,180	\$ 13,333	\$ -	\$ 5,991	\$ 20,554	\$ 82,214	\$ 49,754
ROCKWALL	\$ 132,796	\$ 110,125	\$ 46,837	\$ 16,066	\$ 12,782	\$ 106,202	\$ 424,808	\$ 204,213
RUSK	\$ 77,644	\$ 160,838	\$ 10,433	\$ 21,302	\$ 9,426	\$ 93,214	\$ 372,857	\$ 119,401
SAN PATRICIO	\$ 301,297	\$ 219,559	\$ 33,147	\$ 191,052	\$ 106,964	\$ 284,006	\$ 1,136,025	\$ 463,335
SCURRY	\$ 26,810	\$ (36,590)	\$ 134,289	\$ -	\$ 6,343	\$ 43,617	\$ 174,469	\$ 41,229
SHELBY	\$ 45,236	\$ 24,745	\$ 8,906	\$ 33,704	\$ 4,401	\$ 38,998	\$ 155,990	\$ 69,564
SMITH	\$ 213,777	\$ 167,323	\$ 105,984	\$ 259,754	\$ 93,382	\$ 280,073	\$ 1,120,293	\$ 328,746
SOMERVELL	\$ 11,239	\$ 16,360	\$ 22,177	\$ 3,350	\$ 3,868	\$ 18,998	\$ 75,992	\$ 17,284
STARR	\$ 210,422	\$ 260,713	\$ 71,830	\$ 27,335	\$ 49,951	\$ 206,751	\$ 827,002	\$ 323,587
SUTTON	\$ 24,554	\$ 16,970	\$ 10,697	\$ 8,159	\$ 2,198	\$ 20,860	\$ 83,438	\$ 37,759
SWISHER	\$ 57,665	\$ 53,732	\$ 1,518	\$ 11,419	\$ 4,700	\$ 43,011	\$ 172,045	\$ 88,678
TARRANT	\$ 1,120,221	\$ 798,078	\$ 907,340	\$ 965,132	\$ 967,079	\$ 1,585,950	\$ 6,343,800	\$ 1,722,674
TAYLOR	\$ 213,923	\$ 306,798	\$ 30,124	\$ 68,337	\$ 19,029	\$ 212,737	\$ 850,948	\$ 328,971
TERRY	\$ 61,628	\$ 2,647	\$ 33,238	\$ 16,001	\$ 10,465	\$ 41,326	\$ 165,305	\$ 91,746
TITUS	\$ 156,747	\$ 97,663	\$ 13,873	\$ 27,072	\$ 28,976	\$ 108,110	\$ 432,441	\$ 241,045
TOM GREEN	\$ 72,505	\$ 184,620	\$ 286,982	\$ 17,914	\$ 45,493	\$ 202,505	\$ 810,019	\$ 111,497
TRAVIS	\$ 427,519	\$ 1,591,402	\$ 426,997	\$ 1,617,494	\$ 238,669	\$ 1,434,027	\$ 5,736,108	\$ 657,438
TYLER	\$ 50,890	\$ 40,436	\$ -	\$ 6,995	\$ 10,045	\$ 36,122	\$ 144,488	\$ 78,258
UPSHUR	\$ 97,224	\$ 73,640	\$ 16,477	\$ 20,957	\$ 22,481	\$ 76,926	\$ 307,705	\$ 149,511
UPTON	\$ 21,590	\$ 27,059	\$ 5,203	\$ 6,651	\$ 2,616	\$ 21,040	\$ 84,159	\$ 33,201
UVALDE	\$ 105,184	\$ 81,858	\$ 25,526	\$ 6,864	\$ 22,378	\$ 80,604	\$ 322,414	\$ 161,752
VAL VERDE	\$ 232,067	\$ 146,208	\$ -	\$ 32,976	\$ 46,645	\$ 152,632	\$ 610,528	\$ 356,873
VAN ZANDT	\$ 104,192	\$ -	\$ 122,031	\$ 56,018	\$ 72,425	\$ 118,222	\$ 472,888	\$ 157,795
VICTORIA-GOLIAD	\$ 271,699	\$ 150,696	\$ 3,067	\$ 238,370	\$ 26,265	\$ 230,033	\$ 920,130	\$ 417,818
WALKER	\$ 145,613	\$ 84,733	\$ 10,431	\$ 29,086	\$ 27,083	\$ 98,982	\$ 395,928	\$ 223,924
WALLER	\$ 55,086	\$ 91,448	\$ 15,696	\$ 12,539	\$ 3,476	\$ 59,415	\$ 237,660	\$ 84,712
WARD	\$ 33,392	\$ 26,240	\$ 57,544	\$ 13,201	\$ 5,813	\$ 45,397	\$ 181,587	\$ 49,025
WEBB	\$ 586,162	\$ 430,090	\$ 218,313	\$ 160,416	\$ 188,005	\$ 527,662	\$ 2,110,648	\$ 901,398
WHARTON	\$ 93,538	\$ 72,676	\$ 17,379	\$ 38,992	\$ 55,788	\$ 92,791	\$ 371,164	\$ 143,842

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**Proposed FY2021 Allocations: State Aid Formula Funding by Component Grant
(pending TJJ Board approval)**

DEPARTMENT	Basic Probation Supervision (minimum)	Community Programs	Pre & Post Adjudication Facilities	Commitment Diversion	Mental Health Services	Flexible Funds	Total, FY21 State Aid	Basic Probation Supervision (maximum)
WHEELER	\$ 39,557	\$ 36,535	\$ 10,405	\$ 6,408	\$ 2,214	\$ 31,706	\$ 126,825	\$ 60,831
WICHITA	\$ 209,725	\$ 369,815	\$ 36,629	\$ 76,032	\$ 83,287	\$ 258,496	\$ 1,033,984	\$ 322,515
WILBARGER	\$ 69,723	\$ 28,998	\$ 17,719	\$ 6,269	\$ 3,557	\$ 42,089	\$ 168,355	\$ 107,220
WILLACY	\$ 71,660	\$ 56,840	\$ 31,545	\$ 15,912	\$ 11,100	\$ 62,352	\$ 249,409	\$ 110,199
WILLIAMSON	\$ 324,128	\$ 247,195	\$ 323,169	\$ 267,355	\$ 181,262	\$ 447,703	\$ 1,790,812	\$ 498,443
WINKLER	\$ 14,637	\$ 19,801	\$ 22,353	\$ 4,272	\$ 2,471	\$ 21,178	\$ 84,712	\$ 22,509
WISE	\$ 77,828	\$ 80,182	\$ 113,762	\$ 21,868	\$ 21,407	\$ 105,016	\$ 420,063	\$ 119,683
WOOD	\$ 76,578	\$ 35,986	\$ 24,083	\$ 31,464	\$ 16,969	\$ 61,694	\$ 246,774	\$ 117,761
YOAKUM	\$ 9,201	\$ 18,039	\$ 29,327	\$ -	\$ 1,319	\$ 19,295	\$ 77,181	\$ 14,149
YOUNG	\$ 100,018	\$ 56,643	\$ -	\$ 9,747	\$ 28,897	\$ 65,102	\$ 260,407	\$ 153,807
ZAPATA	\$ 66,502	\$ 55,398	\$ 22,891	\$ 10,363	\$ 1,381	\$ 52,179	\$ 208,714	\$ 102,267
TOTALS	\$ 25,244,910	\$ 28,727,006	\$ 16,094,855	\$ 16,643,334	\$ 12,106,172	\$ 32,938,784	\$ 131,755,061	\$ 38,799,212

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PROPOSED FY2021 ALLOCATIONS: ALL TJJ D PROBATION GRANT PROGRAMS
(pending TJJ D Board approval)

FISCAL YEAR 2021	State Aid Formula Funding	Harris County Leadership Academy	Prevention and Intervention (P&I) ¹	Special Needs Diversionary Program (SNDP) ¹	Border Justice Project ¹	Discretionary JJAEP Funding ¹	Other Discretionary State Aid (DSA) ^{1,3}	Regional Diversion Alternatives (RDA) ²	Title IV-E ²	JJAEP Mandatory Rate up to \$96 Per Day ²
ANDERSON	\$351,903									
ANDREWS	\$173,328									
ANGELINA	\$665,238			\$56,490						
ATASCOSA	\$488,392					\$50,000				
AUSTIN	\$209,505									
BAILEY	\$145,487									
BANDERA	\$165,844									
BASTROP	\$904,339		\$35,760							
BAYLOR	\$81,588									
BELL	\$1,460,286						\$14,428			
BEXAR	\$8,000,030		\$565,660	\$216,511			\$202,795			
BOWIE	\$623,331						\$21,900			
BRAZORIA	\$1,463,028									
BRAZOS	\$1,085,743									
BREWSTER	\$133,542									
BROOKS	\$119,606		\$52,800							
BROWN	\$324,755									
BURNET	\$558,670		\$16,612							
CALDWELL	\$390,356									
CALHOUN	\$226,291									
CALLAHAN	\$60,339									
CAMERON	\$2,664,586		\$121,848	\$107,163	\$24,954		\$590,805			
CASS	\$264,080									
CHAMBERS	\$178,319									
CHEROKEE	\$516,673									
CHILDRESS	\$207,201									
COCHRAN	\$53,796									

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COKE	\$197,239									
COLEMAN	\$67,117									
COLLIN	\$1,999,006						\$132,918			
COMAL	\$602,855	\$52,558								
COMANCHE	\$297,644									
COOKE	\$289,712									
CORYELL	\$607,333									
CRANE	\$76,291									
CROSBY	\$80,297									
CULBERSON	\$79,192									
DALLAM	\$144,247									
DALLAS	\$10,251,138		\$239,632							
DAWSON	\$195,602									
DEAF SMITH	\$281,413									
DENTON	\$2,253,787						\$87,747			
DEWITT	\$219,052						\$30,000			
DUVAL	\$234,229									
EASTLAND	\$161,904									
ECTOR	\$932,712	\$77,690								
ELLIS	\$658,435	\$144,000					\$81,600			
EL PASO	\$3,506,511	\$177,352	\$50,360							
ERATH	\$252,007									
FANNIN	\$238,738									
FAYETTE	\$147,168									
FLOYD	\$166,709									
FORT BEND	\$2,287,579	\$61,688	\$54,413							
FRIO	\$171,768									
GAINES	\$171,675									
GALVESTON	\$1,485,214									
GARZA	\$82,569									
GRAY	\$222,179									
GRAYSON	\$1,012,300									
GREGG	\$854,038									
GRIMES	\$205,052									

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GUADALUPE	\$746,500		\$94,560						
HALE	\$352,465		\$119,924	\$42,545		\$50,000			
HARDIN	\$465,824					\$50,000			
HARRIS	\$16,264,428	\$1,000,000		\$260,617			\$438,930		
HARRISON	\$532,247								
HASKELL	\$87,270								
HAYS	\$811,433			\$48,965			\$72,000		
HENDERSON	\$384,229								
HIDALGO	\$3,113,241			\$97,384			\$63,720		
HILL	\$339,456		\$22,395			\$50,000			
HOCKLEY	\$213,488								
HOOD	\$353,281								
HOPKINS	\$470,938								
HOUSTON	\$157,222								
HOWARD	\$362,110								
HUNT	\$619,251								
HUTCHINSON	\$213,853								
JACKSON	\$130,464		\$47,455						
JASPER	\$486,926								
JEFFERSON	\$1,384,440			\$54,703					
JIM WELLS	\$531,370								
JOHNSON	\$762,982								
JONES	\$207,143								
KARNES	\$493,689		\$113,414			\$50,000			
KAUFMAN	\$543,767								
KENDALL	\$216,992								
KERR	\$385,034								
KLEBERG	\$254,904		\$13,920						
LAMAR	\$379,067								
LAMB	\$148,709								
LAMPASAS	\$174,977		\$3,746						
LASALLE	\$92,454								
LAVACA	\$461,219								
LEON	\$93,310								

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LIBERTY	\$397,792								
LIMESTONE	\$372,618								
LUBBOCK	\$1,662,381								
LYNN	\$77,498								
MCCULLOCH	\$211,734								
MCLENNAN	\$1,410,351			\$46,008					
MADISON	\$61,217								
MATAGORDA	\$399,184								
MAVERICK	\$842,177								
MEDINA	\$359,960								
MIDLAND	\$986,421								
MILAM	\$592,094		\$19,200						
MONTAGUE	\$263,559								
MONTGOMERY	\$1,927,803								
MOORE	\$204,858								
NACOGDOCHES	\$460,420								
NAVARRO	\$351,768								
NOLAN	\$266,061								
NUECES	\$2,345,075								
OCHILTREE	\$125,529								
ORANGE	\$557,874								
PALO PINTO	\$217,978								
PANOLA	\$187,125								
PARKER	\$597,436						\$316,500		
PECOS	\$150,900								
POLK	\$608,264			\$27,581					
POTTER	\$975,598			\$55,711			\$49,500		
RANDALL	\$826,988		\$9,440				\$873,562		
RED RIVER	\$140,552								
REEVES	\$199,903								
REFUGIO	\$82,214								
ROCKWALL	\$424,808		\$45,385						
RUSK	\$372,857								
SAN PATRICIO	\$1,136,025			\$107,047					

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SCURRY	\$174,469									
SHELBY	\$155,990						\$9,600			
SMITH	\$1,120,293									
SOMERVELL	\$75,992									
STARR	\$827,002									
SUTTON	\$83,438									
SWISHER	\$172,045						\$7,500			
TARRANT	\$6,343,800	\$322,668	\$216,800							
TAYLOR	\$850,948									
TERRY	\$165,305									
TITUS	\$432,441									
TOM GREEN	\$810,019	\$96,000	\$31,940							
TRAVIS	\$5,736,108	\$98,132	\$153,725				\$1,152,442			
TYLER	\$144,488		\$27,580							
UPSHUR	\$307,705									
UPTON	\$84,159									
UVALDE	\$322,414									
VAL VERDE	\$610,528	\$61,440	\$48,752							
VAN ZANDT	\$472,888	\$51,275					\$83,593			
VICTORIA/GOLIAD	\$920,130									
WALKER	\$395,928									
WALLER	\$237,660									
WARD	\$181,587									
WEBB	\$2,110,648	\$86,045	\$26,294							
WHARTON	\$371,164	\$145,416								
WHEELER	\$126,825									
WICHITA	\$1,033,984									
WILBARGER	\$168,355									
WILLACY	\$249,409	\$48,000								
WILLIAMSON	\$1,790,812	\$56,410								
WINKLER	\$84,712									
WISE	\$420,063									
WOOD	\$246,774									
YOAKUM	\$77,181									

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YOUNG	\$260,407									
ZAPATA	\$208,714		\$100,454							
Subtotal	\$131,755,061	\$1,000,000	\$2,861,247	\$1,895,175	\$100,000	\$250,000	\$4,229,540	\$0	\$0	\$0

To Be Allocated	\$0	\$0	\$150,930	\$0	\$0	\$0	\$164,413	\$7,000,000	\$4,733,329	\$6,000,000
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Program Total	\$131,755,061	\$1,000,000	\$3,012,177	\$1,895,175	\$100,000	\$250,000	\$4,393,953	\$7,000,000	\$4,733,329	\$6,000,000
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Grand Total⁴										\$160,139,695
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¹Remaining funds will be allocated through a defined selection process.

²Reimbursement program, with payments distributed upon receipt of acceptable documentation. Grand total reflects appropriated amounts for FY2021, but actual reimbursements may vary.

³An additional \$2.1 million in state cost savings will be used to fund one year DSA grants.

⁴Grand Total reconciles exactly to FY 2021 probation grant appropriations.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVAL OF FY 2021 PROBATION DEPARTMENT FUNDING ALLOCATIONS

On this **1st day of May 2020**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Vacant					
Motion:		Second:			

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

WHEREAS, the TJJD Board Governance and Policy Manual specifies the TJJD Board’s authority and responsibility to review and approve fundamental operating, financial and other department plans, strategies, and objectives; and

WHEREAS, the 86th Legislature provided \$160,027,312 in appropriations authority to support local probation department activities during fiscal year 2021; and

WHEREAS, the TJJD staff has developed a proposed funding allocation methodology for available appropriations through formula-based, targeted, and reimbursement-driven probation grant programs; and

WHEREAS, staff requests approval of the proposed allocation methodology including necessary flexibility for funds management purposes;

NOW, THEREFORE BE IT RESOLVED THAT the Board approves the proposed methodology for allocating available probation grant appropriations in FY 2021; and

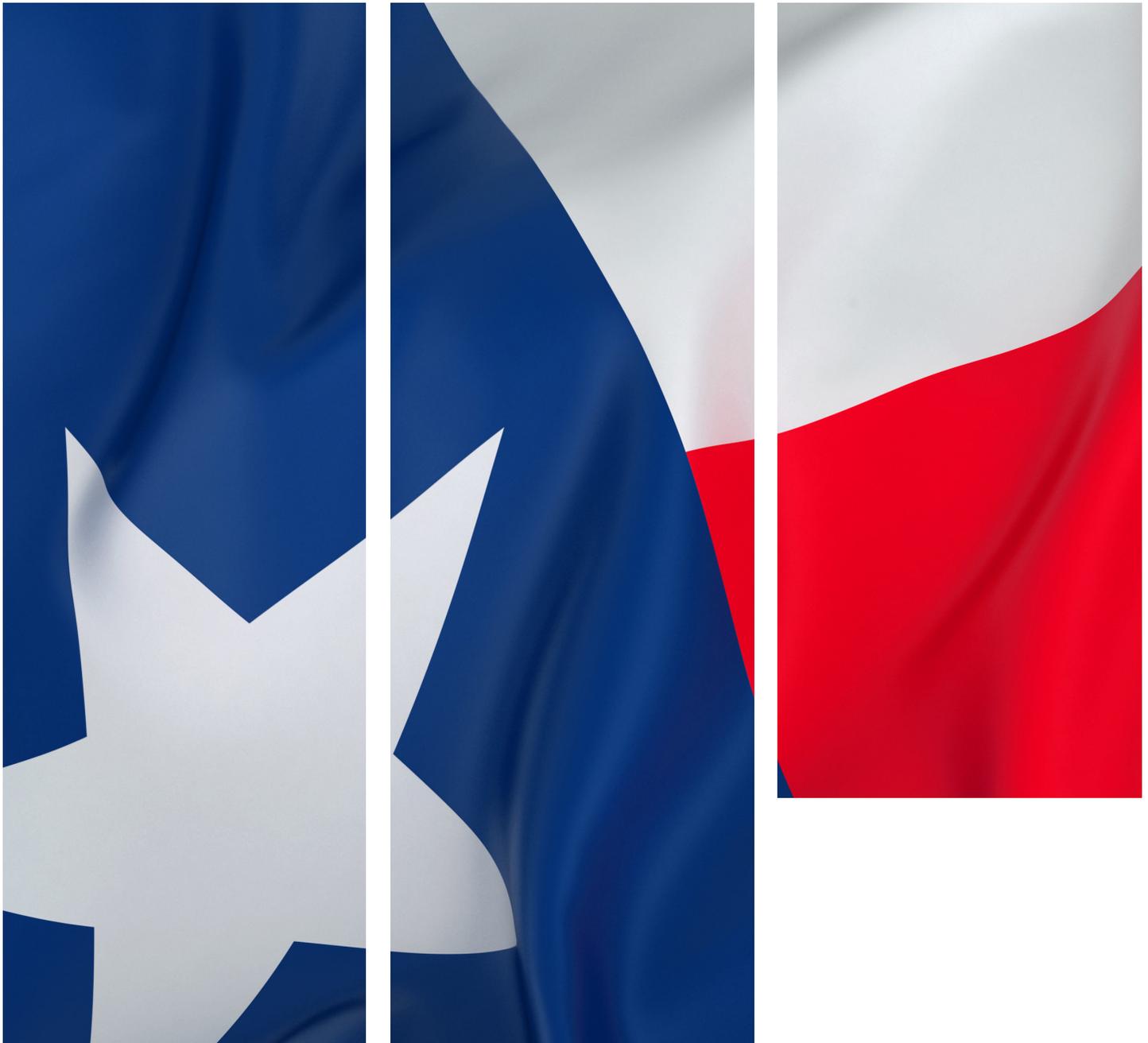
BE IT FURTHER RESOLVED THAT the Board authorizes the Executive Director to make adjustments to appropriation line items, probation grant programs, and individual department allocations in accordance with state and federal law, agency policy, the State Aid and Targeted Grants Contract, and TJJD Board guidance that are appropriate and necessary to administer approved programs.

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

Signed this 1st day of May 2020

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman



STRATEGIC 2021-2025 PLAN

TEXAS JUVENILE JUSTICE DEPARTMENT

AGENCY STRATEGIC PLAN

Fiscal Years 2021 to 2025

BY



TEXAS
JUVENILE JUSTICE
DEPARTMENT

Board Member	Dates of Term	Hometown
The Honorable Wes Ritchey, Chair	January 6, 2017 - February 1, 2021	Dalhart
Edeska Barnes, Jr.	January 6, 2017 - February 1, 2021	Jasper
James Castro	March 6, 2017 - February 1, 2023	Bergheim
Mona Lisa Chambers	March 1, 2019 - February 1, 2025	Houston
Pama Hencerling	January 6, 2017 - February 1, 2023	Victoria
The Honorable Lisa Jarrett	January 6, 2017 - February 1, 2021	San Antonio
Ann Lattimore	January 7, 2019 - February 1, 2021	Cedar Park
Melissa Martin	March 1, 2019 - February 1, 2025	Deer Park
David "Scott" Matthew	March 1, 2019 - February 1, 2025	Georgetown
The Honorable Vincent Morales, Jr.	March 1, 2019 - February 1, 2025	Rosenberg
The Honorable Allison Palmer	March 6, 2017 - February 1, 2023	San Angelo
James "Jimmy" Smith	March 6, 2017 - February 1, 2023	Midland

June 1, 2020

SIGNED:

Camille Cain, Executive Director

APPROVED:

The Honorable Wes Ritchey, Chair

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Mission

Transforming young lives and creating safer communities.

Core Values

JUSTICE

We do the right thing, in all things, with all people.

SAFETY

We commit to a culture that protects youth, employees, and the public.

INTEGRITY

We build trust through transparency and ethical behavior.

PARTNERSHIP

We achieve best results through collaboration with counties, stakeholders, youth and their families.

INNOVATION

We proactively create opportunities to improve the juvenile justice system.

Vision

An effective and integrated juvenile justice system that:

1. Advances public safety through rehabilitation.
2. Equitably affords youth access to services and trauma-informed care, matching their needs to enhance opportunities for a satisfying and productive life.
3. Employs a stable and engaged workforce fully empowered to be agents of change and reinforce treatment goals for youth.
4. Operates safe and therapeutic environments with positive peer cultures emphasizing mutual accountability.
5. Is a model system with innovative, data-driven, and successful programming.
6. Embraces a one-system approach that includes the significant voice of county probation offices, and allows for local control.

Agency Goals and Action Plan

GOAL # 1 – Improve Current Operations at Secured Facilities

Over the past two years, the Texas Juvenile Justice Department (TJJD) completed several of the specific action items on improving current operations at secure facilities from the 2019-2023 strategic plan. Work on this goal must continue to achieve TJJD’s system-wide goals of implementing trauma-informed corrections.

Structured programming, youth accountability, and facility safety are the foundation of the Texas Model, which the agency has been developing and implementing over the past biennium. The trauma-informed model must have this foundation to be effective in a correctional environment.

TJJD is expanding the Phoenix Program for the agency’s most aggressive youth. As the agency’s population has lowered, the percentage of youth in secure facilities who can benefit from this highly structured environment has increased. The Phoenix Program—along with the Redirect Program and the new Intensive Intervention Program—will be part of the agency’s new tiered intervention system. Direct-care and treatment staff will be able to provide more-structured programming for violent and aggressive youth, and the youth can move through the intervention levels as his or her needs dictate.

Improving supervision ratios will remain a targeted focus, and the agency will continue to build on successful efforts on stabilizing staffing at the facilities that historically have been difficult to fill. Due to the reform efforts by the Legislature, TJJD’s creation of the Regionalization Division, and agency-driven population reduction measures implemented in 2018, TJJD has been successful in reducing the overall population in state secure facilities. Focus must remain on effectively managing placements. This includes active case reviews, and pointed treatment delivery based on the risks, needs, and responsivity of the youth.

TJJD will continue to expand youth-specific interventions. By re-evaluating the use of stepdown facilities, seeking alternatives to the standard secure setting for lower risk youth, and grouping youth in facilities based on their classification, the future layout of TJJD facilities will lend itself to better management of the youth population.

While the agency has improved facility training, we will continue to find ways to invest in our staff and first-line supervisors at the facilities. Building a culture of coaching and mentoring is crucial for operational goals moving forward.

ACTION ITEMS

1. Finish expansion of the Phoenix Program for male and female offenders.
 - a. Shift the main Phoenix facility to the Evins Regional Juvenile Center and expand the space within the program.
2. Fully implement the violence intervention continuum to provide targeted interventions for the agency's most aggressive youth.
 - a. Develop and evaluate the referral and acceptance criteria for the tiered intervention programs.
 - b. Implement the Intensive Intervention Program at each secure facility.
 - c. Evaluate the effectiveness of the violence intervention continuum and new intervention programming.
3. Complete the analysis of gang intervention curriculum to ensure programming and treatment are specific to youth subcultures provided in a correctional setting.
 - a. Implement newly tailored gang intervention programming at state secure facilities.
 - b. Provide additional programming for other identified youth subcultures.
4. Improve the hearings processes in facilities.
 - a. Fully staff and train designated hearing specialists to serve as the staff advocate and hearings manager for due process hearings.
 - b. Provide procedural changes to ensure due process for disciplinary measures are met while treatment decisions are made by the appropriate treatment professionals.
 - c. Better align youth disciplinary consequences with treatment goals.
5. Complete the development of the agency's new youth case management system to enhance the capability to actively monitor and implement youth treatment needs, improve processes to provide streamlined data, increase data security, and increase the ability to meet needs across the entire juvenile justice system.
6. Increase collaboration with the Office of Inspector General on emergency management operations, including updating emergency management policies and procedures to reflect the expanded role OIG has taken in facility security.
7. Continue to develop practices and policies to increase the availability and retention of direct-care staff, and increase availability of direct-care staff who are on the floor engaging with youth.
 - a. Expand the use of focused hiring efforts for secure facilities.
 - b. Provide additional life-safety structures throughout the facility to minimize the need of fixed staffing posts.
 - c. Tailor the population at each facility to maximize the use of available staffing resources.
 - d. Provide ongoing leadership training for facility leadership and more tenured JCOs.

- e. Establish a coaching and mentoring program for direct care staff that begins in pre-service training and continues through the first year of employment.
8. Increase contract care capacity for youth with special needs, youth with moderate risks, and youth who have progressed well in secure facilities.
 9. Increase reentry services.
 - a. Increase employment opportunities, continuing education, and vocational training.
 - b. Provide youth with additional support and computer resources to improve their chances at employment, access to community-based services and resources, and enrollment in secondary and post-secondary education and vocational training.
 - c. Continue the development of opportunities for youth to participate in innovative programs that increase youth's ability to reintegrate, learn job skills, build healthy relationships and boundaries, and develop other life skills.
 10. Increase technology on the facility to enhance facility safety and security.
 - a. Install the electronic bed check monitoring system.
 - b. Upgrade facility overhead cameras.
 - c. Complete the radio infrastructure upgrades at all secure facilities.
 - d. Finish development of the new youth case management system.
 - e. Install the upgraded visitor tracking system.

SUPPORT OF STATEWIDE OBJECTIVES

1. Accountable to tax and fee payers of Texas.

Ensuring safety and security at state-operated facilities is necessary for TJJD to fulfill the mission that is entrusted to us by the tax and fee payers of Texas.

2. Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.

Streamlining dated policies and removing inefficiencies will provide the best use of the funds provided by the taxpayers of Texas. Tailoring facility population based on youth treatment and rehabilitation needs provides more efficiency in the provision of services to the youth.

3. Effective in successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve.

The agency's core functions and strategic mission rely on the ability to increase the safety and security, as well as the overall operations of state-operated facilities. Fixing systems and processes, while adopting additional intervention procedures, ensures we have a foundation to implement future goals.

4. Attentive to providing excellent customer service.

Improving current operations will increase customer service because the agency will develop and offer programs that are the best for the holistic development of the committed youth.

5. Transparent such that agency actions can be understood by any Texan.

Improving processes, tailoring interventions for the most aggressive youth, and increasing safety and security for all youth are the outcomes Texans expect from our agency. Tangible action items will provide direct improvement in these areas.

GOAL # 2 – Develop and Implement a Fully Trauma-informed System

TJJD focuses on the underlying factors contributing to delinquent behavior. As youth committed to the agency have ever-increasing trauma backgrounds and mental health issues, we must continue to tailor a trauma-informed correctional setting that provides the youth with the best opportunity to successfully reintegrate back into society.

Over the past two years, TJJD developed and began implementing the new Texas Model of Corrections. Grounded in evidence-based best practices for connecting with troubled youth, the core of the Texas Model requires intensive behavior shaping, program structure, and youth accountability.

Additionally, treatment methods must be continually reviewed and improved upon to ensure the programming provided to youth is truly trauma-informed and align with identified best practices. The agency and our juvenile probation partners have achieved success in implementing a validated risk and needs assessment instrument throughout the juvenile justice system.

TJJD is committed to identifying the individual needs of the committed youth and to tailor programming to ensure we are able to adequately meet the youth's needs and ability to progress through treatment. Additionally, by building a new youth case management system to run parallel to the successful system utilized by the county probation departments, TJJD will allow for better information sharing between the juvenile departments and the state system.

The agency will continue implementing programs to meet the needs of the committed youth and provide additional tools for direct-care staff to intervene and redirect the youth's behavior.

ACTION ITEMS

2. Continue to improve direct-care staff training curriculum to ensure trauma-informed care is fully incorporated into our facility culture.
 - a. Continue to provide training on Trust-Based Relational Intervention (TBRI) for current direct-care staff.
 - b. Expand our network of agency TBRI practitioners to lead direct-care staff on the tenants of the Texas Model.
3. Continue improving the youth behavior management system and align it to trauma-informed practices to help youth develop age-appropriate, prosocial skills.
 - a. Explore and fully implement staff development that supports behavior management aligned with a rehabilitative culture.
4. Expand the programming available for all youth to pursue various educational and vocational opportunities comparable to opportunities for non-incarcerated youth.
 - a. Expand career and technical courses aligned to youth's career interests and aptitudes.

- b. Implement articulation agreements with community colleges to offer dual-credit courses aligned with professional and industry standards.
 - c. Implement a blended learning environment with a secure student wireless network driven by mobile devices and other educational applications.
- 5. Improve the youth stage progression process to better align with the Stages of Change model and ensure youth progress through stages parallel with their treatment progression.
 - a. Develop standards and training curriculum for staff to increase their motivational interviewing and identification of the stages of change.
 - b. Tailor the facility privilege systems to better incentivize the youth's progressing through treatment.
- 6. Expand stepdown paths for youth who successfully work through their treatment program so the youth are better able to successfully reintegrate into their community.
- 7. Complete the programming changes to the Mental Health Treatment Program and Crisis Stabilization Unit to ensure the youth with the most severe mental health needs are able to progress through their programming commensurate with their abilities.
- 8. Increase active recruitment of mental health providers to bring in the necessary professionals to meet the needs of our youth.
- 9. Determine long-term need for additional smaller secure facilities to manage youth offenders in groups that lend themselves to better outcomes for the individual youth.
- 10. Determine the distribution of youth in state-operated facilities, and throughout the juvenile justice system, to ensure placements are strategically made based on youth classification and treatment needs.
- 11. Continue to update contracting methods to ensure contract care facilities adopt Texas Model principles.
 - a. Expand the network of contract care options to facilitate residential population management.
 - b. Facilitate proper youth movement throughout the system by aligning placement of youth with individual risk and needs.
- 12. Secure contracts for independent living programs for youth who will be entering their community as an adult member of their household.

SUPPORT OF STATEWIDE OBJECTIVES

1. Accountable to tax and fee payers of Texas.

Programming tailored specifically to the youth's needs will increase the youth's opportunity for successful reentry back into their community and more efficiently uses taxpayer funds.

2. Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.

Integrated treatment based on evidence-based best practices removes redundant treatment efforts and maximizes financial resources.

3. Effective in successfully fulfilling core functions, measuring success in achieving performance measures and implementing plans to continuously improve.

The agency's goal is to improve public safety by providing rehabilitative services to committed youth. Expanding the trauma-informed correctional system will improve the agency's ability to achieve key performance measures.

4. Attentive to providing excellent customer service.

Integrated and holistic programs demonstrate that the agency values partnership with families, youth, and community stakeholders.

5. Transparent such that agency actions can be understood by any Texan.

Improving programming, including stage criteria and treatment progression, will increase the interventions we are tasked with providing committed youth and aligns with community expectations.

GOAL # 3 – Improve Cross Collaboration and Local Control

The Texas juvenile justice system relies on a strong partnership between TJJD and the local county probation departments. This partnership fulfills the system goals of ensuring youth are provided rehabilitative services at the proper level of intervention. TJJD remains committed to fostering this strong partnership and creating opportunities for system-wide improvements.

Over the past two years, TJJD has provided assistance to county juvenile probation departments that are seeking to adopt their own trauma-informed practices. TJJD was also able to provide state operational savings to the field, successfully increasing funding amounts to county departments over the last biennium, as compared to the previous two biennia.

Often, the best way to improve collaboration between the counties and the state, and to increase the local control individual juvenile probation boards need for their services and youth, requires streamlining administrative processes.

TJJD will remain committed to helping the counties with their needs, including: allowing local departments to negotiate the best rates with their contract partners; streamlining grant requirements and simplifying the grant applications; supporting all departments with their risk and needs assessments; expanding support to the field through our regional county administrators; and working with state and local partners to address local mental health services for juvenile justice-involved youth.

This commitment also includes improving collaboration with other youth-serving state agencies, such as the Department of Family and Protective Services (DFPS), to ensure youth served by multiple systems receive the fullest extent of available programming.

The State of Texas needs a single juvenile justice system that exhibits the best level of collaboration between local departments, TJJD, and other similarly situated state agencies. The agency remains committed to support county efforts on improving the delivery of services for all youth in the system.

ACTION ITEMS

1. Continue to share and develop the Texas Model for counties who wish to take on more trauma-informed correctional practices.
 - a. Develop a “road map” for juvenile probation departments to be integrated into the Texas Model.
 - b. Provide training opportunities for county departments and offer additional support that meet the counties’ needs.
2. Improve partnership with other state agencies.
 - a. Increase collaboration with the Health and Human Services Commission, local mental health authorities, and the local intellectual and developmental disability authority to

- meet the mental health needs of juvenile justice-involved youth who have been diagnosed with an intellectual and/or developmental disability.
 - b. Increase collaboration between the DFPS investigators and the TJJD Office of Inspector General regarding facilities that serve dual-system youth.
 - c. Increase collaboration with DFPS on the provision of services to dual-system youth.
4. In coordination with the TJJD Advisory Council, develop a clearer funding formula for state aid funding to local departments.
 5. Develop a modernized data-sharing system to ensure all information on youth background, services, treatment, and development are shared with necessary parties across the system.
 - a. Standardize data governance practices and replace outdated data management systems to encourage data-driven decision making.
 - b. Develop data governance policies and procedures to facilitate the availability, usability, integrity, and security of data employed in systems throughout the state.
 - c. Replace outdated youth case management tracking and incident handling applications.
 6. Increase professional development both within the state system and the county probation departments.
 - a. Determine appropriate training courses for agency and county employees.
 - b. Assess appropriate requirements for juvenile probation and supervision officers and align with the Texas Administrative Code requirements as necessary.
 7. Work with local probation departments and contract care partners to find placement alternatives that embrace best-practices and allow youth to remain closer to their homes when appropriate.
 8. Increase the collaboration between county juvenile probation departments with the TJJD Office of Inspector General on emergency management and risk mitigation.
 - a. Improve information sharing by merging current reporting mechanisms into one system.
 9. Work with probation departments to integrate youth in both populations to a single, integrated system.

SUPPORT OF STATEWIDE OBJECTIVES

1. Accountable to tax and fee payers of Texas.

Increasing collaboration ensures taxpayer funds are used in the most efficient and appropriate manner.

2. Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.

Increasing support for local juvenile probation departments ensures youth who are best treated in the community can remain locally, increasing efficiencies in programming and maximizing the use of available funding.

3. Effective in successfully fulfilling core functions, measuring success in achieving performance measures and implementing plans to continuously improve.

It is important for the agency to work on the juvenile justice system as a whole. Limiting youth's immersion into the juvenile justice system creates more efficiency in the treatment of youth and improves their chances of success.

4. Attentive to providing excellent customer service.

Assisting community partners in improving youth outcomes helps to provide excellent customer service to juveniles and local communities. This includes more treatment and placement options, more training, and a focus on ensuring juveniles needs are met early.

5. Transparent such that agency actions can be understood by any Texan.

A uniform method of matching treatment to needs allows stakeholders to better predict and plan outcomes and improves transparency in the juvenile justice process.

Redundancies and Impediments

	TJJD Employee Grievance and Disciplinary Proceedings
<p>Service, Statute, Rule or Regulation (Provide Specific Citation if applicable)</p>	<p>Human Resources Code Sec. 242.004. EMPLOYEES. (a) Within the limits specified by legislative appropriation, the department may employ and compensate personnel necessary to carry out the department's duties.</p> <p>(b) Except as otherwise provided by this subchapter, an employee of the department is employed on an at-will basis.</p> <p>(c) The department shall establish procedures and practices governing:</p> <p style="padding-left: 20px;">(1) employment-related grievances submitted by department employees; and</p> <p style="padding-left: 20px;">(2) disciplinary actions within the department, including a procedure allowing a department employee to elect to participate in an independent dismissal mediation if the employee is recommended for dismissal.</p>
<p>Describe why the Service, Statute, Rule or Regulation is Resulting in Inefficient or Ineffective Agency Operations</p>	<p>Section 242.004, Human Resources Code, contains requirements regarding TJJD employee grievance and disciplinary procedures.</p> <p>The mediation/arbitration requirement is onerous, inefficient, and costly. TJJD operates one central office and most staff in field offices perform work related to youth services. When a former employee wishes to mediate, TJJD must pay for the centrally-located manager and a certified arbiter to travel (often overnight) to the location of the aggrieved party. This presents significant cost to the agency both in lost manpower and travel expenses.</p> <p>The two most common requests at mediation are for back pay and reinstatement. Neither request can be granted without careful deliberation of the individual circumstances and liability risks to the agency, which must be done in consultation with multiple departments within the agency (e.g., executive and general counsel). This makes it impossible to immediately grant or deny the former employee's request; therefore, the majority of mediations result in an impasse. A more efficient solution is for the employee to grieve the action, allowing the manager to consult documents, investigations, and relevant personnel before issuing a decision.</p> <p>TJJD already offers post-termination grievance options to former employees in addition to the significant due process offered to employees pre-termination.</p>

<p>Provide Agency Recommendation for Modification or Elimination</p>	<p>Amend Section 242.004(c), Human Resources Code, to require TJJJ offer some form of grievance relief to any employee that is pending termination or has been terminated, but to eliminate the requirement for mediation or non-binding arbitration.</p> <p>Human Resources Code Sec. 242.004 EMPLOYEES. (c) The department shall establish procedures and practices governing: (1) employment-related grievances submitted by department employees; and (2) disciplinary actions within the department, including [a procedure allowing a department employee to elect to participate in an independent dismissal mediation if the employee is recommended for dismissal] <u>procedures for resolving any grievance filed by an employee pending termination when the grievance challenges the dismissal recommendation.</u></p>
<p>Describe the Estimated Cost Savings or Other Benefit Associated with Recommended Change</p>	<p>Eliminating the need for mediation or non-binding arbitration will save the agency in travel costs for both the arbiter and managers. It will also save the agency in lost time from those employees, and will increase efficiencies in the employee grievance process.</p> <p>Managers spend, on average, 40 hours per month on independent dismissal mediations, and the agency’s certified mediator spends approximately 22 hours per month on independent dismissal mediations. Agency expenses range from \$700 - \$1,920 per month, depending on where the mediation is located.</p> <p>Salaries are approximately \$2,250 per month for upper level managers and \$940 per month for the certified mediator, totaling a cost of \$3,190 per month..</p> <p>Given that the mediations rarely, if ever, come to an agreed resolution, this change would also eliminate an inefficient process that has little effect on either due process rights or resolutions to employee grievances.</p>

	<p>Evaluation of Treatment Programs</p>
<p>Service, Statute, Rule or Regulation (Provide Specific Citation if applicable)</p>	<p>Human Resources Code Sec. 242.001. STUDY OF TREATMENT METHODS; STATISTICAL RECORDS. (a) The department shall conduct continuing inquiry into the effectiveness of the treatment methods the department employs in the reformation of children. To this end, the department shall maintain a record of arrests and commitments of its wards subsequent to their discharge from the jurisdiction of the</p>

	<p>department and shall tabulate, analyze, and publish biennially the data for use in evaluating the relative merits of treatment methods.</p> <p>Human Resources Code Sec. 242.002. EVALUATION OF TREATMENT PROGRAMS; AVAILABILITY. (a) The department shall annually review the effectiveness of the department's programs for the rehabilitation and reestablishment in society of children committed to the department, including programs for sex offenders, capital offenders, children who are chemically dependent, emotionally disturbed children, and females.</p> <p>(b) On or before December 31 of each even-numbered year, the department shall make a report on the effectiveness of the programs to the Legislative Budget Board.</p> <p>Human Resources Code Sec. 245.0535. COMPREHENSIVE REENTRY AND REINTEGRATION PLAN FOR CHILDREN; STUDY AND REPORT.</p> <p>(h) The department shall conduct and coordinate research to determine whether the comprehensive reentry and reintegration plan developed under this section reduces recidivism rates.</p> <p>(i) Not later than December 31 of each even-numbered year, the department shall deliver a report of the results of research conducted or coordinated under Subsection (h) to the lieutenant governor, the speaker of the house of representatives, and the standing committees of each house of the legislature with primary jurisdiction over juvenile justice and corrections.</p>
<p>Describe why the Service, Statute, Rule or Regulation is Resulting in Inefficient or Ineffective Agency Operations</p>	<p>The Human Resources Code creates three separate but related reporting requirements with various time frames submitted to different stakeholders, creating inherent inefficiencies.</p> <p>Additionally, although required by these statutes, TJJD researchers cannot reliably determine whether or how much treatment programming in facilities versus reentry programming uniquely affected recidivism. Youth outcomes are driven by the collective of effective treatment programming and re-entry. Therefore the agency suggests combining the evaluation of both.</p>
<p>Provide Agency Recommendation for Modification or Elimination</p>	<p>Replace the three statutes with a statutorily-required biennial evaluation of treatment programs and reintegration/reentry programming.</p> <p><u>Human Resources Code Sec. 242.001. COMPREHENSIVE EVALUATION OF TREATMENT PROGRAMS AND REENTRY/REINTEGRATION PROGRAMMING AND ITS EFFECT ON RECIDIVISM.</u></p>

	<p>a) <u>The department shall biennially review the effectiveness of the department's programs for the rehabilitation and reestablishment in society of children committed to the department, including programs for children with sexual behavior treatment needs, children committed for serious and violent offenses, children who are in need of alcohol and other drug treatment, children with mental health treatment needs, and females.</u></p> <p>b) <u>To this end, the department shall maintain a record of arrests and commitments of its wards subsequent to their discharge from the jurisdiction of the department and shall tabulate, analyze, and publish biennially the data for use in evaluating the relative merits of treatment methods.</u></p> <p>c) <u>The department shall also assess outcomes of reentry and reintegration programming.</u></p> <p>d) <u>Not later than December 31 of each even-numbered year, the department shall deliver a report of the results of research conducted or coordinated under this section to the Legislative Budget Board, lieutenant governor, the speaker of the house of representatives, and the standing committees of each house of the legislature with primary jurisdiction over juvenile justice and corrections.</u></p>
<p>Describe the Estimated Cost Savings or Other Benefit Associated with Recommended Change</p>	<p>Under the current three reporting requirements, two reports are already combined. This change in statute would eliminate the Treatment Effectiveness Report in odd number years and combine the Reintegration Report into the Treatment Effectiveness Report in even numbered years. The total estimated savings would be 240 work hours biennially.</p> <ul style="list-style-type: none"> • TJJD’s Treatment Effectiveness Report in the odd-number years (the smaller report) takes at least 160 work hours. • Including the Reintegration Report in the Treatment Effectiveness Report would save approximately 80 hours of work. <p>Revising these statutes will also remove the requirement that TJJD create potentially unreliable findings regarding programming effectiveness.</p>

	<p>Confidentiality Requirements</p>
<p>Service, Statute, Rule or Regulation (Provide Specific)</p>	<p>Human Resources Code Sec. 242.056. ADVOCACY AND SUPPORT GROUPS.</p> <p>(c) The department shall adopt standards consistent with standards adopted by the Texas Department of Criminal Justice regarding the</p>

Citation if applicable)	confidential correspondence of children confined in department facilities with external entities, including advocacy and support groups.
Describe why the Service, Statute, Rule or Regulation is Resulting in Inefficient or Ineffective Agency Operations	<p>Section 242.056, Human Resources Code, requires TJJD to adopt standards regarding confidentiality consistent with those of the Texas Department of Criminal Justice (“TDCJ”).</p> <p>Specific requirements regarding confidentiality requirements involving children under the agency’s care should be incorporated into the TJJD enabling legislation rather than having the agency follow another agency’s procedures, even if those procedures change. Placing desired requirements into TJJD statutes will eliminate the need to track future TDCJ policy changes and will clarify the intent of the statute.</p>
Provide Agency Recommendation for Modification or Elimination	<p>Amend Human Resources Code Section 242.056 to remove reference to another agency’s policy.</p> <p>Sec. 242.056. ADVOCACY AND SUPPORT GROUPS. (c) The department shall adopt standards [consistent with standards adopted by the Texas Department of Criminal Justice] regarding the confidential correspondence of children confined in department facilities with external entities, including advocacy and support groups.</p>
Describe the Estimated Cost Savings or Other Benefit Associated with Recommended Change	Removing the reference to TDCJ will eliminate the need to track future TDCJ policy changes. Placing desired requirements into TJJD statutes would clarify the intent of the statute.

	Notification of Release
Service, Statute, Rule or Regulation (Provide Specific Citation if applicable)	<p>Human Resources Code Sec. 245.051. RELEASE UNDER SUPERVISION.</p> <p>(b) Not later than 10 days before the day the department releases a child under this section, the department shall give notice of the release to the juvenile court and the office of the prosecuting attorney of the county in which the adjudication that the child engaged in delinquent conduct was made.</p> <p>Human Resources Code Sec. 245.054. INFORMATION PROVIDED TO COURT BEFORE RELEASE. (a) In addition to providing the court with notice of release of a child under Section 245.051(b), as soon as possible but not later than the 30th day before the date the</p>

	<p>department releases the child, the department shall provide the court that committed the child to the department:</p> <p>(1) a copy of the child's reentry and reintegration plan developed under Section 245.0535; and</p> <p>(2) a report concerning the progress the child has made while committed to the department.</p>
<p>Describe why the Service, Statute, Rule or Regulation is Resulting in Inefficient or Ineffective Agency Operations</p>	<p>TJJD does not always know 30 days prior to a youth's release because of the process of the release review panel. Thus, 30-day time frames under Section 245.054 are impracticable, create practices whereby courts are provided notices for youth who will not in fact be released, and create additional work for case management and clerical staff.</p> <p>The 30-day timeframe has also resulted in youth remaining in a TJJD facility longer than necessary after meeting the criteria for release.</p>
<p>Provide Agency Recommendation for Modification or Elimination</p>	<p>Amend Human Resources Code Section 245.054 to match the notification time frame in Section 245.051.</p> <p>Human Resources Code Section 245.054. INFORMATION PROVIDED TO COURT BEFORE RELEASE. (a) In addition to providing the court with notice of release of a child under Section 245.051(b), as soon as possible but not later than the 30th day <u>10 days</u> before the date the department releases the child, the department shall provide the court that committed the child to the department:</p> <p>(1) a copy of the child's reentry and reintegration plan developed under Section 245.0535; and</p> <p>(2) a report concerning the progress the child has made while committed to the department.</p>
<p>Describe the Estimated Cost Savings or Other Benefit Associated with Recommended Change</p>	<p>Reducing the timing from 30 to 10 days will streamline processes such that notification and information can be provided to the court at the same time.</p> <p>This change will reduce the incidence of the same information being sent to the court about the same child multiple times if the child is not released as anticipated following the first notification.</p>

	Length of Stay
Service, Statute, Rule or Regulation (Provide Specific Citation if applicable)	<p>Family Code Sec. 59.009. SANCTION LEVEL SIX. (a) For a child at sanction level six, the juvenile court may commit the child to the custody of the Texas Juvenile Justice Department or a post-adjudication secure correctional facility under Section 54.04011(c)(1). The department, juvenile board, or local juvenile probation department, as applicable, may:</p> <ul style="list-style-type: none"> (1) require the child to participate in a highly structured residential program that emphasizes discipline, accountability, fitness, training, and productive work for not less than nine months or more than 24 months unless the department, board, or probation department extends the period and the reason for an extension is documented; (2) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of the harm caused and according to the child's ability, if there is a victim of the child's conduct; (3) require the child and the child's parents or guardians to participate in programs and services for their particular needs and circumstances; and (4) if appropriate, impose additional sanctions.
Describe why the Service, Statute, Rule or Regulation is Resulting in Inefficient or Ineffective Agency Operations	<p>As written, the statute allows TJJD to extend the length of stay of a youth committed without a determinate sentence, but does not allow for a reduction of length of stay. TJJD has a mechanism to reduce the length of stay when appropriate; however, due to the statute it cannot be reduced to less than nine months. There may be times that a youth can complete the requirements for parole prior to the expiration of nine months, and giving TJJD the ability to reduce the length of stay in those instances would help make TJJD's operations more efficient.</p>
Provide Agency Recommendation for Modification or Elimination	<p>Family Code Sec. 59.009. SANCTION LEVEL SIX. (a) For a child at sanction level six, the juvenile court may commit the child to the custody of the Texas Juvenile Justice Department or a post-adjudication secure correctional facility under Section 54.04011(c)(1). The department, juvenile board, or local juvenile probation department, as applicable, may:</p> <ul style="list-style-type: none"> (1) require the child to participate in a highly structured residential program that emphasizes discipline, accountability, fitness, training, and productive work for not less than nine months or more than 24 months unless the department, board, or probation department extends <u>or reduces</u> the period and the reason for [a] <u>the</u> extension <u>or reduction</u> is documented; (2) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the

	<p>nature and degree of the harm caused and according to the child's ability, if there is a victim of the child's conduct;</p> <p>(3) require the child and the child's parents or guardians to participate in programs and services for their particular needs and circumstances; and</p> <p>(4) if appropriate, impose additional sanctions.</p>
Describe the Estimated Cost Savings or Other Benefit Associated with Recommended Change	<p>For more successful rehabilitation, youth should be released from high restriction facilities as soon as appropriate. Research shows that keeping youth in residential facilities for longer than necessary creates lower success rates. Continued supervision and provision of services can take place in home communities without the need for placement and at a lower cost.</p>

	Establishment of Fees
Service, Statute, Rule or Regulation (Provide Specific Citation if applicable)	<p>Human Resources Code Sec. 203.0082. FEES. If the General Appropriations Act does not specify the amount of the fee, the board by rule may establish fees that:</p> <p>(1) are reasonable and necessary;</p> <p>(2) produce revenue sufficient for the administration of this chapter; and</p> <p>(3) do not produce unnecessary revenue.</p>
Describe why the Service, Statute, Rule or Regulation is Resulting in Inefficient or Ineffective Agency Operations	<p>Prior to the merger of the Texas Youth Commission (“TYC”) and the Texas Juvenile Probation Commission (“TJPC”), all of TJPC’s authority was located in one chapter of the Human Resources Code (Chapter 141). The current Human Resources Code Section 203.0082 was Section 141.023. Former 141.023 gave TJPC the authority to establish fees reasonable and necessary for the administration of that <i>chapter</i>. The language was unchanged with the merger, but the provisions in Chapter 141 that TJPC would have charged fees for were not put in Chapter 203. Thus, it is arguable that TJJD does not have authority to charge fees (such as for the administration of the certification exam).</p>
Provide Agency Recommendation for Modification or Elimination	<p>Human Resources Code Sec. 203.0082. FEES. If the General Appropriations Act does not specify the amount of the fee, the board by rule may establish fees that:</p> <p>(1) are reasonable and necessary;</p> <p>(2) produce revenue sufficient for the administration of this chapter <u>title</u>; and</p> <p>(3) do not produce unnecessary revenue.</p>

Describe the Estimated Cost Savings or Other Benefit Associated with Recommended Change	This is a technical clarification to clarify TJJD's the authority to establish fees when necessary to perform TJJD's required functions, such as providing training to certain individuals.
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BUDGET STRUCTURE

The TJJD Budget Structure for Fiscal Years 2021-2025 had not been approved by the Legislature Budget Board and the Governor's Office at the time of printing for this plan. As a result, the structure and performance measures included in Schedules A and B are submitted for approval.

GOAL A: Community Juvenile Justice

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. Assist local juvenile probation departments in developing programs and services to divert juveniles from commitment to the Juvenile Justice Department. Provide an alternative for juveniles who have been expelled from public school for certain offenses.

OBJECTIVE A.1: GRANTS FOR COMMUNITY JUVENILE JUSTICE SERVICES

Provide funding and support to local juvenile probation departments to maximize the development of community-based services to divert offenders from the Juvenile Justice Department.

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
Adjudication Rate of Juveniles within One Year of the Disposition of Their Supervision
- 1.1.5 Referral Rate/Juveniles Served by Prevention and Intervention Programs
- 1.1.6 Number of Absconders From Basic Supervision
- 1.1.7 Completion of Prevention and Intervention Programs

STRATEGY A.1.1: Prevention and Intervention

Provide funding and support for community-based delinquency prevention and early intervention programs and services such as mentoring, school-based interventions for juveniles with disruptive behaviors, family-focused interventions, including parenting training, truancy intervention programs, individual counseling, safe and structured afterschool activities, life skills development, gang intervention, and character development programming.

Output Measure:

- 1.1.1.1 Number of Juveniles Served by Prevention/Intervention

STRATEGY A.1.2: Basic Probation Supervision

Provide funding to juvenile probation departments for basic supervision including juveniles under conditional release, under deferred prosecution, and under adjudicated probation.

Output Measures:

- 1.1.2.1 ADP: Juveniles Supervised Under Conditional Release (Key)
- 1.1.2.2 ADP: Juveniles Supervised under Deferred Prosecution (Key)
- 1.1.2.3 ADP: Juveniles Supervised under Adjudicated Probation (Key)
- 1.1.2.4 Number of County Juvenile Probation Depts Utilizing Federal Title IV-E Dollars
- 1.1.2.5 Average Daily Population of Juveniles in Basic Supervision

Efficiency Measure:

- 1.1.2.1 Cost Per Day for Basic Supervision (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: Community Programs

Provide funding to juvenile probation departments for the provision of programs and services, for juveniles under their jurisdiction, including Federal Title IV-E placements and services, and prioritizing evidence-based programs and services.

Output Measures:

- 1.1.3.1 Juveniles Served-Community Non-Res Programs

Efficiency Measures:

- 1.1.3.1 Cost Per Day/Community Non-residential Program

STRATEGY A.1.4: Pre and Post Adjudication Facilities

Provide funding for pre and post adjudication facilities.

Output Measure:

- 1.1.4.1 Average Daily Population of Residential Placements (Key)
- 1.1.4.2 Average Daily Population in Detention

Efficiency Measure:

- 1.1.4.1 Cost Per Day Per Juvenile for Residential Placement (Key)
- 1.1.4.2 Cost Per Day for Youth in Detention

STRATEGY A.1.6: Juvenile Justice Alternative Education Programs

Provide funding for Juvenile Justice Alternative Education Programs.

Output Measures:

- 1.1.6.1 Number of Mandatory Students Entering JJAEPs (Key)
- 1.1.6.2 Mandatory Student Attendance Days in JJAEP During the Reg School Year (Key)

STRATEGY A.1.7: Mental Health Services Grant

Provide funding for mental health services.

STRATEGY A.1.8: Regional Diversion Alternatives

Provide discretionary grant funding to juvenile probation departments within defined regions for youth in regional specialized programs.

Output Measure:

- 1.1.8.1 Regional Diversion Placements

STRATEGY A.1.9: Probation System Support

Provide probation grants administration and oversight and operate the regionalization diversion.

GOAL B: State Services and Facilities

Provide a safe and secure correctional environment for juveniles. Deliver a continuum of needs-based services that reduce delinquent or criminal behavior, provide individualized opportunities for education, and facilitate successful community reintegration.

OBJECTIVE B.1: STATE-OPERATED PROGRAMS AND SERVICES

Provide services to reduce the re-arrest rate of juveniles released from JJD through a system of assessment, orientation, and placement; secure and non-secure state correctional programs; education; and health care and treatment services.

Outcome Measures:

- 2.1.1 Total Number of New Admissions to JJD (Key)
Total Number of New Admissions to the Juvenile Justice Department
- 2.1.2 Diploma or High School Equivalency Rate (JJD-operated Schools) (Key)
- 2.1.3 Percent Reading at Grade Level at Release (Key)
- 2.1.4 Turnover Rate of Juvenile Correctional Officers (Key)
- 2.1.5 Industrial Certification Rate in JJD-operated Schools
- 2.1.6 Rearrest/Re-referral Rate (Key)
- 2.1.7 One-year Rearrest/Re-referral 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 Rearrest Rate/Re-Referral: Juveniles Receiving Specialized Treatment

STRATEGY B.1.1: Assessment, Orientation, and Placement

Provide a system of assessment, orientation, and placement, which is culturally competent and accurately determines the relative security risk and treatment needs of admitted juveniles.

Output Measure:

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

Efficiency Measure:

- 2.1.1.1 Assessment and Orientation Cost Per Juvenile Day

Explanatory/Input Measure:

- 2.1.1.1 Total Residential Intakes

STRATEGY B.1.2: Institutional Operations and Overhead

Oversight and fixed costs for state secure facility operations.

STRATEGY B.1.3: Institutional Supervision and Food Service

Provide supervision and food service to juveniles within the state's secure facilities.

Output Measure:

- 2.1.3.1 Average Daily Population: State Operated Secure Correctional Facilities (Key)

Efficiency Measure:

- 2.1.3.1 CPD: State-Operated Secure Correctional Facility (Key)

Explanatory/Input Measures:

- 2.1.3.1 Juvenile Per Direct Supervision JCO Staff Per Shift (Key)

STRATEGY B.1.4: Education

Provide or facilitate year-round preparation programs for certificate of high school equivalency, high-school diploma, post-secondary education, and workforce opportunities that support successful transition to communities after release from state-operated correctional facilities.

Output Measures:

- 2.1.4.1 Average Daily Attendance in JJD-operated Schools (Key)
- 2.1.4.2 Number of Industrial Certifications Earned by Juveniles

Efficiency Measure:

- 2.1.4.1 Education and Workforce Cost in JJD Operated Schools

Explanatory/Input Measure:

- 2.1.4.1 Percent Reading at Grade Level at Commitment

STRATEGY B.1.5: Halfway House Operations

Operate non-secure correctional programs under conditions that promote juveniles' positive development and the interests and safety of the public, juveniles, and staff.

Output Measure:

- 2.1.5.1 Average Daily Population: Halfway House Programs (Key)

Efficiency Measure:

- 2.1.5.1 Halfway House Cost Per Juvenile Day (Key)

STRATEGY B.1.6: Health Care

Provide health care to address juveniles' medical and dental needs while in residential care.

Output Measure:

- 2.1.6.1 Average Daily Population: Health Care

Efficiency Measure:

- 2.1.6.1 Cost of Health Care Services Per Juvenile Day (Key)

STRATEGY B.1.7: Psychiatric Care

Provide psychiatric services to address juveniles' mental health needs while in residential care.

Output Measure:

- 2.1.7.1 Average Daily Population: Psychiatric Services

Efficiency Measure:

- 2.1.7.1 Cost of Psychiatric Services Per Juvenile Day (Key)

STRATEGY B.1.8: Integrated Rehabilitation Treatment

Provide a competency-based general rehabilitation treatment program to all juveniles, through evidence-based interventions, including general and specialized rehabilitation efforts.

Output Measure:

- 2.1.8.1 Average Daily Population: General Rehabilitation Treatment (Key)
- 2.1.8.2 Average Daily Population: Specialized Treatment (Key)

Efficiency Measure:

- 2.1.8.1 General Rehabilitation Treatment Cost Per Juvenile Day (Key)
- 2.1.8.2 Specialized Treatment Cost Per Juvenile Day (Key)

STRATEGY B.1.9: Contract Residential Placements

Provide additional secure and non-secure residential capacity through contracts with private service providers that promote juveniles' positive development and the interests and safety of the public and juveniles.

Output Measure:

- 2.1.9.1 Average Daily Population: Contract Programs (Key)

Efficiency Measure:

- 2.1.9.1 Capacity Cost in Contract Programs Per Juvenile Day (Key)

STRATEGY B.1.10: Residential System Support

Provide oversight and management of the state residential system.

OBJECTIVE B.3: MAINTAIN STATE FACILITIES

Maintain State Facilities to comply with current life, safety, health, and fire codes and standards at all times.

STRATEGY B.3.1: Construct and Renovate Facilities

Provide ongoing maintenance and repair of facilities to ensure a safe and secure environment for juveniles 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: Parole Services

Provide a system of re-entry services to juveniles on parole who remain under JJD jurisdiction.

OBJECTIVE C.1: PAROLE SERVICES

Provide a system of re-entry services to juveniles on parole who remain under JJD jurisdiction.

Outcome Measures:

- 3.1.1 Constructive Activity

STRATEGY C.1.1.: Parole Direct Supervision

Provide direct supervision of juveniles on parole who remain under JJD jurisdiction.

Output Measures:

- 3.1.1.1 Average Daily Population: Parole (Key)
- 3.1.1.2 Average Daily Population: Contract Parole

Efficiency Measure:

- 3.1.1.1 Parole Cost Per Juvenile Day (Key)

STRATEGY C.1.2.: Parole Programs and Services

Provide add-on re-entry programs and services for juveniles on parole who remain under JJD supervision.

Output Measures:

- 3.1.1.1 Average Daily Population: Aftercare Services

GOAL D: Office of the Independent Ombudsman

Provide assistance to and secure the rights of JJD juveniles and ensure that systems of service are appropriate and equally accessible by all juveniles, including juveniles on parole.

OBJECTIVE D.1: OFFICE OF THE INDEPENDENT OMBUDSMAN

Provide assistance to and secure the rights of JJD juveniles and ensure that systems of service are appropriate and equally accessible by all juveniles, including juveniles on parole.

STRATEGY D.1.1: Office of the Independent Ombudsman

Investigate, evaluate, and secure the rights of juveniles admitted to JJD, including juveniles on parole by meeting with juveniles, families, and advocacy groups to ensure that systems of service are appropriate and equally accessible.

Output Measure:

- 4.1.1.1 Number of Juvenile Dir Served through the Office of Independent Ombudsman

GOAL E: Juvenile Justice System

Provide services and support for Community Juvenile Justice and State Services and Facilities functions.

OBJECTIVE D.1: JUVENILE JUSTICE SYSTEM

Provide services and support for Community Juvenile Justice and State Services and Facilities functions.

STRATEGY E.1.1: Training and Certification

Provide training and certification services for community juvenile justice staff and state services staff and facilities.

Output Measure:

- 5.1.1.1 Number of Officers Certified

STRATEGY E.1.2: Monitoring and Inspections

Monitor and investigate community and state juvenile justice facilities.

Output Measures:

- 5.1.2.1 Number of Local Facility Inspections Conducted
- 5.1.2.2 # Annual Comprehensive Monitoring Reviews

STRATEGY E.1.3: Interstate Agreement

Provide interstate compact services for community and state juvenile justice services and facilities.

Output Measure:

- E.1.3.1 Juveniles Served through Interstate Compact

GOAL F: Indirect Administration

Indirect Administration

OBJECTIVE F.1: PROVIDE ADMINISTRATIVE MANAGEMENT

Provide Administrative Management

STRATEGY F.1.1: Central Administration

Central Administration

STRATEGY F.1.2: Information Resources

Information Resources

GOAL G: Office of the Inspector General

Provide investigative and law enforcement services to all programs and facilities under the jurisdiction of JJD to ensure the safe operation of those facilities and programs.

OBJECTIVE G.1: CONDUCT OVERSIGHT OF JUVENILE JUSTICE SERVICES AND FACILITIES

Conduct fair and impartial investigations of criminal allegations, as well as administrative investigations of abuse, neglect, and exploitation.

STRATEGY G.1.1: Office of the Inspector General

Provide investigative and law enforcement services to ensure that criminal and delinquent conduct is being addressed at JJD programs and facilities. Coordinate law enforcement actions with local law enforcement and prosecutorial officials including the Special Prosecutions Unit. Provide quarterly reports to the Governor, Lt. Governor, Speaker of the House, Chairs of the House and Senate oversight committees, JJD Board, JJD Executive Director, and other advocacy groups. Provide comprehensive investigative findings to the JJD Executive Board and the JJD Executive Director in order to make informed licensing and disciplinary decisions.

Output Measures:

- 7.1.1.1 Number of Completed Criminal Investigative Cases
- 7.1.1.2 Number of Child Abuse Claims Investigated
- 7.1.1.3 Number of Completed Administrative Investigative Cases

Explanatory Measures:

- 7.1.1.1 Number of Allegations Reported to the Office of the Inspector General
- 7.1.1.2 Number of JJD Juveniles Apprehended by OIG

PERFORMANCE MEASURE DEFINITIONS

GOAL A: COMMUNITY JUVENILE JUSTICE			
Title: Rate of Successful Completion of Deferred Prosecution (Key)	Goal No. 1	Objective No. 1	Outcome No. 1
<p>Definition: Rate of successful completion is a measure of the number of juveniles terminating deferred prosecution supervision who complete the requirements of their supervision period without being adjudicated to probation, committed to state correctional custody, transferred to the adult system, absconded, or terminated early due to failure to comply with the conditions of supervision.</p>			
<p>Purpose: This measure is intended to measure the success of juveniles on deferred prosecution.</p>			
<p>Data Source: Data relating to this measure is located in the supervision file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.</p>			
<p>Methodology: Computed by dividing the number of juveniles completing deferred prosecution by the total number of juveniles terminating deferred. Deferred terminations do not include juveniles who transfer out of the jurisdiction of the department prior to completing their supervision or those that abscond but return to complete their supervision within 60 days from the date in which the juvenile absconded.</p>			
<p>Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.</p>	<p>Calculation Method Non-cumulative</p>	<p>New Measure No</p>	<p>Target Attainment Higher than target</p>

Title: Rate of Successful Completion of Court-ordered Probation (Key)	Goal No. 1	Objective No. 1	Outcome No. 2
<p>Definition: Rate of successful completion is a measure of the number of juveniles terminating adjudicated probation supervision who completed the requirements of their supervision period without being committed to state correctional custody, transferred to the adult system, absconded, or terminated early due to failure to comply with the conditions of supervision.</p>			
<p>Purpose: This is intended to measure the successful completion of Adjudicated Probation by adjudicated juveniles.</p>			
<p>Data Source: Data relating to this measure is located in the supervision file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.</p>			
<p>Methodology: Computed by dividing the number of juveniles completing their probation supervision by the total number of probation terminations. Probation terminations do not include juveniles who transfer out of the jurisdiction of the department prior to completing their supervision or those that abscond but return to complete their supervision within 60 days from the date in which the juvenile absconded.</p>			
<p>Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.</p>	<p>Calculation Method Non-cumulative</p>	<p>New Measure No</p>	<p>Target Attainment Higher than target</p>

Title: Re-Referral Rate (Key)	Goal No. 1	Objective No. 1	Outcome No. 3
Definition: Percent of juveniles placed on probation supervision or deferred prosecution supervision who are re-referred to a juvenile probation department for a Class B misdemeanor offense or for an offense of greater severity within one year (i.e. 365 days) of their disposition to begin those supervisions.			
Purpose: To provide information on the extent to which juveniles whose cases were disposed to probation supervision or deferred prosecution supervision were re-referred for an offense within 365 days of that disposition.			
Data Source: Data relating to this measure are located in the referral and supervision files of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.			
Methodology: Calculated by dividing the number of juveniles who were re-referred to a juvenile probation department for a Class A or B misdemeanor or felony offense within one year of disposition to probation supervision or deferred prosecution supervision by all juveniles disposed to those supervisions. Calculated by utilizing prior year data to ensure complete year follow-up.			
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Adjudication Rate	Goal No. 1	Objective No. 1	Outcome No. 4
Definition: Percent of juveniles placed on probation supervision or deferred prosecution supervision who are adjudicated for a Class B misdemeanor offense or greater within one year of disposition.			
Purpose: To provide information on the extent to which juveniles disposed to probation supervision or deferred prosecution supervision were adjudicated for an offense within 365 days of that disposition.			
Data Source: Data relating to this measure are located in the referral and supervision files of the Agency extract database.			
Methodology: Calculated by dividing the number of juveniles who were adjudicated for a Class A or B misdemeanor or felony offense within one year of disposition to probation supervision or deferred prosecution supervision by all juveniles disposed to those supervisions. Calculated by utilizing prior year data to ensure complete year follow-up.			
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Referral Rate/Juveniles Served by Prevention and Intervention Programs	Goal No. 1	Objective No. 1	Outcome No. 5
Definition: Percent of eligible juveniles served by JJD funded delinquency prevention and intervention programs who are formally referred to a juvenile probation department within one year (i.e., 365 days) of beginning the program.			
Purpose: To provide information on the extent to which juveniles served by JJD funded delinquency prevention and intervention grants are referred to juvenile probation within 365 days of entering the program.			

Data Source: Data relating to this measure are located in the referral and program files of the JJD extract database using information submitted by local juvenile probation departments on a monthly basis. All juveniles served by JJD funded delinquency prevention and intervention programs will receive a Personal Identification Number (PID). If a juvenile is formally referred to the juvenile probation department, this PID will remain the same.			
Methodology: Calculated by dividing the number of eligible juveniles who were referred to a juvenile probation department within one year of beginning a JJD funded delinquency prevention and intervention program by all eligible juveniles beginning a JJD funded prevention program. Calculated by utilizing prior year data to ensure complete year follow-up. Eligible juveniles include all juveniles between age 10 and 16 at program start date.			
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-Cumulative	New Measure No	Target Attainment Lower than target

Title: Number of Absconders from Basic Supervision	Goal No. 1	Objective No. 1	Outcome No. 6
Definition: Number of juveniles who absconded while under deferred prosecution or adjudicated probation supervision and have not returned to the supervision of the juvenile probation department for 60 days or more.			
Purpose: This measure provides information on the number of juveniles who have absconded for more than 60 days.			
Data Source: Data relating to this measure is located in the supervision file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.			
Methodology: Computed by adding the total number of juveniles who absconded while under deferred prosecution or adjudicated probation, and have not returned to the supervision of the juvenile probation department for 60 days or more.			
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-Cumulative	New Measure No	Target Attainment Lower than target

Title: Completion of Prevention and Intervention Programs	Goal No. 1	Objective No. 1	Outcome No. 7
Definition: Rate of completion is a measure of the number of juveniles leaving a JJD funded prevention and intervention program who complete the requirements of the program successfully.			
Purpose: This measure is intended to measure the completion rate of juveniles in JJD funded prevention and intervention programs.			
Data Source: Data relating to this measure is located in the referral and program files of the JJD extract database using information submitted by local juvenile probation departments on a monthly basis.			
Methodology: Computed by dividing the number of juveniles completing JJD funded delinquency prevention and intervention programs by the total number of juveniles leaving those programs. Juveniles leaving programs for reasons not related to success or failure are not included in the total number leaving programs.			
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target

Title: # Juveniles Served by Prevention/Intervention	Goal No. 1	Objective No. 1	Strategy No. 1	Output No. 1
Definition: The total number of juveniles served by JJD funded delinquency prevention and intervention programs during the reporting period.				
Purpose: This measure is intended to measure the number of juveniles served by JJD funded delinquency prevention and intervention programs.				
Data Source: Data relating to this measure are located in the referral and program files of the JJD extract database using information submitted by local juvenile probation departments on a monthly basis. All juveniles served will receive a Personal Identification Number (PID).				
Methodology: Computed by summing the number of juveniles served in JJD funded delinquency prevention and intervention programs.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

Title: Cost Per Day for Basic Supervision (Key)	Goal No. 1	Objective No. 1	Strategy No. 2	Efficiency No. 1
Definition: The average State cost per day per juvenile receiving Basic Supervision.				
Purpose: Indicates the average State cost per day per juveniles under Basic Supervision.				
Data Source: Expenditures calculated from agency Quarterly Fiscal Reports. Total supervision days collected in the agency extract database supervision file using information submitted by local juvenile probation departments on a monthly basis. Population served and expenditure data will reflect the current fiscal year reporting period.				
Methodology: The total state dollars expended for Basic Probation Supervision strategy during the current fiscal year reporting period are divided by the Average Daily Population for juveniles receiving conditional pre-disposition, deferred prosecution, or adjudicated probation supervision during the reporting period, and then divided by the number of days in the reporting period.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Total Number of Delinquent Referrals	Goal No. 1	Objective No. 1	Strategy No. 2	Explanatory No. 1
Definition: Number of formal referrals to a juvenile probation department for a delinquent offense. A juvenile may be referred more than once in a reporting period.				
Purpose: This measure provides information about the number of formal referrals for a delinquent offense during the reporting period.				
Data Source: Data is maintained in the referral file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.				

Methodology: Computed by calculating the number of referrals for felony, misdemeanor A and B and violation of a municipal court order offenses from the referral file of the JJD extract database.			
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Total Number of Referrals (Key)	Goal No. 1	Objective No. 1	Strategy No. 2	Explanatory No. 2
Definition: Total number of formal referrals to a juvenile probation department for a felony, misdemeanor A and B offense, violation of a court order, and conduct in need of supervision (CINS) offenses. A juvenile may be referred more than once in a reporting period.				
Purpose: This measure provides information about the total number of referrals to juvenile probation departments statewide during the period.				
Data Source: Data is maintained in the referral file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.				
Methodology: Computed by adding the number of referrals, including delinquent, violation of court order, and CINS offenses, from the referral file of the JJD extract database.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Total Number of Felony Referrals (Key)	Goal No. 1	Objective No. 1	Strategy No. 2	Explanatory No. 3
Definition: Total number of formal referrals to a juvenile probation department for a felony offense. A juvenile may be referred more than once in a reporting period.				
Purpose: This measure provides information on the number of referrals to juvenile probation departments for felony offenses.				
Data Source: Data is maintained in the referral file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.				
Methodology: Computed by adding the number of referrals for felony offenses from the referral file of the JJD extract database.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Number of Juveniles Receiving Title IV-E Services	Goal No. 1	Objective No. 1	Strategy No. 2	Explanatory No. 4
Definition: Number of juveniles placed by juvenile probation departments that are certified as eligible to receive Title IV-E foster care reimbursement in the reporting period.				
Purpose: To track the number of juveniles under juvenile probation supervision certified as eligible to have their foster care placement expenses reimbursed from Title IV-E funds.				
Data Source: The JJD Probation Services Division tracks the number in the JJD In-House Information System.				
Methodology: Count the number of juveniles certified to receive Title IV-E reimbursement for foster care services during the reporting period.				
Data Limitations: Accurate number relies on an up-to-date database. Certification of eligibility is determined by the Texas Department of Family and Protective Services (TDFPS) and a time lag exists between the actual placement of the juvenile and the certification of the placement as Title IV-E eligible.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: ADP: Juveniles Supervised Under Conditional Release (Key)	Goal No. 1	Objective No. 1	Strategy No. 2	Output No. 1
Definition: The average number of juveniles supervised per day of the reporting period under conditional pre-disposition supervision.				
Purpose: This measure is intended to indicate the average number of juveniles receiving conditional pre-disposition supervision under conditional release throughout the state per day during the given period of time.				
Data Source: Data is maintained in the supervision file of the JJD extract database using information submitted by local juvenile probation departments on a monthly basis.				
Methodology: Computed by determining the number of supervision days divided by the number of days in the reporting period from the data relating to conditional pre-disposition supervision type in the JJD extract database.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-Cumulative	New Measure No	Target Attainment Higher than target	

Title: ADP: Juveniles Supervised Under Deferred Prosecution (Key)	Goal No. 1	Objective No. 1	Strategy No. 2	Output No. 2
Definition: The average number of juveniles supervised per day of the reporting period under deferred prosecution (a voluntary supervision by the juvenile probation department).				
Purpose: This measure is intended to indicate the average number of juveniles receiving deferred prosecution supervision throughout the state per day during the given period of time.				
Data Source: Data is maintained in the supervision file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.				
Methodology: Computed by determining the number of supervision days divided by the number of days in the reporting period from the data relating to deferred prosecution supervision types in the JJD extract database.				

Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target
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Title: ADP: Juveniles Supervised Under Adjudicated Probation (Key)	Goal No. 1	Objective No. 1	Strategy No. 2	Output No. 3
Definition: Average number of juveniles supervised per day under adjudicated probation (have been adjudicated by a juvenile court and placed on probation).				
Purpose: This measure is intended to indicate the average number of adjudicated juveniles receiving supervision throughout the state per day during the given period of time.				
Data Source: Data is maintained in the supervision file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.				
Methodology: Computed by determining the number of supervision days divided by the number of days in the reporting period from the data relating to adjudicated probation supervision types in the JJD extract database.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: # County Juvenile Probation Depts Utilizing Federal Title IV-E Dollars	Goal No. 1	Objective No. 1	Strategy No. 2	Output No. 4
Definition: The number of county juvenile probation departments that apply for and receive Title IV-E reimbursements during the reporting period.				
Purpose: To determine if the federal funds are increasingly being utilized by departments.				
Data Source: The JJD Probation Services Division tracks in the JJD In-House Information System.				
Methodology: Count the number of departments utilizing the funds.				
Data Limitations: Relies on an up-to-date database for accurate information.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

Title: Average Daily Population of Juveniles in Basic Supervision	Goal No. 1	Objective No. 1	Strategy No. 2	Output No. 5
Definition: The average daily population of juveniles receiving Basic Supervision from a juvenile probation department.				
Purpose: This measure provides information on the number of juveniles receiving Basic Supervision.				
Data Source: Data is maintained in the supervision file of the JJD database using information submitted by local juvenile probation departments on a monthly basis.				

Methodology: Computed by adding the total number of supervision days under conditional pre-disposition, deferred prosecution, and adjudicated probation and dividing by the number of days in the reporting period.			
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target

Title: Cost Per Day/Community Non-residential Program	Goal No. 1	Objective No. 1	Strategy No. 3	Efficiency No. 1
Definition: The average state cost per day per juvenile in a community based non-residential program.				
Purpose: Indicates the average state cost per day per juvenile in community based non-residential programs.				
Data Source: Expenditures calculated from agency Quarterly Fiscal Reports. Total program days collected in the agency extract database program file using information submitted by local juvenile probation departments on a monthly basis. Population served and expenditure data will reflect the current fiscal year reporting period.				
Methodology: The total state dollars expended for Community Programs strategy for non-residential programs during the current fiscal year reporting period are divided by the average daily population for community non-residential programs during the reporting period, and then divided by the number of days in the reporting period.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Juveniles Served-Community Non-Res Programs	Goal No. 1	Objective No. 1	Strategy No. 3	Output No. 1
Definition: The number of unique juveniles served in a Community Non-Residential Program.				
Purpose: This provides information on the number of juveniles participating in community-based programs.				
Data Source: Data is maintained in the program file of the JJD database using information submitted by local juvenile probation departments on a monthly basis.				
Methodology: Computed by determining the number of unique individuals served during the reporting period in a community-based program.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

Title: Cost Per Day Per Youth for Residential Placement (Key)	Goal No. 1	Objective No. 1	Strategy No. 4	Efficiency No. 1
Definition: The average state cost per day for juveniles in secure and non-secure residential placement facilities.				
Purpose: The purpose of the measure is to identify the average state cost that departments must pay per day to place a child in a setting outside of their home, other than at the Texas Juvenile Justice Department.				
Data Source: Expenditures calculated from agency Quarterly Fiscal Reports. Total placement days collected in the agency extract database placement files using information submitted by local juvenile probation departments on a monthly basis. Population served and expenditure data will reflect the current fiscal year reporting period.				
Methodology: The total state dollars expended for Pre and Post Adjudication strategy for non-secure and secure residential placements during the current fiscal year reporting period are divided by the Average Daily Population for Residential Placements during the reporting period, and then divided by the number of days in the reporting period. Parental placements and foster care placements are excluded from calculation.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Cost Per Day for Youth in Detention	Goal No. 1	Objective No. 1	Strategy No. 4	Efficiency No. 2
Definition: The average state cost per day for juveniles in pre-adjudication detention facilities.				
Purpose: The purpose of the measure is to identify the average state cost that departments must pay per day to hold a child in a pre-adjudication detention facility.				
Data Source: Expenditures calculated from agency Quarterly Fiscal Reports. Total detention days collected in the agency extract database detention files using information submitted by local juvenile probation departments on a monthly basis. Population served and expenditure data will reflect the current fiscal year reporting period.				
Methodology: The total state dollars expended for the Pre and Post Adjudication strategy on pre-adjudication detentions during the current fiscal year reporting period are divided by the Average Daily Population in Detention during the reporting period, and then divided by the number of days in the reporting period.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure Yes	Target Attainment Lower than target	

Title: Average Daily Population of Residential Placements (Key)	Goal No. 1	Objective No. 1	Strategy No. 4	Output No. 1
Definition: This measure represents the average number of juveniles per day residing outside of their homes as a result of juvenile department placement during the time period. The measure includes placement in both secure and non-secure residential facilities.				
Purpose: To determine the average daily population of juveniles ordered into juvenile residential placement facilities during the time period.				
Data Source: Data relating to juveniles in residential placement are extracted from the placement file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.				

Methodology: Computed by determining the number of days in residential placement divided by the number of days in the reporting period. Placements made by entities other than the juvenile court or juvenile probation department are not included in the average daily population (parental placements and foster care placements excluded).			
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Average Daily Population in Detention	Goal No. 1	Objective No. 1	Strategy No. 4	Output No. 2
Definition: This measure represents the average number of juveniles per day held in pre-adjudication detention facilities during the reporting period.				
Purpose: To determine the average daily population of juveniles in pre-adjudication detention facilities during the reporting period.				
Data Source: Data relating to juveniles in pre-adjudication detention facilities are extracted from the detention file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.				
Methodology: Computed by determining the total number of days in detention divided by the number of days in the reporting period.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure Yes	Target Attainment Lower than target	

Title: Number of Mandatory Students Entering JJAEPs (Key)	Goal No. 1	Objective No. 1	Strategy No. 6	Output No. 1
Definition: The total number of students entering a mandatory JJAEP as a result of mandatory expulsion under the Texas Education Code section 37.007. A student may enter a JJAEP more than once in the reporting period.				
Purpose: This measures the total number of student entrances to a mandatory JJAEP as a result of mandatory expulsion under the Texas Education Code section 37.007.				
Data Source: Monthly activity reports are submitted by mandatory JJAEP counties and are maintained by the JJD Probation Services Division.				
Methodology: Calculated by summing the number of students expelled for a mandatory offense entering a JJAEP in the reporting period. Only mandatory JJAEPs are included in the calculation. Calculation does not include summer school.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Cumulative	New Measure No	Target Attainment Lower than target	

Title: Mandatory Student Attendance Days in JJAEP During the Reg School Yr (Key)	Goal No. 1	Objective No. 1	Strategy No. 6	Output No. 2
Definition: The total number of mandatory student attendance days for juveniles who attend the Juvenile Justice Alternative Education Program during the regular school year during the reporting period.				
Purpose: This measure provides information on the number of mandatory student days that are funded by the state.				
Data Source: Monthly activity reports are submitted by mandatory JJAEP counties and are maintained by the JJD Probation Services Division.				
Methodology: Calculated by determining the total number of mandatory student attendance days in the reporting period. Only mandatory JJAEPs are included in the calculation. Calculation does not include summer school.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Cumulative	New Measure No	Target Attainment Lower than target	

Title: ADP: Regional Diversion Placements	Goal No. 1	Objective No. 1	Strategy No. 8	Output No. 1
Definition: The average daily population of juveniles in a regional diversion funded residential placement.				
Purpose: Indicates the average daily population of juveniles in a regional diversion funded residential placement during the reporting period.				
Data Source: Data relating to juveniles in a regional diversion funded residential placement are extracted from the placement file of the Agency extract database using information submitted by local juvenile probation departments on a monthly basis.				
Methodology: Computed by determining the number of days in a regional diversion funded residential placement, divided by the number of days in the reporting period.				
Data Limitations: Data used in the calculation are submitted to the Agency from local juvenile probation departments.	Calculation Method Non-cumulative	New Measure Yes	Target Attainment Higher than target	

GOAL B: STATE SERVICES AND FACILITIES

Title: Total Number of New Admissions to JJD (Key)	Goal No. 2	Objective No. 1	Outcome No. 1
Definition: Number of juveniles disposed to state commitment by juvenile courts and admitted to JJD.			
Purpose: This measure provides information on the number of juveniles committed to the custody of JJD by juvenile courts.			
Data Source: Assessment and orientation personnel identify juveniles committed to the state for the first time. Data entry clerks enter this information into the JJD case management system.			
Methodology: This measure counts the number of juveniles received at JJD assessment and orientation centers during the reporting period for the first time ever for a commitment to the agency from the juvenile court.			
Data Limitations: JJD accepts all juveniles legally committed by Texas courts. This number is outside of the agency's control.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Diploma or High School Equivalency Rate (JJD-operated Schools) (Key)	Goal No. 2	Objective No. 1	Outcome No. 2
Definition: The percentage of juveniles age 16 or above who have earned a high school diploma or certificate of high school equivalency (TxCHSE) within 90 days after their release from state-operated secure correctional facilities with JJD-operated schools.			
Purpose: Achievement of educational objectives is associated with improved job and educational prospects after release. This measure addresses the extent to which JJD juveniles achieve a high school diploma or certificate of High School Equivalency either before or just after release from state-operated secure correctional facilities with JJD teachers, where most of the funds in the strategy are expended.			
Data Source: When juveniles achieve a high school diploma, the completion date is recorded in the JJD case management system by JJD personnel. When juveniles test successfully for a TxCHSE, the testing date and results are recorded in the JJD case management system by JJD personnel. Official records, when available, are also received from the Texas Education Agency and automatically imported into the JJD case management system. Any differences in JJD records are manually checked against an on-line database maintained by the Texas Education Agency or the individual testing service, if applicable. Information concerning age, release date, and discharge status are maintained on the JJD case management system.			
Methodology: Data sources are automated. Measurement extends 90 days after release from state-operated secure correctional facilities with JJD teachers. The denominator of "Diploma or High School Equivalency population" is the number of juveniles who, during the reporting period, reach the tracking end point of 90 days since release from state-operated secure correctional facilities with JJD teachers, and were age 16 or older when released. Juveniles are only included at their first release for any fiscal year reported. The numerator is the number of these juveniles who had obtained their high school diploma or tested successfully for their certificate of high school equivalency by the end of that 90-day period. The result is expressed as a percentage.			
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target

Title: Percent Reading at Grade Level at Release (Key)	Goal No. 2	Objective No. 1	Outcome No. 3
Definition: The percentage of juveniles released from state-operated secure correctional facilities with JJD-operated schools who, at their last time tested, have a reading skill level at or above the average skill of juveniles of the same age.			
Purpose: Most juveniles committed to JJD enter with serious educational challenges. Providing effective remedial instruction is an important agency activity. This measure addresses the extent to which JJD-provided instruction raises reading skills of JJD juveniles to the average of same-aged juveniles in the community.			
Data Source: Juveniles committed to JJD are administered a standard basic educational achievement test prior to release. TABE 9/10 measures reading and math skills expressed in terms of standard grade-level equivalents. TABE 11/12 measures National Reporting System (NRS) levels and provides broad grade ranges. Data entry clerks or education department personnel enter test results onto the JJD case management system.			
Methodology: Data sources are automated. Age is computed from data maintained on the JJD case management system. Juveniles are considered “reading at grade level” if, when last tested, they demonstrate reading skill at or above a level equivalent to the average skill of a juvenile of the same age in the community. Juveniles in the community are assumed to reach age 18 in the middle of their 12th grade of schooling, and each age below that one year of schooling earlier. Grade equivalent scores are converted to grade year. Juveniles reading at the 12th grade level are considered reading at grade level, regardless of age. The denominator is juveniles released during the reporting period from state-operated secure facilities with JJD-operated schools. Juveniles are only included if placed in a facility that has JJD-employed teachers, and other than an O&A center. Juveniles are only included at the time of their first release for any fiscal year reported. Tests given less than 180 days from the previous test will be excluded.			
Data Limitations: The test only goes to the 12th grade level.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target

Title: Turnover Rate of Juvenile Correctional Officers (Key)	Goal No. 2	Objective No. 1	Outcome No. 4
Definition: The rate of terminations of Juvenile Correctional Officers within the fiscal year.			
Purpose: Juvenile Correctional Officers (JCO's) are charged with maintaining a safe environment in JJD facilities. The safety of juveniles and staff depend on a low ratio of juveniles per JCO, and that the JCO's be experienced and adequately trained. This can only be maintained if there is a low turnover rate.			
Data Source: Employment information is collected through Personnel Action Requests, and maintained on the Uniform Statewide Payroll System.			
Methodology: The number of full and part time juvenile correctional officer terminations during the fiscal year divided by the average number of full and part time juvenile correctional officers during the fiscal year. The average number of juvenile correctional officers during the fiscal year equals the average quarterly count of juvenile correctional officers employed at any time during the quarter. Neither the numerator nor denominator will include staff in a facility that closed during the quarter. The result is expressed as a percentage (multiplied by 100).			
Data Limitations: The State Auditor’s turnover data has traditionally not been available until after the ABEST due date and does not account for closed facilities. Employment data used in the calculation of the measure are limited based on the information made available to	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

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Title: Industrial Certification Rate in JJD-operated Schools	Goal No. 2	Objective No. 1	Outcome No. 5
Definition: The percentage of juveniles enrolled in the 9th grade or above who have earned an industrial certification upon release from state-operated secure correctional facilities with JJD-operated schools.			
Purpose: Juveniles who re-enter the community with marketable education and workforce skills are more likely to be successful. This measure assesses the rate of industrial certification achievement among students enrolled in JJD-operated schools.			
Data Source: Certifications are awarded locally, generally by career and technical education teachers. When juveniles achieve industrial certifications, the industrial certification type and completion date is recorded in the JJD case management system by JJD personnel. Students at JJD-operated schools are scheduled into grades with automated databases. Information concerning release date and discharge status is maintained on the JJD case management system.			
Methodology: Data sources are automated. The denominator is the number of juveniles who are released from a state-operated secure correctional facility with a JJD-operated school, other than Orientation and Assessment, and had ever been enrolled in the 9th grade or above at JJD when released. Juveniles are only included at their first release for any fiscal year reported. The numerator is juveniles who earn an industrial certification prior to release from a state-operated secure correctional facility with JJD teachers. Juveniles who earn more than one industrial certification are counted once. The result is expressed as a percentage.			
Data Limitations: The measure excludes recognition of student work that “nearly meets” standards for industrial certification, such as when juveniles transfer between programs or are released to parole while short of completion criteria for certification. The measure also excludes recognition of “course completion certificates” as these lack qualifications for industry recognition.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target

Title: Rearrest/Re-referral Rate (Key)	Goal No. 2	Objective No. 1	Outcome No. 6
Definition: The percentage of juveniles released from secure programs to non-secure correctional programs, parole or agency discharge who, within one (1) year of release, are known to be rearrested or re-referred to juvenile probation. This measure includes felonies and class A and B misdemeanors.			
Purpose: One of the primary goals of JJD rehabilitation efforts is to reduce future delinquent or criminal behavior and facilitate community reintegration. This measure provides an indication of the extent to which this goal is met.			
Data Source: Data sources are automated. Cohort and re-referral data come from JJD’s database. Arrest data comes from the Department of Public Safety (DPS) Career Criminal History database.			
Methodology: The population measured is juveniles released from a secure program to a non-secure program, parole or discharge the fiscal year prior to any day in the reporting period. Juveniles excluded include: (1) temporary releases from secure facilities, (2) juveniles transferred directly to a secure facility of another agency on the same day, (3) juveniles whose commitment to JJD was over-turned, and (4) juveniles who are not found in the DPS database and not re-referred according to the JJD database. These juveniles are checked for any referrals or arrests within 365 days from the first release date within the fiscal year examined. Arrests and referrals for which the level of offense cannot be determined will be included, whereas arrests known to be for a class C misdemeanor or less serious offense will not be included. The result is divided by number of juveniles in the cohort and expressed as a percentage. A juvenile can be counted no more than once each year in the numerator or denominator.			

Data Limitations: The measure is dependent upon the completeness of arrest information available in the Department of Public Safety (DPS) and JJD databases, and the correct matching of JJD juveniles and individuals entered onto the DPS system when juveniles' state identifiers are incomplete or inaccurate. An information exchange with DPS is done at least annually and historically there has been a time lag in DPS data entry.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target
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Title: One-year Rearrest/Re-referral Rate for Violent Felony Offenses (Key)	Goal No. 2	Objective No. 1	Outcome No. 7
Definition: The percentage of juveniles released from secure programs to non-secure programs, parole or agency discharge who, within one (1) year of release, were rearrested or referred to juvenile probation for any violent felony offense.			
Purpose: One of the primary goals of JJD rehabilitation efforts is to reduce future delinquent or criminal behavior and facilitate community reintegration. This measure provides an indication of the extent to which the goal of reducing serious criminal behaviors among released juveniles is met.			
Data Source: Data sources are automated. Cohort and re-referral data come from JJD's database. Arrest data comes from the Department of Public Safety (DPS) Career Criminal History database. The list of offenses designated as violent will be provided by the Legislative Budget Board.			
Methodology: All of the methodology from one-year rearrest rate applies. Additionally, the offense must be designated as a felony and a violent offense as listed by the Legislative Budget Board for the current biennium. A juvenile can be counted no more than once each year in the numerator and once in the denominator.			
Data Limitations: The measure is dependent upon the completeness of arrest information available in the Department of Public Safety (DPS) and JJD databases, and the correct matching of JJD juvenile and individuals entered onto the DPS system when juveniles' state identifiers are incomplete or inaccurate. An information exchange with DPS is done at least annually and historically there has been a time lag in DPS data entry.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Reincarceration Rate: Within One Year (Key)	Goal No. 2	Objective No. 1	Outcome No. 8
Definition: The percentage of juveniles released from secure to non-secure programs, parole or agency discharge who, within one (1) year of release, are known to be reincarcerated to a state-operated secure juvenile correctional facility or adult state prison or jail facility for a disciplinary purpose, and other than through a temporary placement. This measure includes reincarcerations for felonies, misdemeanors and technical violations.			
Purpose: This measure indicates the extent to which JJD rehabilitation programs are effective in reducing reincarceration within one year of release.			
Data Source: Data sources are automated. Reincarceration sources are the JJD database and computer matching through an information exchange with the Texas Department of Criminal Justice (TDCJ) database.			
Methodology: The population measured is juveniles released from a secure program to a non-secure program, parole or discharge 12 months prior to any day in the reporting period. Juveniles excluded include: (1) temporary releases from secure facilities, (2) juveniles transferred directly to a secure facility of another agency on the same day, and (3) juveniles whose commitment to JJD was overturned. These juveniles are checked for 365 days from release for reincarceration into either a secure JJD state facility for a disciplinary reason, TDCJ CID or a Texas State Jail. The result is divided by juveniles in the population measured, and expressed as a percentage. No JJD assignment for at least 30 days is considered temporary. Temporary admissions into JJD secure state correctional			

facilities are only considered as reincarceration if their next permanent assignment is to a secure state correctional facility. A juvenile can be counted no more than once each year in the numerator or denominator.			
Data Limitations: The measure is dependent upon the completeness of reincarceration information available on the Texas Department of Criminal Justice (TDCJ) and JJD databases, and the correct matching of JJD juveniles and individuals entered onto the TDCJ system. An information exchange with TDCJ is done at least annually.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Reincarceration Rate: Within Three Years (Key)	Goal No. 2	Objective No. 1	Outcome No. 9
Definition: The percentage of juveniles released from secure to non-secure programs, parole or agency discharge who, within three (3) years of release, are known to be reincarcerated to a state-operated secure juvenile correctional facility or adult state or jail facility for a disciplinary purpose, and other than through a temporary placement. This measure includes reincarcerations for felonies, misdemeanors and technical violations.			
Purpose: This measure indicates the extent to which JJD rehabilitation programs are effective in reducing reincarceration.			
Data Source: Data sources are automated. Reincarceration sources are the JJD database and computer matching through an information exchange with the Texas Department of Criminal Justice (TDCJ) database.			
Methodology: The population measured is juveniles released from a secure program to a non-secure program, parole or discharge 36 months prior to any day in the reporting period. Juveniles excluded include: (1) temporary releases from secure facilities, (2) juveniles transferred directly to a secure facility of another agency on the same day, and (3) juveniles whose commitment to JJD was over-turned. These juveniles are checked for a three-year period for reincarceration into either a secure state-operated facility for a disciplinary reason, TDCJ CID or Texas State Jail. The result is divided by juveniles in the population measured, and expressed as a percentage. No JJD assignment for at least 30 days is considered temporary. Temporary admissions into JJD secure state correctional facilities are only considered as reincarceration if their next permanent assignment is to a secure state correctional facility. A juvenile can be counted no more than once each year in the numerator or denominator.			
Data Limitations: The measure is dependent upon the completeness of reincarceration information available on the Texas Department of Criminal Justice (TDCJ) and JJD databases, and the correct matching of JJD juveniles and individuals entered onto the TDCJ system. An information exchange with TDCJ is done at least annually.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Rearrest/Re-referral Rate: Juveniles Receiving Specialized Treatment	Goal No. 2	Objective No. 1	Outcome No. 10
Definition: The percentage of juveniles successfully completing a specialized correctional treatment program and subsequently released from a secure program to a non-secure program, parole or agency discharge who, within three (3) years, are known to be rearrested or re-referred for a felony or class A or B misdemeanor.			
Purpose: The measure indicates the extent to which the specialized treatment programs are effective in reducing subsequent offenses.			
Data Source: Data sources are automated. Cohort and re-referral data come from JJD's database. Arrest data comes from the Department of Public Safety (DPS) Career Criminal History database.			
Methodology: The population measured is juveniles successfully completing a specialized treatment program listed in the specialized treatment strategy prior to being released from a secure program to a non-secure correctional program, parole or JJD discharge 36 months prior to any day in the reporting period. These juveniles are checked for a three-year period (365 times 3) from the date of release for arrests and referrals recorded in either the JJD or the DPS databases. The result is divided by the number of juveniles in the population measured, and expressed as a percentage. Arrests for which the level of offense cannot be determined will be included. Reincarcerations and convictions in the adult system where there is no arrest recorded are considered to have been arrested on the day of reincarceration or conviction. Juveniles transferred directly to the TDCJ CID or Texas State Jail without being released are excluded. Juveniles are only included at their first release. For juveniles in mental health treatment programs, success is defined by a designation that mental health issues have adequately stabilized prior to release.			
Data Limitations: The measure is dependent upon the completeness of arrest information available on the DPS and JJD databases, and the correct matching of JJD juveniles and individuals entered onto the Department of Public Safety (DPS) system. An information exchange with DPS is done at least annually and historically there has been a time lag in some data entry. It is not always recorded whether an arrest listed in the sections above is or is not a felony.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Average Daily Population: Assessment and Orientation (Key)	Goal No. 2	Objective No. 1	Strategy No. 1	Output No. 1
Definition: The average number of juveniles served daily in assessment and orientation programs.				
Purpose: This is a measure of utilization of JJD assessment and orientation resources. It is an indicator of the correspondence between the number of juveniles actually served in assessment and orientation and system's capacity to provide assessment and orientation services. A population that exceeds capacity may indicate overcrowding. A population below capacity may indicate resource underutilization.				
Data Source: Assignments and releases into assessment and orientation programs, as well as off-campus statuses (escapes, furloughs, and placements into local detention or jail) are entered into the JJD case management system by state correctional facility data entry clerks. The average daily population of juveniles in assessment and orientation is summarized from this automated data system.				
Methodology: Data sources are automated from the JJD case management system. Total juvenile days in assessment and orientation programs less days absent due to off-campus statuses are divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: Assessment and Orientation Cost per Juvenile Day	Goal No. 2	Objective No. 1	Strategy No. 1	Efficiency No. 1
Definition: Assessment and orientation program cost per juvenile per day.				
Purpose: The measure provides average per-day cost of providing orientation and assessment services for JJD juveniles, not including the cost of juvenile correctional officer supervision except for those providing state-wide transportation. The measure presentation facilitates period-to-period cost comparisons.				
Data Source: Assessment and Orientation Program assignments and releases as well as off-campus statuses (escapes, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks. The average daily population of juveniles in assessment and orientation is summarized from this automated data system. Expenditures are classified and entered in the JJD financial accounting system. Orientation and assessment cost data for the reporting period is retrieved from this automated data system.				
Methodology: Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from all appropriations for the assessment, orientation and placement strategy during the reporting period are divided by Average Daily Population of Assessment and Orientation, and then divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Total Residential Intakes	Goal No. 2	Objective No. 1	Strategy No. 1	Efficiency No. 1
Definition: The annual number of intakes into residential programs from either outside of the agency or from parole. Total residential intakes include: new commitments, recommitments, multiple commitments, revocations, and negative movements.				
Purpose: This measure shows the total number of juveniles entering the JJD residential population. This measure is one indicator of the movement of juveniles within the juvenile justice system.				
Data Source: Assessment and orientation personnel identify youth committed to JJD from the juvenile court. Data entry clerks enter this information into the JJD case management system. Facility movement of juveniles into residential programs from parole is entered into JJD's case management system by data clerks.				
Methodology: The number of juveniles receiving an assignment to a residential program who prior to the assignment were either not assigned to a JJD program or were assigned to parole.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Neutral	

Title: Average Daily Population: State Operated Secure Correctional Facilities (Key)	Goal No. 2	Objective No. 1	Strategy No. 3	Output No. 1
Definition: The average number of juveniles served daily by JJD state-operated secure correctional facilities. This measure includes juveniles in Assessment and Orientation, but does not include juveniles in Contract Care or Halfway Houses.				
Purpose: This is a measure of utilization of JJD state-operated secure correctional facility resources. It is an indicator of the degree of correspondence between the number of juveniles in JJD-operated secure residential programs and system capacity. A population that significantly exceeds capacity may indicate overcrowding. A population significantly below capacity may indicate resource underutilization.				
Data Source: State-operated secure correctional facility assignments and releases, as well as off-campus statuses (escapes, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks.				
Methodology: Data sources are automated from the JJD case management system. Total juvenile days in state-operated secure correctional facilities less days absent due to off-campus statuses, are divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: CPD: State-Operated Secure Correctional Facilities (Key)	Goal No. 2	Objective No. 1	Strategy No. 3	Efficiency No. 1
Definition: State-operated secure correctional facility supervision and food service cost per juvenile day.				
Purpose: This measure provides the average cost per day of providing JJD-operated secure correctional services, including supervision and food service for JJD juveniles. The measure presentation facilitates period-to-period cost comparison.				
Data Source: State-operated secure correctional facility assignments and releases, as well as off-campus statuses (escapes, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks. The average daily population of juveniles in state-operated secure correctional facilities is summarized from this automated data system. Expenditures are classified and entered in the JJD financial accounting system. State-operated secure correctional facility supervision and food service cost data for the reporting period is retrieved from this automated data system.				
Methodology: Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from all appropriations for the Institutional Supervision and Food Service strategy during the reporting period are divided by Average Daily Population in State Operated Secure Correctional Facilities, and then divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Juveniles Per Direct Supervision JCO Staff Per Shift	Goal No. 2	Objective No. 1	Strategy No. 3	Explanatory No. 1
Definition: The number of juveniles in JJD-operated secure correctional facilities per Juvenile Correctional Officer staff (JCO) providing direct supervision per shift.				
Purpose: Juvenile Correctional Officers maintain order in JJD facilities and ensure a safe environment. The average number of juveniles per Juvenile Correctional Officer per shift impacts state-operated secure correctional facility safety and security. The safety of juveniles and staff depend on a low ratio.				
Data Source: The number of juveniles and JCOs per shift is recorded by each JJD-operated secure correctional facility on a dorm ratio log. The number of JCOs per shift includes JCOs providing direct supervision on the dorm and does not include JCO supervisors unless providing dorm coverage, security and gatehouse staff, pickets and posts, and those in training. The number of juveniles and JCOs is reported to JJD's central office for one day each week.				
Methodology: Juveniles per JCO per shift is calculated by summing the number of juveniles on the dorm for all facilities and shifts for the designated day and dividing by the total number of direct supervision JCOs for all facilities and shifts. Quarterly information contains data for the designated days occurring during the quarter.				
Data Limitations: The measure presents a system-wide average. Physical layouts of state-operated secure correctional facilities and characteristics of populations of juveniles served affect local ratios required for safe operations. The ratios also differ among the shifts within each state-operated secure correctional facility. The calculation uses specific days and variance for other days is not accounted for. The report is currently manual.	Calculation Method Non-cumulative	New Measure Yes	Target Attainment Lower than target	

Title: Average Daily Attendance in JJD-operated Schools (Key)	Goal No. 2	Objective No. 1	Strategy No. 4	Output No. 1
Definition: The average daily number of juveniles attending school taught by JJD-employed teachers.				
Purpose: This is a measure of utilization of JJD education program resources. It is an indicator of the correspondence between the number of juveniles in education programs and system capacity. A population that significantly exceeds capacity may indicate overcrowding. A population significantly below capacity may indicate resource underutilization.				
Data Source: JJD education personnel record school attendance in accordance with Texas Education Agency (TEA) standards. Data is stored in a database designed to meet requirements of the Public Education Information Management System (PEIMS) maintained by the Texas Education Agency, and calculates student attendance days accordingly. Education department personnel enter daily attendance information onto the case management system used by the JJD Education Department.				
Methodology: Data sources are automated. Student attendance days are accumulated per PEIMS protocols. PEIMS data includes instructional days of school required to provide 43,200 minutes of instruction, and may exclude days exempted by TEA for purposes of calculating ADA due to low attendance from health, safety, or weather constraints. PEIMS protocols also count students who are scheduled between two (2) and four (4) hours daily as half-time students for ADA purposes. Students scheduled less than two (2) hours daily are excluded from the ADA count. Total number of student attendance days is tallied excluding any days students were absent from school. Total student attendance days are divided by the number of school days in the reporting period. Quarterly information contains data for the six-week school periods completed during the quarter.				

Data Limitations: Per TEA requirements, the measure only measures attendance at one designated period of the day for each juvenile. The Public Education Information Management System (PEIMS) data includes only instructional days required to provide 43,200 minutes of instruction. This number excludes juveniles attending school in JJD who already have high school diplomas, as they are ineligible for inclusion in Average Daily Attendance in the PEIMS attendance system.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target
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Title: Number of Industrial Certifications Earned by Juveniles	Goal No. 2	Objective No. 1	Strategy No. 4	Output No. 2
Definition: The number of industrial certifications earned by juveniles in JJD-operated schools.				
Purpose: To assess the extent of industrial certification achievement among students at JJD-operated schools.				
Data Source: Certifications are awarded in each JJD facility providing vocational training generally by career and technical education teachers. When juveniles achieve industrial certifications, the industrial certification type and completion date is recorded in the JJD case management system by JJD personnel.				
Methodology: Data sources are automated. The total number of industrial certifications awarded during the time period is counted.				
Data Limitations: No data limitation.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

Title: Education and Workforce Cost in JJD operated Schools	Goal No. 2	Objective No. 1	Strategy No. 4	Efficiency No. 1
Definition: Educational and workforce program cost per juvenile per day.				
Purpose: The measure provides average per-day cost of providing educational and workforce services for JJD juveniles. The measure presentation facilitates year-to-year cost comparisons by controlling for number of juveniles.				
Data Source: Education and Workforce department personnel enter daily attendance records in the case management system used by the JJD Education Department. Data is stored in a database designed to meet requirements of the Public Education Information Management System (PEIMS) maintained by the Texas Education Agency, and calculates student attendance accordingly. Education and workforce expenditures are classified and entered on the JJD financial accounting system. Education and workforce cost data for the reporting period is retrieved from this automated data system.				
Methodology: Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from all appropriations in the Education and Workforce Programs strategy during the reporting period are divided by the total number of juvenile instructional days in JJD-operated schools during the reporting period, regardless of whether the days were counted in the agency's Average Daily Attendance measure. Juvenile instructional days exclude any juvenile enrolled for fewer than 2 hours of instruction daily, include students who have earned a high school diploma and are continuing to attend school for additional academic, college or workforce programs, include low attendance days waived by TEA due to health, safety or weather constraints, and include summer instructional days.				

Data Limitations: The small percentage of juveniles served who are not in JJD-operated schools is included in the cost, but not the population.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target
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Title: Percent Reading at Grade Level at Commitment	Goal No. 2	Objective No. 1	Strategy No. 4	Explanatory No. 1
Definition: The percentage of juveniles admitted to JJD during the reporting period and for the first time, who, at their first time tested, have a reading skill level at or above the average skill of a juvenile of the same age.				
Purpose: Most juveniles admitted to JJD enter with serious educational challenges. This measure greatly impacts the outcome measure of Percent Reading at Grade Level at Release.				
Data Source: Juveniles admitted to JJD are administered a standard basic educational achievement test at an assessment and orientation center. TABE 9/10 measures skills expressed in terms of standard grade-level attainment. TABE 11/12 measures National Reporting System (NRS) levels and provides broad grade ranges. Data entry clerks or education department personnel enter test results onto the JJD case management system.				
Methodology: Data sources are automated. Age at testing is computed from data maintained in the JJD case management system. Juveniles are considered reading at grade level if, when first tested, they demonstrate reading skill at or above a level equivalent to the skill of an average juvenile of the same age in the community. Juveniles in the community are assumed to reach age 18 in the middle of their 12th grade of schooling, and each age below that one year of schooling earlier. Grade equivalent scores are converted to grade year. Juveniles reading at the 12th grade level are considered reading at grade level, regardless of age. The denominator for this measure is the number of juveniles entering JJD for the first time during the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: Average Daily Population: Halfway House Programs (Key)	Goal No. 2	Objective No. 1	Strategy No. 5	Output No. 1
Definition: The average number of juveniles served daily by halfway house programs, which are JJD-operated residential non-secure programs.				
Purpose: This is a measure of utilization of halfway house program resources. It is an indicator of the degree of correspondence between the number of juveniles in JJD-operated non-secure residential programs and system capacity. A population that significantly exceeds capacity may indicate overcrowding. A population significantly below capacity may indicate resource underutilization.				
Data Source: Halfway house program assignments and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) and placements (deportation verification) are entered into the JJD case management system by JJD data entry clerks.				
Methodology: Data sources are automated from the JJD case management system. Juveniles who are undocumented foreign nationals and picked up by United States Immigration and Customs Enforcement (ICE) for deportation or voluntarily deported through the US Border Patrol are not included. Total juvenile days in halfway house programs less days absent due to off-campus statuses, are divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method	New Measure No	Target Attainment	

	Non-cumulative		Higher than target
Title: Halfway Houses Cost Per Juvenile Day (Key)	Goal No. 2	Objective No. 1	Strategy No. 5 Efficiency No. 1
Definition: Halfway House program cost per juvenile per day.			
Purpose: This measure provides the average cost per day of providing JJD-operated halfway house services, including room, board, and security for JJD juveniles. The measure presentation facilitates period-to-period cost comparison.			
Data Source: Halfway house program assignments and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks. The average daily population of juveniles in the halfway house programs is summarized from this automated data system. Expenditures are classified and entered onto the JJD financial accounting system. Halfway House Program cost data for the reporting period is retrieved from this automated data system.			
Methodology: Total juvenile days in halfway house programs less days absent due to off-campus statuses, are divided by the number of days in the reporting period to calculate Average Daily Population in Halfway House Programs. Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from all appropriations for the Halfway House Services strategy during the reporting period are divided by the Average Daily Population in Halfway House Programs, and then divided by the number of days in the reporting period.			
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target

Title: Average Daily Population: Health Care	Goal No. 2	Objective No. 1	Strategy No. 6	Output No. 1
Definition: The average daily number of juveniles provided health care services in JJD-operated residential programs.				
Purpose: This is a measure of utilization of health care services. It is an indicator of the population served by health care providers.				
Data Source: Residential program assignments and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks.				
Methodology: Data sources are automated from the JJD case management system. Total juvenile days in state-operated secure correctional facilities or halfway houses served by health care providers less days absent due to off-campus statuses, are divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: Cost of Health Care Services Per Juvenile Day (Key)	Goal No. 2	Objective No. 1	Strategy No. 6	Efficiency No. 1
Definition: Health care services cost per juvenile per day in JJD-operated residential programs.				
Purpose: This measure provides the average cost per day of providing health care services for JJD juveniles. The measure presentation facilitates period-to-period cost comparison.				
Data Source: Residential program assignments and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks. The average daily population of juveniles in JJD-operated residential programs is summarized from this automated data system. Expenditures are classified and entered in the JJD financial accounting system. Health care services cost data for the reporting period is retrieved from this automated data system.				
Methodology: Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from all appropriations for the Health Care Services strategy during the reporting period are divided by the Average Daily Population in JJD-operated residential programs, and then divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Average Daily Population: Psychiatric Services	Goal No. 2	Objective No. 1	Strategy No. 7	Output No. 1
Definition: The average daily number of juveniles provided psychiatric services in JJD-operated residential programs.				
Purpose: This is a measure of utilization of psychiatric services. It is an indicator of the population served by psychiatric providers.				
Data Source: Residential program assignments and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks.				
Methodology: Data sources are automated from the JJD case management system. Total juvenile days in state-operated correctional facilities or halfway houses served by psychiatric providers less days absent due to off-campus statuses, are divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: Cost of Psychiatric Services Per Juvenile Day (Key)	Goal No. 2	Objective No. 1	Strategy No. 7	Efficiency No. 1
Definition: Psychiatric Services cost per juvenile per day in JJD-operated residential programs.				
Purpose: This measure provides the average cost per day of providing psychiatric services for JJD juveniles. The measure presentation facilitates period-to-period cost comparison.				
Data Source: Residential program assignments and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks. The average daily population of juveniles in JJD-operated residential programs is summarized from this automated data system. Expenditures are classified and entered in the JJD financial accounting system. Psychiatric Services cost data for the reporting period is retrieved from this automated data system.				
Methodology: Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from all appropriations for Psychiatric Services during the reporting period are divided by the Average Daily Population in JJD-operated residential programs, and then divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Average Daily Population: General Rehabilitation Treatment (Key)	Goal No. 2	Objective No. 1	Strategy No. 8	Output No. 1
Definition: The average number of juveniles served daily in general rehabilitative treatment programs. A general rehabilitative treatment program is any state-operated secure correctional facility or halfway house for which case management services are funded by the Integrated Rehabilitation Treatment strategy. Program services funded from other strategies (assessment, orientation and placement, contract programs, and programs and services designated as totally specialized treatment) are excluded from this measure.				
Purpose: This is a measure of utilization of JJD General Rehabilitation Treatment resources. It is an indicator of the correspondence between the number of juveniles actually served in general rehabilitation and system capacity. A population that exceeds capacity may indicate overcrowding. A population below capacity may indicate resource underutilization.				
Data Source: General rehabilitation program assignments and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks.				
Methodology: Data source is automated. Total reporting period juvenile days in general rehabilitation treatment programs is computed by excluding days absent due to off-campus statuses. Total juvenile days are then divided by the number of days in the reporting period to compute average daily population.				
Data Limitations: No data limitation.	Calculation Type Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: Average Daily Population: Specialized Treatment (Key)	Goal No. 2	Objective No. 1	Strategy No. 8	Output No. 2
Definition: The average number of juveniles served daily in specialized treatment programs in JJD-operated facilities for juveniles with specialized needs to include capital or other serious violent offense history, sex offense history, alcohol or other drug abuse or dependence history, or mental health problems. The reported number represents juveniles in both high and moderate need programs. The majority of these services are provided by staff who are either licensed or certified, or are working under the supervision of licensed or certified providers.				
Purpose: This is a measure of utilization of JJD specialized treatment program resources. It is an indicator of the degree of correspondence between the number of juveniles in specialized treatment programs and system capacity. A population that significantly exceeds capacity may indicate overcrowding. A population significantly below capacity may indicate resource underutilization or represent staffing vacancies.				
Data Source: Specialized treatment program assignments, removals, and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks.				
Methodology: Data source is automated. Total reporting period juvenile days in the specialized treatment is computed by excluding days absent due to off-campus statuses. Total juvenile days are then divided by the number of days in the reporting period to compute average daily population.				
Data Limitations: The data reflects the average number of juveniles assigned to specialized treatment programs each day, regardless of whether the program meets that day. Many juveniles have concurrent needs for multiple specialized treatment programs. Juveniles who receive multiple treatments simultaneously will be represented only once per day, thus the actual number of services provided will tend to be greater than the number reported.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: General Rehabilitation Treatment Cost Per Juvenile Day (Key)	Goal No. 2	Objective No. 1	Strategy No. 8	Output No. 1
Definition: The average cost per juvenile day for all juvenile days in general rehabilitation treatment as defined in the measure Average Daily Population: General Rehabilitation Treatment.				
Purpose: This measure provides the average per-day cost of providing general rehabilitation treatment for JJD-committed juveniles.				
Data Source: Program assignments and releases as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks. The average daily population of juveniles in general rehabilitation treatment is summarized from this automated data system. Expenditures for general rehabilitation treatment are classified and entered in the JJD financial accounting system. Cost data for the reporting period is retrieved from this system.				
Methodology: Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from appropriations for casework in the Integrated Rehabilitation Treatment strategy during the reporting period are divided by the Average Daily Population in General Rehabilitation Programs, and then divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Specialized Treatment Cost Per Juvenile Day (Key)	Goal No. 2	Objective No. 1	Strategy No. 8	Output No. 2
Definition: The average cost per juvenile day for all juvenile days in specialized treatment as defined in the measure Average Daily Population: Specialized Treatment.				
Purpose: This measure provides the average per-day cost of providing specialized treatment for JJD-committed juveniles.				
Data Source: Program assignments and releases as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks. The average daily population of juveniles in specialized treatment is summarized from this automated data system. Expenditures for specialized treatment are classified and entered in the JJD financial accounting system. Cost data for the reporting period is retrieved from this system.				
Methodology: Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from appropriations for specialized treatment programs and other psychological services in the Integrated Rehabilitation Treatment strategy during the reporting period are divided by the Average Daily Population: Specialized Treatment, and then divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Average Daily Population: Contract Programs (Key)	Goal No. 2	Objective No. 1	Strategy No. 9	Output No. 1
Definition: The average number of juveniles served daily by contracted residential programs. The programs may be high, medium, or minimum restriction programs.				
Purpose: This is a measure of the utilization of contract residential programs.				
Data Source: Contracted program assignments and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks.				
Methodology: Data sources are automated from the JJD case management system. Total juvenile days in contracted residential programs less days absent due to off-campus statuses, are divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: Capacity Cost in Contract Programs Per Juvenile Day (Key)	Goal No. 2	Objective No. 1	Strategy No. 9	Efficiency No. 1
Definition: Contract program cost per juvenile per day.				
Purpose: This measure provides the average cost per day of providing contracted correctional services, including room, board, and security for JJD juveniles. The measure presentation facilitates period-to-period cost comparison.				
Data Source: Contract program assignments and releases, as well as off-campus statuses (escapes, absconds, furloughs, and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks. The average daily population of juveniles in contract programs is summarized from this automated data system. Expenditures are classified and entered in the JJD financial accounting system. Contract Program cost data for the reporting period is retrieved from this automated data system.				
Methodology: Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from all appropriations for the Contracted Capacity strategy during the reporting period are divided by the Average Daily Population in Contract Programs, and then divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Change Orders and Add-ons as a % of Budgeted Project Const. Costs	Goal No. 2	Objective No. 3	Strategy No. 1	Efficiency No. 1
Definition: Change orders and add-ons as a percentage of budgeted construction costs.				
Purpose: Change orders or add-ons may affect the overall cost of building a facility. This measure reflects the extent to which projects are completed within budgeted levels.				
Data Source: Construction-related expenditures are classified and entered in the JJD financial accounting system.				
Methodology: Construction expenditures for change-orders or add-ons are divided by total construction dollars expended in the Construction strategy for the reporting period. The result is expressed as a percentage.				
Data Limitations: No data limitation.	Calculation Method Non-cumulative	New Measure No	Target Attainment Lower than target	

GOAL C: PAROLE SERVICES

Title: Constructive Activity Rate	Goal No. 3	Objective No. 1	Outcome No. 1
Definition: The percentage of juveniles who have been on parole for at least 30 days who are employed; actively pursuing employment; attending school, college, certificate of high school equivalency preparation; participating in vocational or technical training; or performing community service.			
Purpose: This measure is an indicator of successful community re-integration for juveniles under JJD parole supervision.			
Data Source: Each juvenile under JJD jurisdiction has an Individual Case Plan. Part of the case plan on parole is education and/or employment. JJD parole officers update compliance with the case plan onto the JJD case management system or other database if applicable.			
Methodology: Data sources are automated. Constructive activity participation is measured the day of a juvenile's last contact with their parole officer prior to the end of the measurement period. Juveniles constructively engaged at that reporting date are counted as participating in a constructive activity. The denominator for the measure is the number of juveniles who at the last day of the quarter have been on parole for at least 30 days. Juveniles in jail, detention, or abscond status the last day of the quarter are considered to not be constructively active. Juveniles on Interstate Compact or deported are excluded.			
Data Limitations: Data is only entered at the point of contact between parole officers and parolees. A measurement taken at a single point in time may not reflect performance over the entire period. Parole officers lack access to enrollment databases from Universities, other state agencies, and local school districts as a means to verify enrollment information, and must rely on other methods for verification.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target

Title: Average Daily Population: Parole (Key)	Goal No. 3	Objective No. 1	Strategy No. 1	Output No. 1
Definition: Total juvenile days in parole programs during the reporting period, including juveniles assigned to parole who are in detention or jail, less days absent due to absconding, divided by the number of days in the reporting period.				
Purpose: This is a measure of utilization of JJD parole program resources. It is an indicator of the correspondence between the number of juveniles in parole and system capacity. A population that significantly exceeds capacity may indicate overcrowding. A population significantly below capacity may indicate resource underutilization.				
Data Source: JJD data entry clerks or parole officers enter assignments and discharges, as well as other parole statuses (absconds, and placements into local detention or jail) and placements (deportation verification) into the JJD case management system. The average daily population of juveniles in parole programs is summarized from this automated data system.				
Methodology: Data sources are automated. Parole includes all juveniles living at home and not assigned to a high, medium or minimum restriction program, whether or not on independent living, and whether or not committed from a Texas juvenile court or referred through Interstate Compact. Juveniles referred via Interstate Compact from Texas to other states are not included. Juveniles who are undocumented foreign nationals and picked up by United States Immigration and Customs Enforcement (ICE) for deportation or voluntarily deported through the US Border Patrol are not included. Total parole juvenile days is computed by counting all days juveniles were in a parole location, excluding those days when juveniles were on abscond status. Total parole juvenile days are divided by the number of days in the reporting period to compute average daily parole population.				

Data Limitations: No data limitations.	Calculation Type Non-cumulative	New Measure No	Target Attainment Higher than target
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Title: Average Daily Population: Contract Parole	Goal No. 3	Objective No. 1	Strategy No. 1	Output No. 2
Definition: Average number of juveniles in parole programs operated by entities other than by JJD-employed parole officers during the reporting period.				
Purpose: This is a measure of utilization of JJD contract parole resources. It is an indication of the correspondence between the number of juveniles in contract parole and system capacity.				
Data Source: Placement of juveniles onto parole from residential programs is entered into JJD's case management system by data clerks in the parole office.				
Methodology: Data sources are automated. Contract parole includes all juveniles paroled to a county with which JJD contracts for parole services, and living at home and not assigned to a high, medium or minimum restriction program, whether or not on independent living, and whether or not committed from a Texas juvenile court or referred through Interstate Compact. Juveniles referred via Interstate Compact from Texas to other states are not included. Total contract parole juvenile days is computed by counting all days juveniles were on contract parole, excluding those days when juvenile were on abscond status. Total contract parole juvenile days are divided by the number of days in the reporting period to compute average daily parole population.				
Data Limitations: No data limitations.	Calculation Type Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: Parole Cost Per Juvenile Day (Key)	Goal No. 3	Objective No. 1	Strategy No. 1	Efficiency No. 1
Definition: Parole cost per juvenile served per day.				
Purpose: This measure provides the average per-day cost of providing parole for JJD juveniles. The measure facilitates period-to-period cost comparison.				
Data Source: Parole program assignments and releases as well as statuses (absconds and placements into local detention or jail) are entered into the JJD case management system by JJD data entry clerks. The average daily population of juveniles in parole is summarized from this automated data system. Expenditures for parole are classified and entered on in the JJD financial accounting system. Cost data for the reporting period is retrieved from this system.				
Methodology: Total dollars expended on an accrual basis consistent with Generally Accepted Accounting Principles (GAAP) from all appropriations for the Parole Strategy during the reporting period are divided by the Average Daily Population in Parole, and then divided by the number of days in the reporting period.				
Data Limitations: No data limitation.	Calculation Type Non-cumulative	New Measure No	Target Attainment Lower than target	

Title: Average Daily Population: Aftercare Services	Goal No. 3	Objective No. 1	Strategy No. 2	Output No. 1	
Definition: Total juvenile days in aftercare services while on parole during the reporting period, less days absent due to absconding, divided by the number of days in the reporting period. Juveniles referred via Interstate Compact to or from Texas or deported are not included. Aftercare programs are parole programs other than mere supervision by the parole officer.					
Purpose: This is a measure of utilization of JJD aftercare service resources for juveniles on parole. It is an indicator of the correspondence between the number of juveniles in aftercare services and system capacity. A population that significantly exceeds capacity may indicate overcrowding. A population significantly below capacity may indicate resource underutilization.					
Data Source: JJD data entry clerks or parole officers enter aftercare service assignments and releases, as well as other statuses (abscond, detention or jail) into the JJD case management system.					
Methodology: Data sources are automated. Total aftercare service juvenile days are computed by counting all days juveniles were in aftercare services while on parole excluding those days when juvenile were on abscond status, in jail or in detention. Total juvenile days in aftercare services are divided by the number of days in the reporting period to compute average daily specialized aftercare service population.					
Data Limitations: The data reflects the average number of juveniles assigned to an aftercare service each day, regardless of whether the program meets that day.	Calculation Type Non-cumulative	New Measure Yes	Target Attainment Higher than target		

GOAL D: OFFICE OF THE INDEPENDENT OMBUDSMAN

Title: Number of Juveniles Directly Served through the Office of Independent Ombudsman	Goal No. 4	Objective No. 1	Strategy No. 1	Output No. 1
Definition: The number of juveniles directly served is the total number of juveniles interviewed by the Office of Independent Ombudsman (OIO) during the reporting period as part of facility visits, evaluations derived from the monitoring of different types of juvenile services, and individual case referrals.				
Purpose: This measure ensures that the basic rights of JJD juveniles are protected and that the agency is acting in a manner that is consistent with the best interests of the juveniles. Juveniles who are not directly interviewed during a site visit or during a services evaluation, but who have the same characteristics are also often impacted because changes to policies and/or procedures suggested by the office have at times resulted in changes affecting programming that is done for juveniles in general throughout the agency, including those on supervision in the community. Additionally, it assists the agency by providing opportunities to address and mitigate areas of redress resulting from lawsuits brought by parties representing the interests of the juveniles under the jurisdiction of JJD.				
Data Source: Information about all juveniles interviewed as part of facility site visits, juvenile services evaluations, and individual cases referred to the office is maintained by the OIO.				
Methodology: The number of juveniles directly served is the total number of juveniles interviewed by the OIO during the reporting period. This does not include orientation sessions and mailings to families that inform juveniles and their families of the services offered by the OIO.				
Data Limitations: No data limitation.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

GOAL E: JUVENILE JUSTICE SYSTEM

Title: Number of Officers Certified	Goal No. 5	Objective No. 1	Strategy No. 1	Output No. 1
Definition: The total number of juvenile probation professionals certified or whose certification is renewed by JJD during the reporting period.				
Purpose: The purpose of this measure is to quantify the number of juvenile probation and supervision officers that are certified and/or who have renewed their certification.				
Data Source: Data relating to officer certification and certification renewal is maintained in the JJD ICIS database.				
Methodology: Computed by totaling the number of certification and renewal of certification applications approved during the reporting period.				
Data Limitations: No data limitation.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

Title: Number of Local Facility Inspections Conducted	Goal No. 5	Objective No. 1	Strategy No. 2	Output No. 1
Definition: The number of inspections completed during the reporting period. Inspections are defined by Texas Family Code Sections 51.12, 51.125, and 51.126 and agency administrative rules and include inspections of all juvenile pre-adjudication secure detention, secure hold-over, post-adjudication secure correctional, and non-secure correctional facilities. The agency's responsibility regarding the inspection of non-secure correctional facilities is limited to those registered non-secure facilities that elect to forego Texas Department of Family and Protective Services licensure.				
Purpose: This measure determines compliance with statutory requirements and Texas Administrative Code.				
Data Source: Agency's Compliance Monitoring, Enforcement, and Tracking System (COMETS) maintains reports of all formal inspection and monitoring activities. Inspections conducted during the period will be pulled from the COMETS system. Data may be cross-checked with the number of facilities that are registered on the agency's Facility Registry in accordance with Texas Family Code Sections 51.12, 51.125, and 51.126.				
Methodology: Each inspection as verified through the data source is counted once, even though an inspection may have required more than one day to complete and/or more than one inspector. All inspections during the reporting period are counted with the exception of unannounced visits that do not result in the identification of a standards violation (i.e., non-compliance). Agency abuse, neglect, and exploitation investigations within secure pre-adjudication, secure hold-over, secure post-adjudication correctional, and non-secure correctional facilities are not included.				
Data Limitations: No data limitation.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

Title: # Annual Comprehensive Monitoring Reviews	Goal No. 5	Objective No. 1	Strategy No. 2	Output No. 2
Definition: The total number of monitoring reviews conducted with the completion of three (3) primary elements within the previous fiscal year. The three (3) primary elements are research and preparation, on site monitoring and inspections, and the reporting of findings for all JJD-operated and contracted secure and non-secure correctional facilities and parole				
Purpose: This measure determines compliance with agency policy and procedures, health and safety codes, standards, regulations, and contractual agreements.				
Data Source: Completed monitoring review reports are maintained within the Agency Monitoring file.				
Methodology: Each monitoring review is counted as one even though the review may have required more than one day and/or more than one specialist. All monitoring reviews completed during the reporting period are counted as the results of the monitoring review are not a determining factor.				
Data Limitations: No data limitation.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

Title: Juveniles Served Through Interstate Compact	Goal No. 5	Objective No. 1	Strategy No. 3	Output No. 1
Definition: The number of juveniles served during the reporting period through the interstate compact law, including interstate runaways returned, juvenile probationers and parolees from other states who are supervised by Texas juvenile probation officers and JJD parole officers, surveillance of juveniles in transit, and Texas juvenile probationers and JJD parolees being supervised out-of-state.				
Purpose: This measure counts juveniles served through the Interstate Compact agreement. It is an indicator of TJJD Interstate Compact workload.				
Data Source: The M204 ICJ database has limited fields for data collection and is used for supervision cases only. ICJ juveniles who are returned and/or provided airport supervision services are maintained on another database.				
Methodology: Number of juveniles served on interstate is counted by adding together juveniles from the two data sources for the reporting period.				
Data Limitations: The number does not differentiate between juveniles receiving extensive vs. juveniles receiving minimal services. The cumulative number does not divide evenly between quarters, because the first quarter contains all supervision juveniles carried over from the previous year.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

GOAL G: Office of the Inspector General

Title: Number of Completed Criminal Investigative Cases	Goal No. 7	Objective No. 1	Strategy No. 1	Output No. 1
Definition: The number of completed investigations of criminal allegations involving JJD employees or at JJD-operated or contracted facilities. A completed investigation is defined as a case which has been presented to Prosecution for review or closed with a conclusion.				
Purpose: This measure shows the number of criminal investigative cases completed by the Office of Inspector General.				
Data Source: Case conclusions are entered into the Office of Inspector General (OIG) database for analyzing, statistical reporting, tracking, and performance measures management.				
Methodology: Data source is automated within the OIG database to provide cumulative totals by outcome for investigations completed during the reporting period. The number of completed investigations are measured and calculated.				
Data Limitations: Prosecution dispositions, arrests and adjudications may occur or be reported in fiscal years subsequent to the completion of the investigation. Investigations may have multiple suspects with varied outcomes.	Calculation Method Cumulative	New Measure No	Target Attainment Higher than target	

Title: # Child Abuse Claims Investigated	Goal No. 7	Objective No. 1	Strategy No. 1	Output No. 2
Definition: The number of child abuse allegations in JJD community registered detention and secure placement facilities or other programs and facilities operated under the authority of the juvenile board investigated by the County Investigation Unit of the Administrative Investigation Division during the reporting period.				
Purpose: To identify how many reported allegations of child abuse in facilities and programs are investigated.				
Data Source: The County Investigation Unit of the Administrative Investigation Division maintains a confidential database of the information.				
Methodology: Calculated by summing the total number of complaints investigated during the reporting period.				
Data Limitations: No data limitation.	Calculation Method Cumulative	New Measure No	Target Attainment Lower than target	

Title: Number of Completed Administrative Investigative Cases	Goal No. 7	Objective No. 1	Strategy No. 1	Output No. 3
Definition: The number of completed investigations of administrative allegations involving JJD employees, JJD-operated or contracted facilities, or at county-operated programs and facilities.				
Purpose: Allegations of abuse, neglect, exploitation, and JJD policy violations will be thoroughly investigated. This measure indicates the number of administrative investigative cases completed each fiscal year.				
Data Source: Administrative Investigation Division findings are entered into the Administrative Investigations database for analysis, statistical reporting, tracking, and performance measures management.				
Methodology: Data source is automated within the Administrative Investigations database to provide cumulative totals by outcome for investigations completed during the reporting period. The number of completed investigations are measured and calculated.				
Data Limitations: Administrative Investigation Division findings and JJD disciplinary action may occur in fiscal years subsequent to the completed investigation. Investigations may have multiple suspects with varied outcomes.	Calculation Method Cumulative	New Measure No	Target Attainment Lower than target	

Title: Number of Allegations Reported to the Office of the Inspector General	Goal No. 7	Objective No. 1	Strategy No. 1	Explanatory No. 1
Definition: The number of allegations of abuse, criminal activity, serious incidents, and emergency operations (Prison Rape Elimination Act, Escapes/Absconds) reported through the Incident Reporting Center.				
Purpose: This measure shows the number of allegations of abuse, criminal activity, serious incidents, and emergency operations that are received by the appropriate division for documentation and/or investigation in an accurate and timely manner.				
Data Source: The Call Center is operated through the Incident Reporting Center (IRC) as a means for juveniles, family, employees, and facilities to report allegations of abuse, criminal activity, incidents, and emergency operations (Prison Rape Elimination Act, Escapes/Absconds) arising out of JJD and/or JJD interest. Source of an IRC call, category of the reported incident, date call was received, date incident occurred and incident summary are entered into the IRC database by the IRC Specialist.				
Methodology: Data source is automated in the IRC database to provide the number of allegations during the reporting period.				
Data Limitations: Incomplete, inaccurate, false and/or duplicate reports can provide a misrepresentation of actual conditions or situations.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

Title: Number of JJD Juveniles Apprehended by OIG	Goal No. 7	Objective No. 1	Strategy No. 1	Explanatory No. 2
Definition: An Apprehended JJD Juvenile is defined as a JJD juvenile that has been taken into custody by OIG staff following the issuance of a JJD Directive to Apprehend for escape or abscond from a JJD-operated or contracted facility.				
Purpose: This measure shows the number of JJD juveniles who have escaped or absconded and were later apprehended by the OIG.				
Data Source: Apprehensions are entered into the Office of Inspector General (OIG) database for analysis, statistical reporting, tracking, and performance measures management.				
Methodology: Data source is automated within the OIG database to provide cumulative totals by outcome for apprehensions that occurred during the reporting period. The number of apprehensions are measured and calculated.				
Data Limitations: An apprehension may occur in fiscal years subsequent to the issuance of the Directive to Apprehend.	Calculation Method Non-cumulative	New Measure No	Target Attainment Higher than target	

HISTORICALLY UNDERUTILIZED BUSINESSES (HUB) BUSINESS PLAN

HUB Goals, Objectives, and Assessments

The Texas Juvenile Justice Department (TJJJ) is committed to the state Historically Underutilized Business (HUB) Program’s goals. TJJJ promotes HUB economic opportunities and strives to increase HUB participation in five of the six identified categories listed below. There is no TJJJ-specific goal set for heavy construction, as that category is reserved for road and bridge construction and TJJJ does not perform those projects.

In Fiscal Year 2019, TJJJ reported total expenditures of \$16.6 million. Of that amount, \$4.2 million (25.02%) were HUB expenditures. This is an increase of 7% from the previous reporting period, which is largely due to an increase in HUB expenditures in three categories. Listed below are the agency-specific goals for expenditures in each category, with actual expenditure data for FY 18 and FY 19. Expenditures reported to the Comptroller of Texas for the semi-annual HUB report for FY 20.

HUB Category	Agency Goals	FY 2018 Actuals	FY 2019 Actuals	FY 2020 Actuals*
Heavy Construction	0.0%	0.0%	0.0%	0.0%
Building Construction	18.30%	40.06%	34.97%	28.26%
Special Trade Construction	32.70%	16.79%	33.81%	5.31%
Professional Services	17.40%	0.01%	0.01%	0.00%
Other Services	19.10%	9.59%	16.41%	10.44%
Commodities	21.00%	21.94%	26.61%	55.98%

Strategies

TJJJ struggles to meet the HUB goals for “Professional Services” and “Other Services.” The “Professional Services” category is challenging for TJJJ due to the necessary specialized services required for the youth committed to TJJJ, and because most vendors in that category do not typically go through the HUB registration process. Additionally, percentages in this category remain low due to UTMB providing medical services for TJJJ youth in secure facilities and because non-profit organizations that provide some treatment services are not eligible for HUB certification. However, TJJJ progressed in other categories by exceeding two goals in FY 18 and three goals in FY 19.

* These percentages reflect the data TJJJ provided to the Comptroller of Texas for the semi-annual HUB report. The semi-annual HUB report had not been published at the time that this Strategic Plan was finalized.

To improve HUB participation:

- TJJJ encourages vendors to register with the Comptroller of Texas for the “Professional Services” category. TJJJ will continue to invite professionals to participate in those contracts when applicable, even if they are not registered in the directories.
- TJJJ will continue our commitment to be a top representing agency at the annual Doing Business Texas Style Spot Bid Fair and HUB expo, sponsored by Senator Royce West.
- TJJJ changed its approach to HUB outreach. Instead of filling a vacant position at TJJJ’s central office, each designated facility purchaser is responsible for HUB outreach and events. They are required to attend at least two HUB events per quarter and they assist central office staff at the HUB expo. This change creates seven total staff members responsible for HUB outreach, when the agency historically only had one person.
- Purchasers also HUB seminars, spot bid fairs, conferences, and other events throughout the year to disseminate information about TJJJ and encourage HUB participation in our procurement process.
- TJJJ will continue to hold in-house vendor spotlights where vendors present their goods and services to key agency staff and learn about TJJJ’s procurement processes.
- TJJJ contracting will require HUB subcontracting plans as appropriate and encourage contractors to subcontract with HUBs. The agency holds pre-bid conferences when the solicitation requires a subcontracting plan. TJJJ reviews the requirements of the plan and provides guidance to potential vendors on how to complete the HUB Subcontracting Plan.
- TJJJ will continue to encourage HUB contractors to offer products and services to TJJJ and other agencies. The HUB Program encourages all vendors to provide the program with information that can be disseminated to the procurement and contracting staff.
- TJJJ will encourage HUB vendors to participate in the procurement process both as prime contractors and subcontractors. This is addressed in all the pre-bid conferences held by the agency.
- TJJJ will encourage prime contractors to develop mentoring relationships with qualified HUB vendors. This information is included during HUB vendor forums as well as during pre-bid conferences as a part of the HUB subcontracting plan presentation.

TJJJ is committed to providing the maximum opportunity to HUBs through a good faith effort and effectively promoting economic opportunities to HUB businesses whenever possible.

WORKFORCE PLAN

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INTRODUCTION

The TJJD Agency Workforce Plan is developed in compliance with the Texas Government Code, Section 2056.0021. The statute requires state agencies to conduct a strategic staffing analysis and develop a workforce plan, according to guidelines developed by the state auditor, to address critical staffing and training needs of the agency. In addition to being included in the Agency Strategic Plan, the Agency Workforce Plan is submitted to the State Auditor’s Office State Classification Team as a stand-alone document.

I. AGENCY OVERVIEW

The Texas Juvenile Justice Department (TJJD) is the state’s juvenile justice agency. TJJD was created effective December 1, 2011 by the 82nd Legislature, and the powers and duties of the former Texas Youth Commission and the Texas Juvenile Probation Commission were transferred to TJJD.

TJJD works in partnership with local county governments, the courts, and communities to promote public safety by providing a full continuum of effective supports and services to youth from initial contact in the juvenile justice system through termination of supervision. TJJD promotes delinquency prevention and early intervention programs and activities for juveniles and prioritizes the use of community-based or family-based programs and services for youth over the placement or commitment of youth to a state-operated secure facility.

TJJD employs program specialists, investigators, and training specialists with job duties that focus on developing delinquency prevention and early intervention programs, monitoring and enforcing established standards for community-based programs and county detention facilities, and certifying and training juvenile probation and detention officers. However, the majority of the agency’s employees have job duties related to operation of the agency’s secure facilities, providing

multifaceted and integrated treatment programs to committed youth, and performing job duties related to the agency’s re-entry system and parole programs for youth who have completed their stay in a secure facility.

TJJD operates secure residential facilities and halfway house programs. Some youth committed to TJJD are assigned directly to a halfway house; however, the majority of youth are assigned to a halfway house as a transitional assignment after they have completed their stay in a secure facility. The agency also contracts with private and local government providers for a wide range of services to TJJD offenders.

Specialized residential treatment includes programs and services designed for youth with serious violent offenses, sex offenses, alcohol and other drug abuse or dependency, and intellectual and developmental disabilities. In addition, TJJD operates year-round educational programs within each of its secure facilities. At TJJD halfway houses TJJD enters into memorandums of understanding with local independent school districts to provide education services. Youth under the agency’s jurisdiction in residential programs are also provided care for their basic needs, such as food, clothing, shelter, safety, medical care, legal rights, parenting, and spiritual needs.

Agency Mission

Transforming young lives and creating safer communities.

Core Values

- **Justice**
We do the right thing, in all things, with all people.
- **Safety**
We commit to a culture that protects youth, employees, and the public.
- **Integrity**
We build trust through transparency and ethical behavior.
- **Partnership**
We achieve best results through collaboration with counties stakeholders, youth and their families.
- **Innovation**
We proactively create opportunities to improve the juvenile justice system.

Vision

An effective and integrated juvenile justice system that:

1. Advances public safety through rehabilitation.
2. Equitably affords youth access to services and trauma-informed care, matching their needs to enhance opportunities for a satisfying and productive life.
3. Employs a stable and engaged workforce fully empowered to be agents of change and reinforce treatment goals for youth.
4. Operates safe and therapeutic environments with positive peer cultures emphasizing mutual accountability.
5. Is a model system with innovative, data-driven, and successful programming.
6. Embraces a one-system approach that includes the significant voice of county probation offices and allows for local control.

Impact of Agency’s Mission, Core Values, and Vision on Workforce Initiatives

The agency does not anticipate future significant changes to the TJJD mission, core values, and vision. Agency workforce initiatives could be affected by changes in the state-wide available work-force, further reliance on alternatives to placement that may reduce youth population in state-operated facilities, and the agency’s strategic goals on increasing the direct-care engagement with committed youth.

Organizational Structure

The Texas Juvenile Justice Department is governed by a thirteen-member Board appointed by the Governor with the advice and consent of the Texas Senate. In addition, the Governor appoints a TJJD Independent Ombudsman who reports directly to the Governor.

The Executive Director is the administrative head of the agency and is selected by and reports to the TJJD Board. The Office of Inspector General (OIG) and the Office of Internal Audit also report directly to the TJJD Board.

The Chief Inspector General oversees the OIG, which is responsible for the criminal investigation of crimes committed by TJJD employees and crimes committed at department facilities and facilities under contract with TJJD. The OIG also conducts administrative investigations related to abuse, neglect, and exploitation of TJJD youth. Additionally, the OIG conducts location and apprehension efforts of TJJD youth who have escaped, absconded, or violated a condition of their release from TJJD; contraband

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prevention, detection, and interception within TJJJ facilities; investigations analytics and research; operation of the 24-hour Incident Reporting Center; and use of force monitoring.

The Chief Auditor oversees the TJJJ Internal Audit Department, which is responsible for evaluating and assessing agency services, operations, and processes; providing consultation to agency management regarding design and implementation of internal controls; and coordinating external audit activities.

The following staff report directly to the Executive Director:

- The Chief of Staff provides direction and guidance to the executive director and executive management in strategic operations and planning, the establishment of functional and organizational relationships to achieve and advance the agency's goals and objectives, and executive level projects related to the oversight of agency operations.
- The Deputy Executive Director for Probation Services manages and oversees the departments and program areas responsible for providing prevention and early intervention services to at-risk youth; monitoring performance accountability of Juvenile Justice Alternative Education Programs; administering and monitoring Federal Title IV-E Foster Care Program contracts for the agency and participating juvenile probation departments; overseeing the agency's Office of Interstate Compact for Juveniles (ICJ) who ensure compliance with ICJ laws and rules relating to juveniles traveling or relocating across state lines; and providing a continuum of care and supervision for TJJJ youth released to parole.
- The Deputy Executive Director for State services manages and oversees the departments responsible for ensuring the security and maintenance of TJJJ secure facilities and halfway houses; assessment & placement of youth; oversees the agency's education program operated under the rules and guidelines of the Texas Education Agency (TEA) at each of the agency's secure facilities; provides administrative oversight of all the clinical services, including medical, dental, and psychiatric direct care provided by the University of Texas Medical Branch (UTMB) providers; and provides oversight of reentry and parole.
- The Chief Financial and Operating Officer is responsible for managing and overseeing the departments responsible for administrative support of the agency, Finance, Information Technology, Juvenile Justice Training Academy, Human Resources and Monitoring and Inspections
- The General Counsel oversees the Office of General Counsel (OGC), which provides in-house legal services for TJJJ. Such services include providing legal counsel to the TJJJ Board and agency management, including counsel regarding rules, policies, practices and proposed legislation; overseeing the publication of rules and policies; managing the youth grievance system; managing the functions of the release review panel, which makes decisions regarding release to parole, discharge from TJJJ, or extensions in lengths of stay; conduct administrative due process hearings for youth and employees; maintaining youth records; an overseeing any litigation involving the agency.
- The Chief Information Officer oversees all functions of the Information Technology (IT) division, which include ensuring a secure statewide information infrastructure for the agency maintaining and supporting various technological components at all agency locations, including

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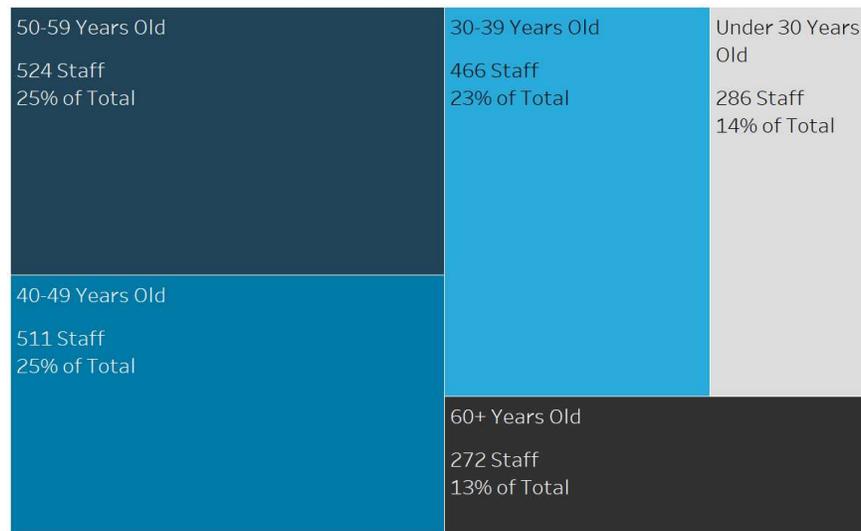
the state-operated facilities; and developing, maintaining, and supporting custom applications use by agency employees, county-based juvenile probation departments, and other external partners in the juvenile justice field.

- The Director of Stakeholder Relations manages the agency’s relationship with external stakeholders, such as members of the Texas Legislature, youth-focused interest and advocacy groups. This position plays an integral role in development of long-term strategic mission of the agency, as well as the agency’s legislative goals.
- The Director of Communications oversees the communications strategy for the agency; responds to media inquiries; monitors and develops content for the agency’s website and social media presence; and provides counsel on communications made by the executive office.

II. CURRENT WORKFORCE PROFILE¹

TJJD Workforce by Age

Approximately 50% of the TJJD workforce is in the 40-59 range. TJJD Employee age clusters around middle categories with fewer staff falling into older (60+) or younger (<30) categories.

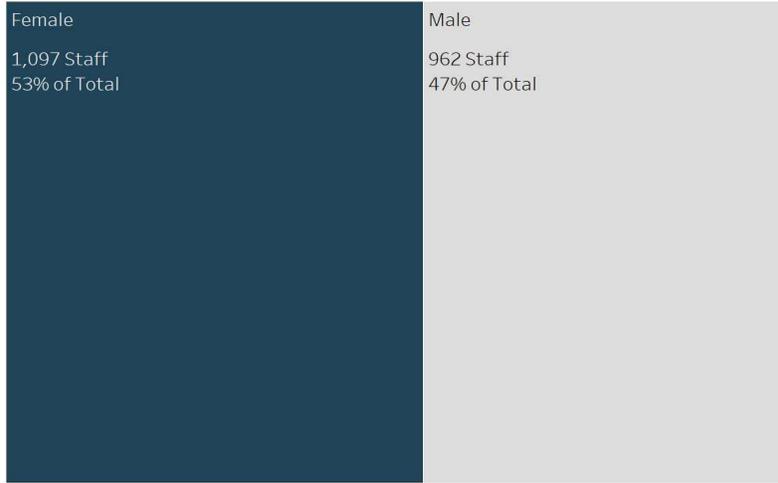


¹ Source: CAPPS data transfer; queries run May 2020.

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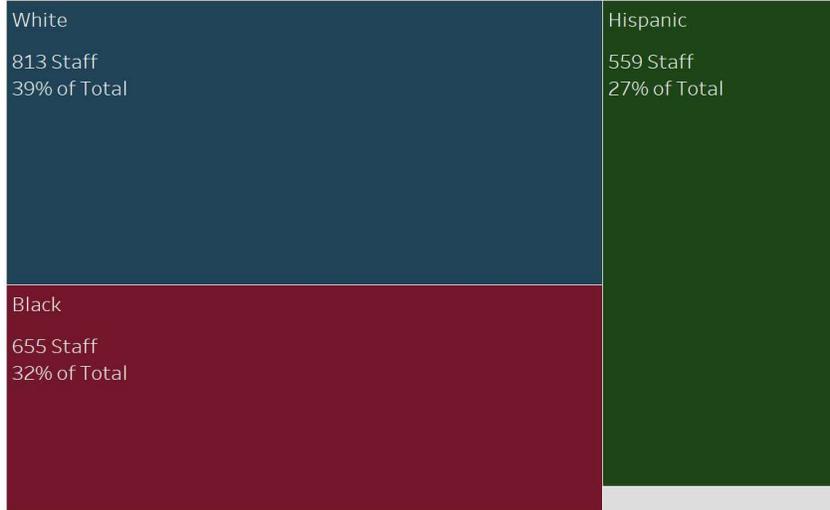
TJJD Workforce by Gender

The TJJD workforce has a slightly higher percentage of female employees (53%) than male employees (47%).



TJJD Workforce by Ethnicity

The TJJD workforce is 39% White, 32% African-American, 27% Hispanic, and 2% Other.



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TJJD Workforce by Location

77% of TJJD employees are assigned to the agency's secure state-operated facilities. Approximately 8% of TJJD employees are assigned to state-operated halfway houses. Only 12% of employees are assigned to the TJJD Austin Central Office, with 3% working in the field or in other locations.



TJJD Workforce by State Classification Plan Occupational Categories

This profile uses the occupational categories identified in the Fiscal Year 2020-2021 SAO Job Classification Index.



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Occupational Categories with Job Titles	# Employees (as of 5/7/2020)	All Other Occupational Categories	# Employees (as of 5/7/2020)
Criminal Justice		Accounting, Auditing & Finance	23
JCO – Youth Development Coach III-V	936	Administrative Support	117
Superintendents and Dorm Supervisors	55	Custodial & Domestic	69
Parole Officer III-V	34	Human Resources (includes trainers for TJJD employees and for other juvenile justice practitioners)	58
Social Services		Information Technology	31
Case Manager	100	Investigators	45
Substance Abuse Counselor	17	Security Officers	52
Human Services Specialist	23	Legal	40
Social Worker	3	Maintenance	38
Volunteer Service Coordinator	9	Program Management	164
Education		Property Management and Purchasing	20
Education Specialist	8	Other	27
Teachers	134		
Educational Diagnostician	2		
Academic Counselor – Assessment / Scheduling Specialist	6		
Teacher Aide	22		
Lead Reading Instructor	2		
Principal and Assistant Principal	10		
Medical and Health			
Physician IV	1		
Dietetic and Nutrition Specialist ²	1		
Nurse	2		
Health Specialist	31		
Psychologist	5		

TJJD Workforce by State Tenure

Due to system limitations, long-term TJJD employment tenure is not available. The following is a chart indicating tenure for all state employment rather than just TJJD employment. The majority of the TJJD workforce falls on either end of the tenure categories, with 27% of staff working for the state for less than 2 years, and 24% of staff working for the state for over 15 years.



Critical Workforce Skills

The majority of the agency’s positions perform duties that involve:

- interacting directly with TJJD-committed youth inside state-operated secure facilities or medium restriction halfway houses, youth on TJJD parole, and families of youth;
- managing the operations of state-operated facilities, including the programs and services provided within the facilities; and
- maintaining cooperation with, monitoring certain functions of, and providing training and other support to local juvenile probation departments and agencies providing prevention and early intervention programs, operating county detention and secure post-adjudication facilities, or operating other community-based programs.

Critical workforce skills to perform these functions include the skill to:

- perform job duties in a correctional setting with potentially aggressive or combative youth;
- direct and facilitate individual and group activities;
- maintain order and youth accountability;
- act quickly in emergencies;
- implement specialized treatment programs (e.g., mental health, sex offender, alcohol and other drug treatment);
- establish program goals and objectives;
- identify problems, evaluate the strengths and weaknesses of alternative solutions, and implement effective solutions;

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- | | |
|--|--|
| <ul style="list-style-type: none">• develop and evaluate new programming to meet the evolving needs of the committed youth;• interpret and apply rules and regulations and provide technical assistance to stakeholders• identify measures or indicators of program performance, conduct reviews of performance, and assess the findings;• assess training needs and provide training;• maintain adequate and accurate records;• review technical data and prepare or direct the preparation of technical and management reports;• use high-level data and informational reports as an administrative management tool; | <ul style="list-style-type: none">• the ability to work with highly dysregulated youth in a manner that builds healthy relationships;• foster the cooperation of youth in the rehabilitation and treatment process;• communicate effectively with youth and explain their progress to family members and other treatment staff;• intervene and correct behavior and facilitate group discussions and counseling sessions;• perform verbal and physical crisis intervention and de-escalation techniques;• develop and implement case plans; and• conduct reading intervention and other learning needs intervention. |
|--|--|

III. FUTURE WORKFORCE PROFILE

Critical Functions

The agency anticipates that the following functions will continue to be critical over the next five years.

Provide each youth with high quality and individualized treatment.

- The Texas Model includes intervention strategies to address the needs of the dysregulated, often traumatized, youth committed to TJJD's care. Treatment, education, vocational training, medical care, skills building programs, case management, family involvement, community re-entry planning, and re-integration assistance are all parts of the wholistic programming that must be provided to each youth for successful rehabilitation. Services are matched to individual youth needs. Treatment resources are tailored to the youth's risks, needs, and responsivity, and youth are provided appropriate length and intensity of treatment.
- As youth near completion of their minimum lengths of stay, case managers, parole officers, youth, and their parents or guardians formalize individualized Community Re-entry Plans for transition. These plans include the elements required for the youth to be successful upon return to the community. Medical input is also provided to ensure any medical issues are properly addressed in daily living and in case planning.
- Specialized treatment is provided for youth identified with a significant need in a specific area. The agency's specialized treatment programs are: Mental Health Treatment Program, Capital and Serious Violent Offender Treatment (C&SVO) Program, Alcohol and Other Drug Treatment, and Sexual Behavior Treatment Program. Youth entering TJJD for the first time or returning to

TJJD present complex and intense needs for a range of specialized treatment. Only the most serious juvenile offenders are sent to a secure state-operated facility. These offenders are often characterized by multiple severe treatment needs.

- Youth who successfully complete a specialized treatment program or who develop a specialized treatment need once returning to the community will receive specialized aftercare on an outpatient basis as needed and as available in the community. The specific aftercare needs are identified and recommended by the youth's specialized treatment provider and the youth services team from their secure facility. Some youth may not complete specialized treatment before release from a high restriction facility. In these situations, linkages with specialized treatment are made in halfway houses or community placements. Efforts are made to match the needs of the youth with the services available in the community.

Prepare youth within state-operated facilities for effective re-entry into their schools and communities.

Education services within TJJD include the following curriculum to allow for a transfer of coursework within TJJD schools and into the communities:

- A comprehensive reading skills program to significantly increase reading comprehension;
- An aggressive General Educational Development (GED) program;
- Vocational certification programs;
- Opportunities for youth to receive advanced diplomas and enter college programs;
- Opportunities for youth who have obtained a GED and/or high school diploma to receive advanced vocational training and industry certification;
- Special education initiatives;
- Education and workforce development liaisons for youth at halfway houses or on parole to help ensure youth can enroll in local schools, industry programs, or college courses upon community re-entry; and
- Teacher professional development relating to intervention skills to help ensure early, effective assistance to youth with learning difficulties.

Maintain the security of state-operated facilities and the safety of youth and employees.

The Texas Model relies on increasing youth felt-safety to actively engage in treatment services. When employees feel safe, their effectiveness is increased and the resulting greater job satisfaction is reflected in lower employee turnover rates and stronger, appropriate relationships with the youth. This, in turn, benefits youth by establishing an atmosphere of stability with familiar role models. The following describes various actions that the agency has taken to help ensure youth and staff safety.

- The agency increased the presence of the Office of Inspector General staff. Now, the OIG oversees the gatehouse operations to ensure our most visible line of security is maintained by trained professionals.
- Facilities initiate local plans to assist in lowering staff injuries, which consist of improving incentives and privileges for youth for good behavior, holding youth accountable for

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inappropriate and aggressive behavior, and emphasizing verbal interventions instead of uses of force.

- Each state-operated facility has an accident/physical restraint review board (ARB). The ARB is responsible for reviewing and analyzing all incidents of youth aggression resulting in injury to staff and incidents involving physical restraints. The purpose of the review is to identify causes and contributing factors in order to reduce or prevent reoccurrence. The facility trainers are members of the ARB to help identify training enhancements that could help prevent such incidents. The ARB's review findings are documented on the Accident Review Board Report. The report identifies whether the accident or injury was preventable or non-preventable, the underlying "root" cause, and reoccurrence preventive action.
- TJJD upholds its commitment to the Prison Rape Elimination Act (PREA) standards to promote the safest environment for youth. TJJD has an agency-wide PREA coordinator to help develop, implement, and monitor the agency's efforts to comply with PREA standards in all TJJD-operated facilities. TJJD also conducts safe housing assessments for each youth at regular intervals while the youth progresses through their treatment.
- TJJD is updating the behavioral modification component of the agency's rehabilitation strategy to increase the positive behavior shaping. This involves improving the incentives and positive reinforcement youth are given to behave in ways that contribute to a safe, therapeutic culture.

Maintaining a safe environment for youth and employees assigned to secure facilities will always be a challenge due to the potentially aggressive/combatative youth assigned to TJJD custody. The agency will continue conducting an ongoing analysis of the various factors influencing the employee injury rate and considering various actions to maintain and further improve the reduced injury rate.

Provide effective support to Juvenile Probation Departments and other local child-serving authorities throughout the State.

The support provided by TJJD to juvenile probation departments and other local authorities include:

- Certifying juvenile probation officers and monitoring professional responsibilities related to such certification;
- Providing continual training and technical assistance to promote compliance with established standards and assist the local authorities in improving the operations of probation, parole, and detention services;
- Investigating allegations of abuse, neglect, or exploitation of juveniles on probation or assigned to a juvenile detention facility;
- Monitoring operations of juvenile detention and post-adjudication facilities;
- Facilitating interagency coordination and collaboration among juvenile probation departments, school districts, and the Texas Education Agency.
- Monitoring performance accountability for juvenile justice alternative education programs; and
- Maintaining and expanding comprehensive integrated juvenile case management systems that detail juvenile referrals, offenses, placement, programming, and supervision; and also allows for information sharing and standardized case management system-wide.

Expected Workforce Changes

With 24% of current agency staff having served more than 15 years with the state, within the next five years the agency could lose senior, more tenured, staff that have the necessary institutional knowledge to provide the agency’s critical functions. Moreover, TJJD’s trauma-informed correctional model requires active engagement with the youth to provide the necessary structure, accountability, and behavior modification the youth need through their treatment and rehabilitative programming. The culture shift within TJJD will require more pointed training for staff to have the tools necessary to provide the higher level of engagement with the youth.

Anticipated Decrease/Increase in Required Number of Employees

At this time, it is difficult to predict changes in the required number of employees because the number is largely dependent on whether the youth population of state-operated facilities will decrease as the use of community-based services increases. Although population in state-operated facilities has declined the past several years, too many independent variables in the community affect the total population within TJJD.

Future Workforce Skills Needed

It is anticipated that the identified skills will continue to be critical in the future. A greater emphasis may be placed on advanced information technology skills, research skills, and skills required for identifying measures or indicators of program performance.

IV. ANALYSIS

Anticipated surplus or shortage of full-time employees.

Recruiting and retaining employees in the JCO-Youth Development Coach and treatment positions remains a challenge for TJJD. The work performed by these positions is very emotionally demanding and requires the ability to always be ready to perform verbal and physical crisis intervention and de-escalation techniques. As TJJD continues to move forward with the strategic mission and goals of the Texas Model, these staff will be asked to do more than ever before. Proper structure, accountability, behavior modification, and intervention require staff to have hands-on engagement with the youth.

It also remains difficult to compete with local school districts for educator positions. The correctional work environment affects efforts to recruit and retain teachers. Our youth also have considerable educational deficiencies, and are on-average four grades behind when they are committed to TJJD. Targeted recruitment efforts for the right educational staff will continue.

Anticipated surplus or shortage of skills.

Skills related to the direct care of youth assigned to state-operated facilities and on parole

Community-based or family-based programs will continue to be prioritized over the use of state-operated facilities. TJJD will remain committed to providing resources and assistance to the local juvenile probation departments to keep the youth in their communities whenever possible. Therefore, the agency does not anticipate a future surplus or shortage of skills necessary to fulfill the agency’s

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functions involving direct interaction with TJJD youth and their families. More targeted provision of those services, however, is one area of expansion for TJJD.

TJJD will continue its ongoing training assessment process to close future gaps in skill levels. This process involves reviewing feedback from field-based administrators, pre-training and post-training assessments, on-the-job observations, and evaluations from course participants, as well as an annual formal needs assessment. The process ensures that the agency develops or modifies training programs to meet current training needs in a timely manner and employees obtain and reinforce the knowledge and skills required for performance of the agency's critical functions. Over the past two years, the agency has come a long way in developing a more robust training academy for direct-care staff.

TJJD establishes specific training requirements that direct-care staff must complete to be eligible for continued employment. The current specific pre-service training requirements for coaches, case managers, teachers, and parole officers are described in the following sections.

Youth Development Coach training

All JCO – Youth Development Coaches must complete training modules, to include a primer on the Texas Model intervention practices they will use with youth; basic understanding of juvenile justice youth; understanding the Texas juvenile justice system; employment discrimination, ethics and professional boundaries; youth rights; gang identification, awareness, and prevention; communicable diseases; suicide prevention; first aid, code blue, and CPR certification; juvenile health and safety; de-escalation techniques and behavioral interventions; professional communication; rehabilitation treatment strategies; trauma informed care; and cultural equity. Additional training modules are provided below:

- **Interpersonal Communication (IPC) Training.** The IPC model includes three basic components: Basics, Add-Ons and Applications. Each component contains specific skills addressing basic and strategic communication strategies with youth. Participants apply the skills through practice demonstrations during the class.
- **Behavior Management Training.** Staff acquires knowledge and skills to professionally and effectively assist youth in addressing and changing their behavior. This course defines the common language used in the agency's rehabilitative strategy, reviews approved non-disciplinary and disciplinary behavioral interventions, describes how to run behavior groups and discusses the characteristics of effective and ineffective staff and dorm culture influence a youth's progress in the agency's rehabilitation program.
- **Prison Rape Elimination Act (PREA) and Preventing Sexual Misconduct.** There is emphasis on reporting of alleged sexual misconduct as well as the role of staff in prevention and intervention. Staff will apply their knowledge through use of scenarios, group activities and class discussion. Annual training for tenured employees includes a 1-hour scenario-based course that emphasizes staff recognizing their role in preventing, detecting, and responding to suspected or alleged sexual abuse.
- **Use of Force.** Designed to give participants an overview of the TJJD Use of Force policy. Covered in this course are the purpose of the policy, when use of force is appropriate and when prohibited, and scenarios where participants determine whether use of force was used appropriately or inappropriately for resolving a given situation. The Handle with Care[®] module is designed to give participants an overview and understanding of the self-defense tactics that can be used for self-

protection during an altercation with a youth and to provide the opportunity for practicing such tactics.

- **Report Writing Techniques.** Provides hands-on opportunities for staff to develop and practice appropriate writing skills. The training focuses on the daily reports direct care staff are required to complete based on situations or incidents that happen during their workday.
- **Trauma Informed Care.** Educates staff about the impact of trauma on the development and behavior of youth in the juvenile justice system. Provides knowledge and skills needed to respond appropriately to the behavioral and emotional challenges of traumatized youth and help traumatized youth develop the ability to recognize trauma or loss reminders, recognize and develop their strengths, recognize survival coping strategies, and develop positive, coping strategies needed to grow into a healthy, productive, and functional adult with skills to take care of himself/herself and seek support from others.

Case Manager Training Requirements

All case managers receive the same classroom training as a youth development coach, with additional specialized training for practical instruction for the assessment and enhanced case management of youth in TJJD facilities. In addition to the courses above for the coaches, case managers receive extensive specialized training regarding re-entry planning. Other specialized training courses for case managers include the following:

- **Motivational Interviewing.** Teaches techniques designed to enhance intrinsic motivation to change through exploration of ambivalence. The techniques teach participants to deal with resistance in a non-judgmental manner while influencing the client's willingness to consider change.
- **Positive Achievement Change Tool (PACT).** This training includes practical instruction on the purpose and use of the PACT assessment tool. The PACT is designed to improve assessment of individual risk and protective factors in order to enhance treatment interventions and, ultimately, improve youth outcomes. Participants learn basic guidelines and process for developing effective case plans and the process for conducting meaningful case planning sessions with the youth, how to write goals and action steps using SMART (Specific, Measurable, Achievable, Realistic and Time-framed) criteria, strategies for developing successful Community Re-Entry Plans, and how to incorporate skills and challenges identified within the case review process.
- **Developing Effective Case Plans.** Participants learn basic guidelines and process for developing effective case plans and the process for conducting meaningful case planning sessions with the youth. They incorporate knowledge gained during PACT training and Motivational Interviewing to case planning. Participants learn and write goals and action steps using SMART (Specific, Measurable, Achievable, Realistic, and Time framed) criteria.
- **Social Skills.** Designed to introduce the conceptual framework for social skills. Participants receive an overview of social skills, beginning with the broad notion that skills are behaviors that individuals acquire. Staff will explore social skills curricula, observing a model of a social skill lesson and then

discussing the activities within the lesson. Finally, participants will teach back a social skills lesson, receiving guidance and coaching as necessary.

- **Group Facilitation Basics.** Designed to facilitate learning of basic group facilitation processes, practices, techniques and strategies through involvement as a member of a learning group.
- **Group Dynamics and Team Building.** Designed to walk juvenile justice professionals through the individual stages of group development using hands on activities. Through these practical applications, participant will identify group development stages of forming, storming, norming and performing and be able to apply these stages to the dynamics of any team situation within the organization.

Teacher Training Requirements

Teachers receive some training similar to the youth development coaches and case managers, with additional education-specific training by Education staff as pre-service training. Teachers have approximately 48 hours of annual training as a requirement of TJJD and may be subjected to additional continuing education requirements to maintain their teaching certificate through the Texas Education Agency each year thereafter.

Parole Officer Training Requirements

Parole officers receive approximately 100 hours of blended learning for pre-service training, with a minimum of an additional 40 hours of training each year thereafter. The courses include the same training that the other position categories receive. Parole officers also receive extensive specialized training regarding their duties, and these training courses include due process hearings, safety during office and field visits, sexual offender registration, working with sentenced offenders on parole and youth with mental health issues, and custody transportation.

Skills relating to Supervisory/Management Functions

In addition to training that provides the agency's direct-care employees with the knowledge and skills necessary to perform their job duties, training that promotes supervisory effectiveness is a key component to lower employee turnover rates and maintain a skilled workforce.

The following supervisory and management training courses are current courses available to TJJD supervisors and managers.

- **Introduction to TJJD Supervision.** This 40-hour course is required for all newly hired or promoted TJJD supervisors. The course covers both the administrative requirements of a TJJD supervisor along with an introduction to performance management, communication, teamwork, and cultural diversity.
- **Teamwork and Conflict Resolution.** This course is participant-centered, using many interactive activities to facilitate cooperation and build trust. Participants explore the attributes of effective teams, methods for resolving conflict, and how to interpret non-verbal cues that others may use in difficult situations.

Other Job-Related Professional Skills

Although the training assessment process is primarily used to identify needed changes to pre-service and annual training requirements, it also results in the development and offering of non-compulsory professional development training courses. The non-compulsory training courses provide employees the opportunity to further enhance specific skills.

V. STRATEGY DEVELOPMENT

Succession Planning

The agency’s supervisory, management, and leadership training programs are designed to help ensure that TJJD supervisors and mid-management personnel have the skills and knowledge required to assume greater responsibilities when vacancies occur through normal attrition. When employees compete for promotion to management positions, their leadership, teambuilding, and program development skills are critical components in the selection process.

Gap Elimination Strategies

Based on the agency’s critical functions and staffing requirements, the agency must continue to implement aggressive recruitment strategies and strengthen retention strategies to avoid potential staff shortages in JCO-Youth Development Coaches, case manager, and educator positions. These strategies include the following:

- Pointed hiring efforts in the areas around the state-operated secure facilities that focus on the type of staff TJJD needs and the benefits of working in a state government agency.
- Continuation of a recruitment and retention bonus program, as well as periodic referral programs for coaches who bring in, and help retain, additional direct-care staff.
- Continue to increase participation in job fairs and other recruitment events for educators.
- Conduct periodic reviews of career paths to ensure they remain an effective retention strategy.
- Ongoing identification and reinforcement of strategies to improve the quality of the work environment (e.g., consistent and fair application of HR policies and practices, reduction of staff injuries, etc.).
- Continued assessment of training curriculum to ensure that newly hired coaches, case managers, and educators have the necessary skills to perform their duties in the agency’s unique work environment.
- Continued enhancement of supervisory and leadership training to increase supervisory effectiveness.

CONCLUSION

TJJD will implement strategies to attract applicants to fill the most crucial roles within the agency. Although the job is hard, it is also rewarding, and TJJD will continue to develop retention strategies that focus on keeping staff who are invested in the lives of youth in TJJD’s care. TJJD will provide training that allows employees to continue acquiring necessary skills to perform their job functions. Focusing on

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bringing necessary staff in, while developing the culture within the facilities that fosters safety and support, TJJJ expects to be able to increase available staffing and retain the dedicated professionals in the high-need job positions.

CUSTOMER SERVICE REPORT

JUNE 1, 2020



TEXAS
JUVENILE*JUSTICE
DEPARTMENT

Introduction

Section 2114.002(b), Texas Government Code, requires state agencies to gather information from customers, using a survey, focus groups, or other appropriate methods, regarding the quality of services delivered by the agency. This report is submitted by the Texas Juvenile Justice Department (TJJD) in compliance with Chapter 2114, Texas Government Code.

The following report describes TJJD's efforts to assess the quality of its customer service, outlines the TJJD data collection methodology, identifies its external customer groups, and summarizes the results of the Customer Satisfaction Survey. The report concludes with a discussion of next steps and improvements to be made in response to the assessment.

Information Gathering Methodology

This biennium, the agency identified six¹ major external customer groups. The external customer groups are as follows:

- General public;
- Juvenile courts;
- Juvenile probation departments;
- Families of committed youth;
- Volunteers; and
- Victims of juvenile crime.

The survey instrument included questions on all of the applicable service quality elements (i.e., agency's facilities, staff interactions, communications, website, complaint handling process, timeliness, and printed information). In addition to rating each of these specific elements, respondents were asked to rate their overall satisfaction with TJJD.

Data collection for this report was conducted using a web-based survey tool. Each participant received an email invitation with an anonymous link to the survey, which was available online for a period of two weeks in March and April of 2020. The primary limitation of this data collection effort is a result of the online survey administration; respondents are limited to those with an email address on file at TJJD and access to the internet.

Inventory of External Customers by Budget Strategy

The external customer groups identified above were defined by TJJD as individuals or groups that were directly affected by activities under the agency's strategies listed in the 2020-2021 General Appropriations Act.

The following tables delineate the customer groups by agency appropriation goal and strategy, as well as by the agency services provided to each group.

¹ In previous biennia, TJJD included committed youth as external stakeholders. Since committed youth are not actually external stakeholders, and since TJJD has expanded its survey of youth committed to its care, the youth have been excluded from our external customer groups. Information on youth satisfaction is still included in this report.

2020 - 2021 TJJD Goals and Strategies



Primary External Customers

	Public	Courts	Probation	Families	Victims	Volunteers	Youth
A. Community Juvenile Justice							
A.1.1 Prevention and Intervention	✓	✓	✓	✓			✓
A.1.2 Basic Probation Supervision	✓	✓	✓	✓			✓
A.1.3 Community Programs	✓	✓	✓	✓			✓
A.1.4 Pre- and Post-Adjudication Facilities	✓	✓	✓	✓			✓
A.1.5 Commitment Diversion Initiatives	✓	✓	✓	✓			✓
A.1.6 Juvenile Justice Alternative Education Programs	✓	✓	✓	✓			✓
A.1.7 Mental Health Services	✓	✓	✓	✓			✓
A.1.8 Regional Diversion Alternatives	✓	✓	✓	✓			✓
A.1.9 Probation System Support	✓	✓	✓	✓			✓
B. State Services and Facilities							
B.1.1 Assessment, Orientation, and Placement	✓	✓	✓	✓			✓
B.1.2 Institutional Operations and Overhead	✓	✓	✓	✓	✓	✓	✓
B.1.3 Institutional Supervision and Food Service				✓			✓
B.1.4 Education	✓	✓	✓	✓	✓		✓
B.1.5 Halfway House Operations	✓	✓	✓	✓	✓	✓	✓
B.1.6 Health Care				✓			✓
B.1.7 Psychiatric Care	✓	✓	✓	✓	✓		✓
B.1.8 Integrated Rehabilitation Treatment	✓	✓	✓	✓	✓		✓
B.1.9 Contract Residential Placements	✓	✓	✓	✓	✓		✓
B.1.10 Residential System Support	✓	✓	✓	✓	✓	✓	✓
B.2.1 Office of the Inspector General	✓	✓	✓	✓	✓		✓
B.2.2 Health Care Oversight		✓	✓	✓			✓
B.3.1 Construct and Renovate Facilities	✓	✓	✓	✓			✓
C. Parole Services	✓	✓	✓	✓	✓	✓	✓
D. Office of the Independent Ombudsman	✓	✓	✓	✓	✓	✓	✓
E. Juvenile Justice System							
E.1.1 Training and Certification	✓	✓	✓				
E.1.2 Monitoring and Inspections	✓	✓	✓				
E.1.3 Interstate Agreement	✓	✓	✓	✓	✓		✓
F. Indirect Administration							
F.1.1 Central Administration	✓	✓	✓	✓	✓	✓	✓
F.1.2. Information Resources	✓	✓	✓	✓	✓	✓	✓

Services Provided to External Customer Groups

General Public	
• Case Management	• Rehabilitation
• Community Service	• Residential Community-Based Programs
• Secure Confinement	• Trained Workforce
• Criminal and Administrative Investigations	• Treatment Programs
• Education	• Toll-free Hotline
• Parole Supervision	
Juvenile Courts	
• Case Management	• Secure Confinement
• Education	• Toll-free Hotline
• Interstate Compact Services	• Treatment Programs
• Parole Supervision	• Workforce Training
• Rehabilitation	• Workshops and Training
• Residential Community-Based Programs	
Juvenile Probation Departments	
• Case Management	• Secure Confinement
• Education	• Toll-free Hotline
• Parole Supervision	• Treatment Programs
• Rehabilitation	• Workforce Training
• Residential Community-Based Programs	• Workshops and Training
Youth Families	
• Case Management	• Secure Confinement
• Grievance Process	• Toll-free Hotline
• Family Liaisons	• Treatment Programs
• Parole Supervision	• Visitation
• Residential Community-Based Programs	• Workshops and Education
• Referrals	
Victims of Juvenile Crime	
• Criminal and Administrative Investigations	• Secure Confinement
• Conference Participation	• Toll-free Hotline
• Notification	• Victim Liaisons
• Referrals	• Victim Impact Panels
Volunteers	
• Annual Awards Recognition	• Volunteer Liaisons
• Opportunities for Working with Youth	• Workshops and Training
Youth	
• Assessment	• Positive Behavioral Interventions and Supports (PBIS)
• Basic Rights	• Reading Improvement Initiative
• Case Management	• Rehabilitation Residential Community-Based Programs
• Cognitive-Behavioral Programs	• Secure Confinement
• Criminal and Administrative Investigations	• Sex Offender Treatment
• Education	• Spiritual Programs
• Family Services	• Substance Abuse Treatment and Education
• Grievances Process	• Toll-free Hotline
• Individual Counseling	• Treatment Programs
• Managed Health Care	• Workforce Training
• Mental Health Services	• Volunteer Opportunities
• Mentoring	• Violent Offender Programs
• Parole Supervision	
• Peer Group Counseling	

Customer Satisfaction Survey

The 2020 Customer Satisfaction Survey included eight state-wide standardized questions on seven quality elements (agency’s facilities, staff interactions, communications, website, complaint handling process, timeliness, and printed information) and the agency overall. Respondents were asked to rate their level of satisfaction as “extremely satisfied,” “somewhat satisfied,” “neither satisfied nor dissatisfied,” “somewhat dissatisfied,” or “extremely dissatisfied” to these eight questions. For the analysis included in this report, “extremely satisfied” and “somewhat satisfied” responses were collapsed into a “Satisfied” category, and “extremely dissatisfied” and “somewhat dissatisfied” responses were collapsed into a “Dissatisfied” category. The “neither satisfied nor dissatisfied” option was added to the response scale in the 2020 survey; therefore, results included in this report may not be directly comparable with those in the 2018 report.

The survey also included four to eight items on five of the service quality elements specific to TJJ’s staff, communications, facilities and offices, website, and complaint handling process. Respondents were asked to “strongly agree,” “somewhat agree,” “neither agree nor disagree,” “somewhat disagree,” or “strongly disagree” with 31 statements. Respondents could also select “not applicable,” in response to any statement if they lacked experience with a given aspect of the agency. For the analysis included in this report “strongly agree” and “somewhat agree” responses were collapsed into an “Agree” category; and “strongly disagree” and “somewhat disagree” responses were collapsed into a “Disagree” category. The “neither agree nor disagree” option was added to the response scale in the 2020 survey; therefore, results included in this report may not be directly comparable with those in the 2018 report.

Additionally, respondents were invited to provide open-ended comments and suggestions for improvement in each of the five main service elements. The survey was administered online at no cost to the agency.²

A total of 237 customers completed the online survey with sufficient data for analysis. Excluded from the analysis were surveys that only included a response to the required customer group question, as well as surveys with contradictory responses to questions. The following table lists the total number of respondents in each of the identified customer groups, as well as the percentage of total respondents each customer group comprises. Included in the general public group are survey respondents who described their role as “other.”

Customer Group	Number of Respondents	Percent of Total
Volunteer	113	47.7%
Juvenile Probation Department	56	23.6%
Juvenile Courts	36	15.2%
Family of Justice System Youth	29	12.2%
General Public	3	1.3%
Capitol Stakeholder	0	0.0%
Victim of Juvenile Crime	0	0.0%
Total	237	100.0%

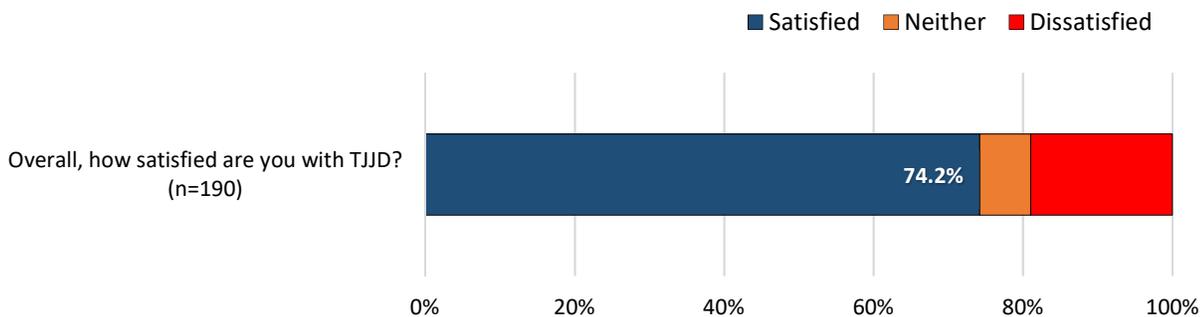
² Note this estimate does not include a license for Qualtrics, staff time for the development of the survey, data analysis, or production of this report.

Survey Results

Three-quarters of TJJD customers indicated satisfaction with the overall quality of service provided by the agency and for most of the general service elements. As described in the summary of results to follow, survey respondents reported the highest levels of satisfaction with timeliness, TJJD staff courtesy and knowledge, and accessibility of TJJD staff by email. Customers were least satisfied with the agency complaint handling process. Because the 2020 Customer Satisfaction Survey questions used a different scale than the 2018 survey, results may not be directly comparable to previous survey iterations.

Overall Satisfaction

Three-quarters of respondents satisfied with TJJD overall.

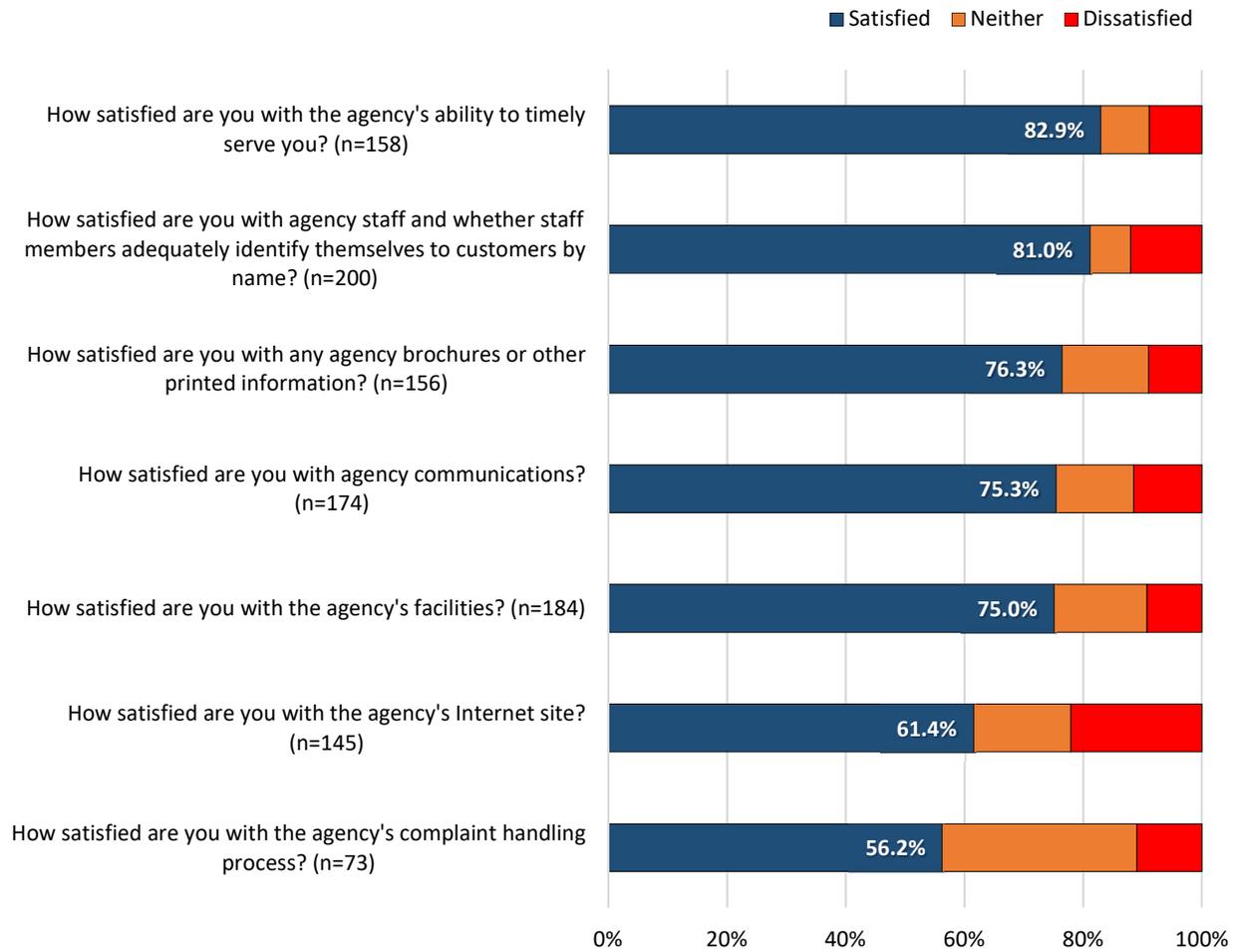


When asked, “Overall, how satisfied are you with TJJD?” 44.2 percent of respondents indicated they were “extremely satisfied,” and an additional 30 percent reported being “somewhat satisfied.” Positive comments included, “I would like to thank the staff for their promptness and ability to answer all questions that arise” and “Overall, I am happy with my experience with TJJD. I thoroughly enjoy volunteering with the youth!” Survey respondents offered specific suggestions for improving each service area; some of these suggestions are presented below in the summaries of results.

Service Element Satisfaction

The response rate for the five main service elements measured in the survey ranged from 83 percent regarding staff to 30 percent for complaint handling. This difference was expected since customers are more likely to interact with staff, and only a smaller number are involved with filing a complaint. The questions shown below are shortened versions of the actual survey questions to increase readability. The full survey questions are available upon request.

Respondents rated highest satisfaction with service timeliness and agency staff.



Survey respondents were most satisfied with TJJD's ability to serve them in a timely manner. Additionally, more than 80 percent were satisfied with agency staff, including employee courtesy, friendliness, knowledgeability, and identification.

Survey responses varied by customer group. These results are reported for volunteers, juvenile probation department staff, juvenile courts, and families/guardians of youth committed to TJJ. The remaining groups had less than 10 respondents and are not reported separately. All results by customer group should be interpreted with caution because of small sample sizes. Satisfaction of at least 70 percent is highlighted in the table below for illustrative purposes.

Satisfaction highest among juvenile probation and juvenile court customers.

Indicator	All Groups (n=237)	Volunteer (n=113)	Juvenile Probation (n=56)	Juvenile Courts (n=36)	Youth Families (n=29)
Satisfaction overall					
TJJ	74%	70%	89%	77%	48%
Satisfaction with service element					
Ability to timely serve you	83%	77%	92%	86%	71%
Staff	81%	72%	98%	86%	73%
Brochures/printed information	76%	71%	82%	81%	70%
Communications	75%	70%	92%	80%	48%
Facilities	75%	73%	81%	54%	68%
Internet site	61%	65%	50%	76%	55%
Complaint handling process	56%	50%	63%	40%	60%

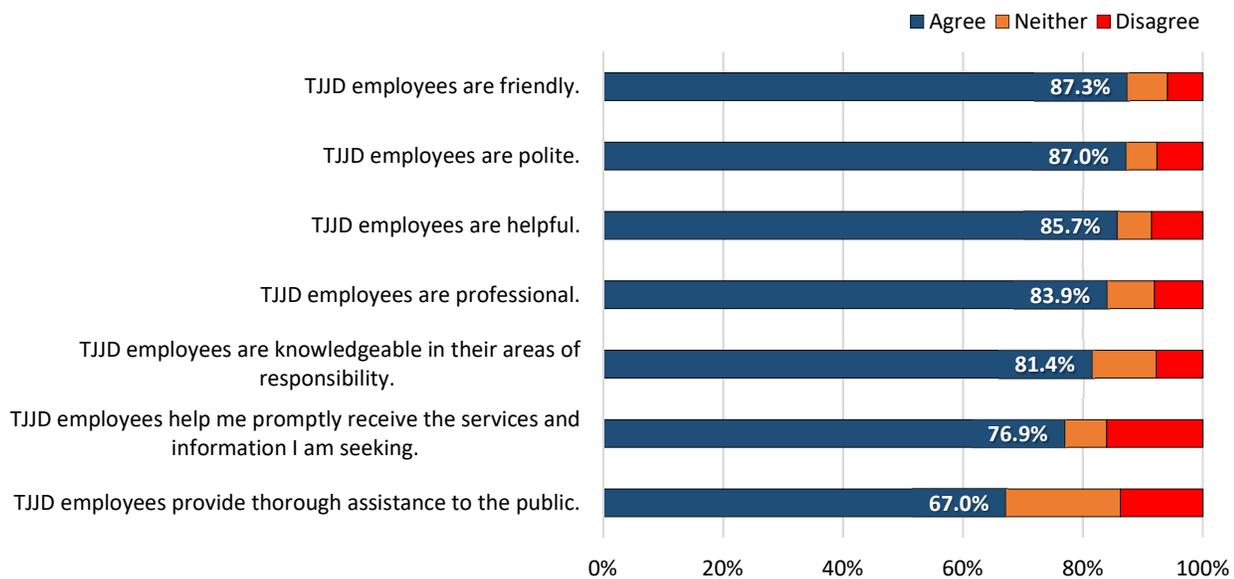
Compared to the other customer groups, juvenile probation staff indicated higher satisfaction overall and on all service elements, except the website. Juvenile courts also reported at least 80 percent satisfied with timeliness, staff, brochures, and communications. The families/guardians of youth were least satisfied with communications compared to other customer groups and to other service elements.

The next sections describe further the five main service elements, including TJJ staff, communications, offices and facilities, website, and complaint handling process.

TJJD Staff

Survey respondents had particularly positive feedback on TJJD staff. Over 83 percent of respondents agreed with statements that TJJD employees are friendly, polite, helpful, and professional. Nearly as many indicated they found TJJD employees are knowledgeable in their respective areas, and provide prompt service. Positive comments from respondents included, “TJJD staff are always helpful and always get me the answers I need,” “Difficult job done well by TJJD staff for the most part,” as well as numerous commendations to specific staff.

Eight in ten respondents agreed that staff are friendly, polite, helpful, professional, and knowledgeable.

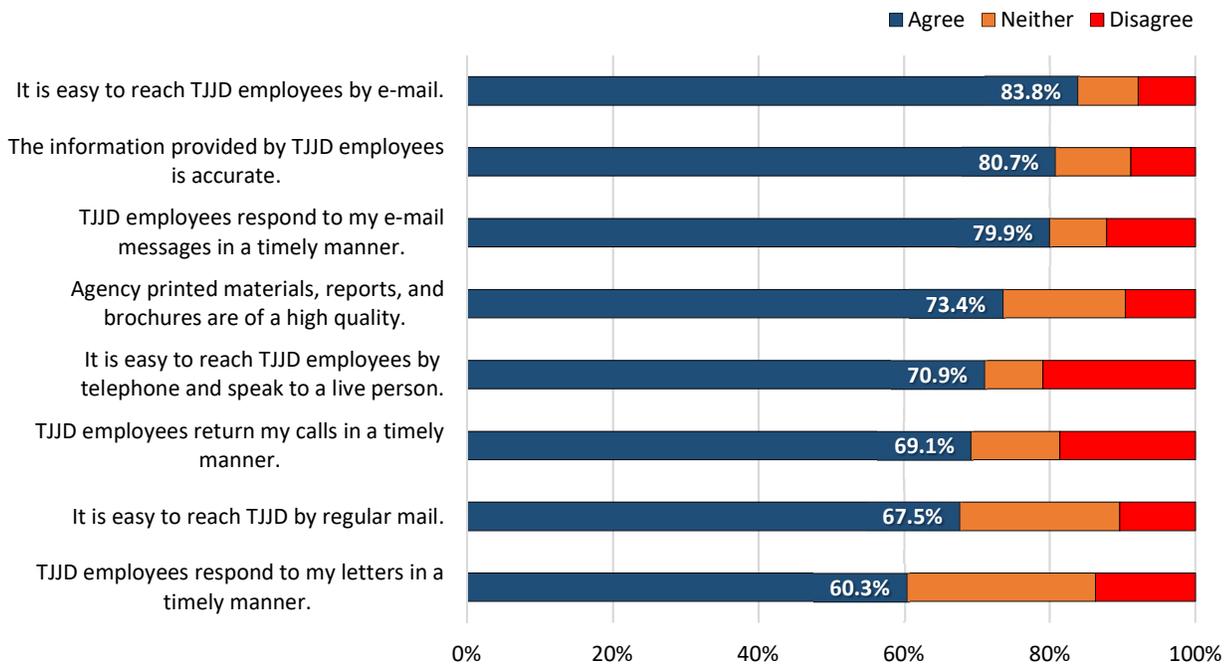


There is room for improvement, however, in staff consistency, scheduling, and providing information to the public and youth. Specific comments included, “Because of the high turnover it is very difficult to get information. Consistency is lacking,” “...Most of our administrators were walked off campus and we were never notified. We never received official knowledge when we received a new volunteer coordinator. Nor did we receive notification when there was a new [assistant] superintendent or when that person was also walked off campus. I have no idea if we currently have a new one,” and “Volunteer support can be improved. Youth are scheduled for non-volunteer activities that are not always coordinated with other scheduled volunteer activities. Since event and activity preparation and driving distances are usually extensive, volunteer time, effort, and resources are sometimes wasted.”

TJJD Communication

Over 83 percent of survey respondents agreed that access to TJJD staff via email is easy, and 80 percent said that staff responds to email in a timely manner. Respondents are less likely to agree that it is easy to reach a TJJD employee by via telephone or regular mail, 71 percent and 68 percent, respectively. Over 80 percent of respondents agreed that information provided by TJJD employees is accurate. Almost three-quarters of respondents agreed that agency printed materials, reports, and brochures are high quality.

A larger proportion agreed that staff are easy to reach by e-mail than by telephone or letters.

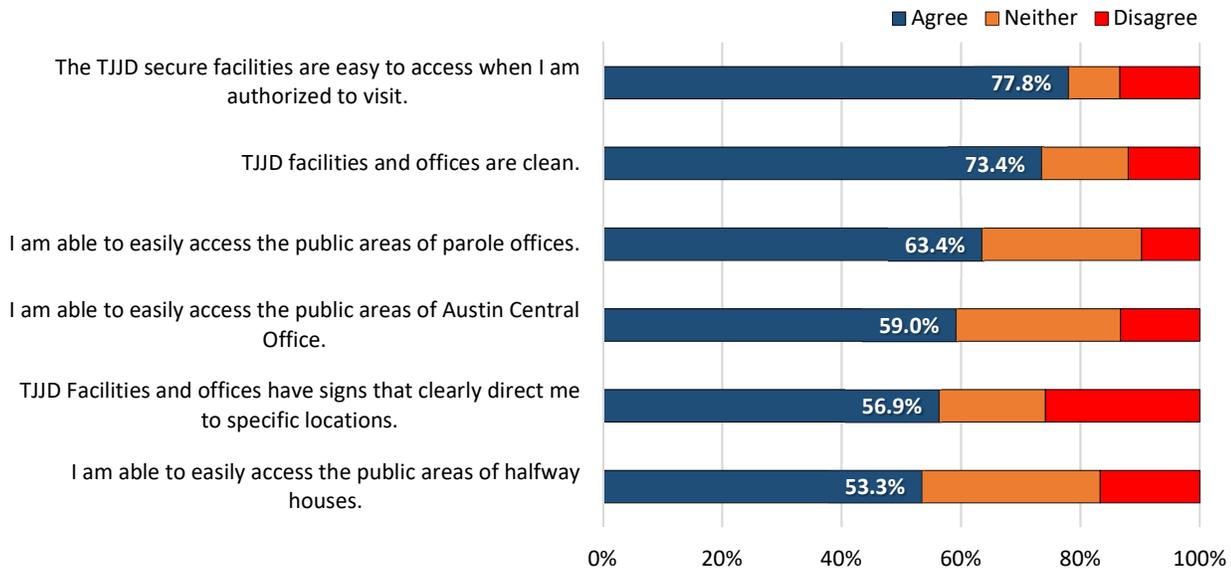


Respondents identified some concerns about communication from TJJD employees. Examples of comments include, “I feel like a lot of the agency wide documents need updates, and there should be an easier way to find contact information for TJJD staff” and “The communication back is ‘just the facts’...there is never any kindness, humbleness or apology for incorrect or very delayed communications.” There were several comments that communication with some facilities and with the Probation Services Division was better than with other facilities or parts of Central Office.

TJJD Offices and Facilities

Survey respondents had favorable feedback on the accessibility of TJJD Austin headquarters, secure facilities, parole offices, and halfway houses. In addition, more than seven in ten respondents agreed that they found TJJD facilities and offices to be clean.

Although a majority of respondents agreed that TJJD facilities and offices are easy to access, over a quarter of respondents had issues with the signs at the facilities.

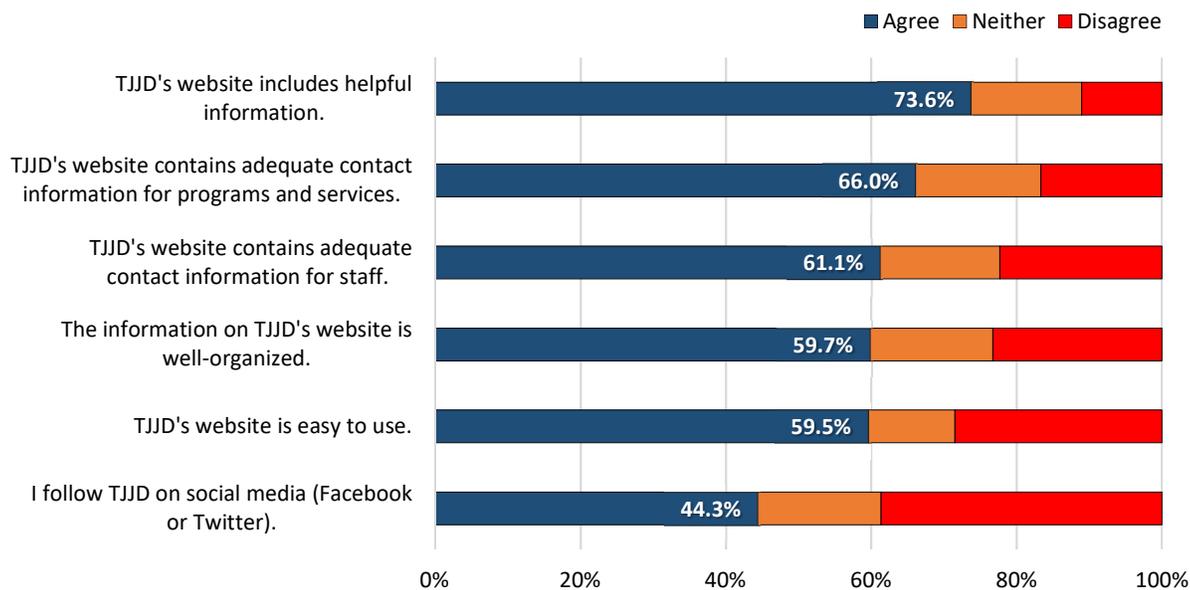


Suggestions for improvement tended to focus on specific areas, including “...I am dissatisfied with the cleanliness of the chapel. Often, the floors need to be cleaned. A chapel is a special place and I would like to see it kept clean to further show that it is a place set apart,” “The vending machines in visitation rooms... often don’t work right and [are] not kept stocked,” and “...The restroom at the front gate is sometimes in need of a serious cleaning. There are rarely any paper towels in the chapel restroom. Otherwise, the facilities are fine.”

TJJD Website

Although a majority of respondents agreed that the TJJD website includes helpful information and is easy to use, both statements had noticeably less agreement than responses to the 2018 Customer Satisfaction Survey. Many of the comments suggest that the new website design is responsible for this decline (“The new site isn't as easy to navigate as the old site. It takes longer to navigate and find things you need. A lot of the documents could also use some updating.”).

Seven in ten respondents agreed that TJJD’s website contains helpful information; however, a lower proportion of respondents agreed that the website is easy to use or well-organized.

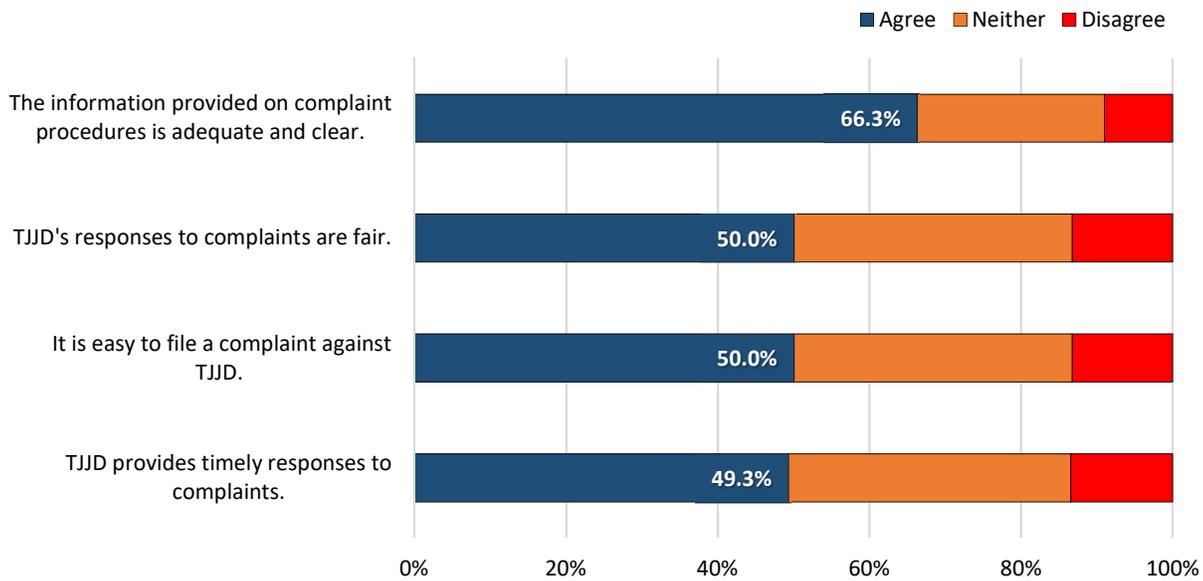


The comments did include some suggestions for changes, such as making volunteer training easier to find, having a section where juveniles in facilities could see the successes of juveniles on parole, having a webinar on how to use the new website, and having a page for parents with children in TJJD custody. A number of respondents indicated that the art detracted from the professionalism of the website.

TJJD Complaint Handling Process

The majority of survey respondents did not have any experience with TJJD’s complaint handling process. Over three-quarters of respondents answered “not applicable,” or skipped questions related to the agency’s grievance procedures. Among those who had experience with the agency’s complaint handling process, about two-thirds agreed the information provided on complaint procedures is adequate and clear. A lower proportion of respondents agreed that it is easy to file a complaint and that responses to complaints are fair and timely.

Respondents evenly split on ease of filing and on fairness and timeliness of responses to complaints.



Few respondents offered specific suggestions for improving the complaint handling process; however, those who did suggested it is more difficult without ready access to the chaplains, and identified a desire for a neutral third-party review board for complaints.

Survey Responses by Customer Group

Agreement with indicators within each service element varied by customer group. These results are reported for volunteers, juvenile probation department staff, juvenile courts, and families/guardians of youth committed to TJJD. The remaining groups had less than 10 respondents and are not reported separately. All results by customer group should be interpreted with caution because of small sample sizes. Agreement of at least 70 percent is highlighted in the table below for illustrative purposes.

For each customer group, the largest proportion agreed with statements about TJJD staff.

Indicator	All Groups (n=237)	Volunteer (n=113)	Juvenile Probation (n=56)	Juvenile Courts (n=36)	Youth Families (n=29)
TJJD Staff					
1 Polite	87%	85%	96%	84%	75%
2 Friendly	87%	83%	96%	90%	79%
3 Knowledgeable in their respective areas	81%	76%	92%	74%	89%
4 Helpful	86%	82%	96%	84%	76%
5 Professional	84%	76%	96%	94%	79%
6 Provide thorough assistance to the public	67%	62%	83%	67%	56%
7 Promptly help receive services information	77%	69%	95%	89%	54%
TJJD Communications					
8 Easy to reach employees by telephone and speak to a live person	71%	66%	82%	65%	63%
9 Employees return calls in a timely manner.	69%	61%	85%	72%	50%
10 Easy to reach employees by e-mail	84%	81%	98%	84%	58%
11 Employees respond to e-mail messages in a timely manner.	80%	75%	96%	79%	54%
12 Easy to reach TJJD by regular mail	67%	67%	74%	57%	56%
13 Employees respond to my letters in a timely manner.	60%	41%	80%	50%	56%
14 Printed materials, reports, and brochures are of a high quality.	73%	76%	89%	56%	48%
15 Information provided by employees is accurate.	81%	81%	94%	76%	54%
TJJD Offices and Facilities					
16 Easy to access when authorized to visit	78%	81%	80%	65%	81%
17 Easily access the public areas of parole offices	63%	69%	56%	67%	56%
18 Easily access the public areas of halfway houses	53%	59%	50%	54%	33%
19 Easily access the public areas of the Austin Central Office	59%	13%	88%	43%	33%
20 Signs adequately direct to specific locations within buildings	57%	52%	71%	50%	63%
21 Clean	73%	75%	76%	50%	80%
TJJD Website					
22 Easy to use	60%	71%	32%	95%	59%
23 Includes helpful information	74%	71%	72%	91%	61%
24 Information well-organized	60%	72%	36%	82%	52%
25 Contains adequate contact information for staff	61%	65%	60%	52%	59%
26 Contains adequate contact information for programs and services	66%	66%	64%	68%	61%
27 I follow TJJD on social media (Facebook or Twitter).	44%	41%	58%	15%	44%
TJJD Complaint Handling Process					
28 Easy to file a complaint against TJJD	50%	35%	54%	40%	67%
29 Information provided on procedures adequate and clear	66%	60%	79%	45%	58%
30 Timely responses to complaints	49%	43%	58%	30%	55%
31 Responses to complaints are fair	50%	48%	52%	30%	64%

Overall, a larger proportion of each customer group agreed with most of the staff indicators, reflecting courteous and knowledgeable staff. Across all customer groups, a smaller proportion agreed that TJJD staff provide thorough assistance to the public.

Compared to other customer groups, a larger proportion of juvenile probation department staff agreed with communication indicators. Youth families indicated lower than 70 percent agreement with communication indicators. Across all customer groups, the largest proportion agreed that TJJD staff are easy to reach by email.

The largest proportion of youth families agreed with statements about easy facility access when authorized to visit, facility cleanliness, and staff knowledge compared to other indicators. Juvenile probation department staff was the only customer group that had over 70 percent agreement with statements about adequate signs within TJJJ buildings and easy access to public areas in the Austin Central Office.

Compared to other customer groups, a larger proportion of juvenile court staff agreed that TJJJ's website was easy to use, well-organized, and contained helpful information. All customer groups, except families/guardians of youth in the juvenile justice system, had over 70 percent agreement that the agency's website included helpful information. A smaller proportion of all customer groups agreed that the TJJJ website contains adequate contact information. Less than half of most customer groups follow TJJJ on social media.

Statements about the complaint handling process had the lowest number of responses, most likely due to less experience with this aspect of the agency. A larger proportion of juvenile probation department staff agreed that the information on complaint procedures was clear. Otherwise, all customer groups had lower than 70 percent agreement on all statements regarding TJJJ's complaint handling process.

Youth Feedback

TJJJ receives customer service information from the youth committed to the agency's care. Although information is received in a variety of ways, a principle method is through grievances as provided by the agency's General Administrative Policy and Youth Rights Manual.

Youth, parents and guardians of youth, and youth advocates have a right to file grievances concerning the care, treatment, services, or conditions provided for youth under the jurisdiction of the TJJJ. TJJJ resolves grievances in a prompt, fair, and thorough manner; however, grievances alleging criminal violations or abuse, neglect, and exploitation are referred to law enforcement for investigation and disposition. TJJJ recognizes that informal discussions between staff and youth are a key element in resolving issues or concerns at the earliest stage and contribute to a positive facility culture. TJJJ makes staff available to meet with youth whenever possible, limited only by consideration for facility order and the safety of youth and staff. *See 37 TAC § 380.9331.*

When youth are dissatisfied, they may submit their complaint to multiple systems, including the Office of Inspector General, the TJJJ Youth Grievance System, and to a TJJJ youth development coach, case manager, youth rights specialist, facility superintendent, or assistant superintendent as well as the Office of Independent Ombudsman. All complaints are investigated. Youth typically submit complaints on a broad range of issues, from minor to very serious concerns. Additionally, they may be dissatisfied with a correct response and feel their complaint was unresolved. The filing of a complaint does not imply that wrongdoing has occurred.

Just over 6,300 youth grievances were filed in fiscal year 2019, over half of which were categorized as either basic rights violations or complaints about staff conduct. These are typically the categories with the most complaints year-over-year. Complaints about local authority and discipline also remain common. Relatively few grievances were filed in the categories of rules and policies, youth records, medical bedside, and mental health. While basic rights violations, staff conduct, local authority, and discipline account for the vast majority of all grievances filed, the remaining grievance categories below accounted for less than a quarter of all grievances for fiscal year 2019.

Youth Grievances Fiscal Year 2019		
Category	Total	Percentage
Basic Rights Violation	2130	33%
Staff Conduct	1554	24%
Local Authority	679	11%
Discipline	515	8%
Void/Issued But Not Used	292	5%
Personal Property	180	3%
Facility Conditions	170	3%
Hygiene	161	3%
Transfer Request	147	2%
Medical Treatment	98	2%
Specialized Treatment Programs	73	1%
Recreation	69	1%
Security	49	1%
Education	49	1%
Medical Access	43	1%
Medical Medication	43	1%
Conference Request	41	1%
Mental Health	31	< 1%
Rule or Policy	24	< 1%
24 Hour Emergency	10	< 1%
Lost or Destroyed	6	< 1%
Youth Records	7	< 1%
Medical Bedside	5	< 1%

Additional feedback from youth in TJJD facilities is now collected through the Texas Model Youth Evaluation Survey (TMYES). This survey is administered to committed youth at regular six-month intervals, and every youth is given an opportunity to participate in this survey. The TMYES measure collects data points relevant to their experiences and perceptions of the care provided while in TJJD's facilities. In the first two iterations, which were collected in July of 2019 and January of 2020, data shows growing satisfaction with their physical needs (sleep quality, food, exercise, and recreation) as well as increasing feelings of being supported and safe across TJJD's five secure facilities. The data collection and analysis for this project is ongoing.

Next Steps

Overall, the external customer groups are satisfied with TJJD. However, the agency could improve communication with volunteers and continue to improve the new TJJD website. TJJD made several changes to the volunteer programming over the past two years, and improved communication is necessary to ensure the volunteers who are invested in our youths' lives have the information to continue their service. Additionally, TJJD rolled out a new website in the Fall of 2019. While the website changed a lot of the structure from the previous version, TJJD will remain responsive to feedback from our external customers to improve the websites functionality.

Compared to the 2018 survey, the agency received a larger number of respondents in the 2020 Customer Satisfaction Survey. Two of the agency's largest customer groups (volunteers and local juvenile probation departments) continue to have the most respondents. Although the number of respondents from families of agency youth increased as compared to the 2018 survey, the input from families and victims of juvenile crime remain low. The agency will continue to reach out to families and victims in order to increase their participation in future surveys on customer satisfaction.

TJJD will continue to analyze the specific results of this survey to provide better, more pointed, service to the customer groups in areas of communication, appropriate access to TJJD facilities, and providing excellent customer service during the complaint handling process.

Performance Measures

The Legislative Budget Board (LBB) has created generic customer-related performance measures for all state agencies. Because the 2020 Customer Satisfaction Survey questions used a different scale than the 2018 survey, results may not be directly comparable.

Performance Measures	2018	2020	2022 (Expected)
Outcome Measures			
Percentage of Survey Customer Respondents Expressing Overall Satisfaction with Services Received	90%	74%	85%
Output Measures			
Number of Customers Surveyed	142	237	400
Response Rate	3%	6.8%	10%
Number of Customers Served	4,332	4,300	4,300
Efficiency Measures			
Cost per Customer Surveyed	\$0.00	\$0.00	\$0.00
Explanatory Measures			
Number of Customers Identified	6	5	5
Number of Customer Groups Inventoried	6	5	5

Conclusion

The 2020 Customer Satisfaction Survey sought feedback on quality elements relating to the agency's facilities, staff interactions, communications, website, complaint handling process, timeliness, and printed materials as well as the overall satisfaction with the work of the Texas Juvenile Justice Department. A total of 237 external customers provided responses and comments for improvement in agency service areas.

Overall satisfaction with TJJD declined from the 2018 survey, with 74% of respondents indicating they were either "extremely satisfied" or "somewhat satisfied" with the agency. Because the 2020 Customer Satisfaction Survey questions used a different scale than the 2018 survey, results may not be directly comparable.

Respondents provided feedback on the professionalism, knowledge, and helpfulness of TJJD staff. A majority, over 80% of the respondents agreed that TJJD staff were friendly, polite, helpful, professional, and knowledgeable. Open-ended responses indicated some areas of improvement, particularly in staff consistency, scheduling, and providing information to the public, volunteers, and youth. TJJD is committed to meet the needs of our customers and improve response times to services, information, and phone messages.

Around 84% of all respondents agreed that it was easy to reach TJJD staff via e-mail. However, responses highlighted areas of needed improvement in timely responses to phone calls and letters, as well as an easier way to find contact information for TJJD staff.

Respondents were asked about TJJD's facilities and offices. A majority, about 78% of respondents agreed that secure facilities were easy to access when authorized to visit. While 73% agreed that TJJD facilities and offices were clean, survey respondents provided feedback that certain areas could be improved, such as cleaning the chapel and restocking vending machines in the visitation areas.

Although 74% of respondents agreed that TJJD's new website contains helpful information, a lower proportion, about 60% of respondents agreed that the website is easy to use or well-organized. Several respondents indicated that the youth artwork on the website negatively impacted the professionalism of the website. Open-ended responses included some suggestions for how to make the website more user-friendly, such as making volunteer training easier to find, creating a webinar on how to use the new website, and developing a page for parents with children in TJJD custody.

Among those who had experience with the agency's complaint handling process, a majority, or 66% of respondents agreed the information provided on complaint procedures is adequate and clear. Some survey respondents expressed a desire for a neutral third-party review board for complaints.

Overall, the vast majority of respondents were satisfied with the TJJD's timely service, staff, printed information, communications, and facilities. Agency administration will examine what is currently being done and continue to improve the services provided to external customers.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVING THE AGENCY STRATEGIC PLAN FOR FISCAL YEARS 2019 TO 2023

On this **15th day of June 2020**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Wesley C. Ritchey, Chair					
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Ann Lattimore					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Melissa Martin					
Scott Matthew					
Vincent Morales, Jr.					
Allison Palmer					
Jimmy Smith					
Motion:			Second:		

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

WHEREAS, The Texas Juvenile Justice Department (TJJD) is required, pursuant to Texas Government Code § 2056.002, to prepare a five-year strategic plan for its operations that includes an overview of the agency’s policy goals, specific action items, and identifies redundancies and impediments in current law; and

WHEREAS, the TJJD enabling legislation, specifically Texas Human Resources Code § 211.009, requires the Texas Juvenile Justice Board to review and adopt a strategic plan in even-numbered years; and

WHEREAS, the Board members have reviewed a draft of the TJJD 2021-2025 Strategic Plan and provided feedback to the Department Staff; and

NOW, THEREFORE BE IT RESOLVED THAT the Board authorizes Chairman Wes Ritchey to adopt the TJJD 2021-2025 Strategic Plan on behalf of the Board.

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

Signed this 15th day of June 2020.

Texas Juvenile Justice Board

The Honorable Wes Ritchey, Chairman

To: TJJJ Board Members

From: Camille Cain, Executive Director

Christian von Wupperfeld, General Counsel

Subject: Discussion, consideration, and possible approval regarding the naming of a facility owned or occupied by TJJJ requiring board approval pursuant to GAP.05.00 (Action)

Date: May 12, 2020

TJJJ General Administrative Policy 05.00 (GAP.05.00) requires the Board to approve the naming of a facility owned or occupied by TJJJ.

Dr. Karyn Purvis was a ground-breaking scholar, author, and speaker who dedicated her life to helping vulnerable children all over the world. She focused her effort and attention on children who suffered from trauma, abuse, or neglect and created Trust-Based Relational Intervention (TBRI), a research-based model for healing harmed children that serves as a foundation for the work of the Texas Juvenile Justice Department.

During her distinguished career as a developmental psychologist, Purvis was the Rees-Jones Director and co-founder of the Institute of Child Development at Texas Christian University in Fort Worth, where her research demonstrated how a child's behavior, neurochemistry and life trajectory can change given the right environment. With her colleague Dr. David Cross, she wrote *The Connected Child*, the definitive book on TBRI. Just as important, she taught tens of thousands of adults how to interact with children in a loving and nurturing manner that centered on earning trust and building deep emotional connections.

Purvis's influence earned her a wide range of admirers. Governor Rick Perry appointed her to chair a statewide committee tasked with raising standards for children in foster care. The National Council on Adoption honored Purvis with the title of Distinguished Fellow in Adoption and Child Development. In addition, she received the James Hammerstein Award, the T. Berry

Brazelton award for Infant Mental Health Advocacy, a Health Care Hero award from the Dallas Business Journal, and numerous other awards and honors.

Though Purvis died in 2016, her work and legacy live on in the countless people she inspired to work with children with in a loving, supportive manner. Karyn's House, based in Willis, is named in her honor, and each day it strives to live up to the standards she set to help give every child a chance to live a life full of value, compassion, and meaning.

TJJD staff respectfully requests the Board's consideration and approval to name the TJJD halfway house located in Willis, Texas, "Karyn's House" in recognition of Dr. Karyn Purvis' years of dedicated service on behalf of vulnerable children all over the world, so that each has a chance to live a life full of value.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVAL TO NAME HALFWAY HOUSE IN WILLIS, TEXAS “KARYN’S HOUSE”

On this **1st day of May 2020**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Vacant					
Motion:		Second:			

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

WHEREAS, TJJJ General Administrative Policy 05.00 (GAP.05.00) requires the Board to approve the naming of a facility owned or occupied by TJJJ; and

WHEREAS, Dr. Karyn Purvis was a ground-breaking scholar, author, and speaker who dedicated her life to helping vulnerable children all over the world; who focused her effort and attention on children who suffered from trauma, abuse, or neglect and created Trust-Based Relational Intervention (TBRI), a research-based model for healing harmed children that serves as a foundation for the work of TJJJ; and

WHEREAS, TJJJ staff respectfully requests the Board’s consideration and approval to name the TJJJ halfway house located in Willis, Texas, “Karyn’s House” in recognition of Dr. Karyn Purvis’ years of dedicated service on behalf of vulnerable children all over the world, so that each has a chance to live a life full of value:

NOW, THEREFORE BE IT RESOLVED THAT the Board approves naming the TJJJ halfway house located in Willis, Texas, “Karyn’s House”.

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

Signed this 1st day of May 2020

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman



TEXAS
JUVENILE JUSTICE
DEPARTMENT

Memorandum

To: TJJD Board Members

From: Camille Cain, Executive Director

Sean Grove, Chief of Staff

Kaci Singer, Deputy General Counsel for County Matters

Subject: Discussion, consideration, and possible approval to publish the following in the *Texas Register* for a 30-day public comment period and possible conditional approval to adopt the repeals and final rules: Repeal of 37 TAC §380.9517 and §380.9535 (concerning behavior management); new §380.9510 (concerning behavior management); and revisions to §§380.9503, 380.9504, 380.9555, and 380.9557 (concerning behavior management and due process hearings)

Date:

The TJJD staff is proposing the following changes to Title 37 of the Texas Administrative Code:

- repeal of §380.9517 (relating to Redirect Program) and §380.9535 (relating to Phoenix Program);
- new §380.9510 (relating to Intervention Program); and
- revisions to §§380.9503 (relating to Rules and Consequences for Residential Facilities), 380.9504 (relating to Rules and Consequences for Youth on Parole), 380.9555 (relating to Level II Hearing Procedure), and 380.9557 (relating to Level III Hearing Procedure).

The staff requests the board's approval to publish the changes listed above in the *Texas Register* for a 30-day public comment period.

The staff also requests the board's approval to adopt the final rules and repeals after the public comment period has ended, but only if the conditions listed in the accompanying resolution are met.

Attached to this memo please find:

- a summary of the changes being proposed;
- the text of the rules, with the proposed changes shown as mark-ups for rules being revised; and
- a resolution for board action.

Summary of Changes
37 TAC Chapter 380, Subchapter E

Section #	Title	Summary of Rule	Summary of Proposed Key Changes
Division 1: Behavior Management			
380.9503	Rules and Consequences for Residential Facilities	Lists the rule violations and available consequences for youth in TJJD's residential facilities.	<p>RULE VIOLATIONS</p> <ul style="list-style-type: none"> • Added that, for disciplinary purposes, directing someone to commit a rule violation is treated the same as committing that violation. Also added a definition for "direct someone to commit" a violation. • Changed the definitions of <i>Assault of Youth (No Injury)</i> and <i>Assault of Staff (No Injury)</i> to require intent to cause injury and to no longer be limited to making unauthorized physical contact. • Changed the definition of <i>Escape</i> to be limited to high-restriction facilities (rather than applying also to medium-restriction facilities). • Added <i>Unauthorized Absence</i> as a major rule violation, which means leaving a medium-restriction facility without permission or failing to return from an authorized leave. • Clarified that <i>Attempted Escape</i> requires that youth have a specific intent to escape. • Added <i>Possessing, Selling, or Attempting to Purchase Ammunition</i> as a major rule violation. • Modified the definition of <i>Possession of a Weapon</i> to include selling or attempting to purchase a weapon. • Added <i>Tampering with Monitoring Equipment</i> to the list of major rule violations. • Added <i>Unauthorized Physical Contact with Another Youth (No Injury)</i> and <i>Unauthorized Physical Contact with Staff (No Injury)</i> as minor rule violations. • Added that the violation involving repeated non-compliance with staff applies when a youth fails to comply with a monthly requirement twice in a <i>60-day period</i> (rather than a 90-day period.) • Clarified that several rule violations contain the element that the youth intentionally, <i>knowingly, or recklessly</i> engaged in the prohibited conduct (rather than doing so only intentionally, or in some cases, intentionally <i>and</i> knowingly or recklessly). • Clarified that the violations <i>Sexual Misconduct</i> and <i>Tampering with Monitoring Equipment</i> contain the element that the youth intentionally <i>or</i> knowingly (rather than intentionally <i>and</i> knowingly) engaged in the prohibited conduct. <p>DISCIPLINARY CONSEQUENCES</p> <ul style="list-style-type: none"> • Removed the list of specific disciplinary consequences and added a list of types of discipline that are prohibited. • Added a list of examples of types of discipline that may be used. • Added a requirement for TJJD to establish each specific disciplinary consequences in writing in its procedural manuals. • Added that a consequence may be imposed only if it is established in writing before the occurrence of the conduct for which the consequence is being issued.

Section #	Title	Summary of Rule	Summary of Proposed Key Changes
			<ul style="list-style-type: none"> • Specified that a Level II due process hearing is required before imposing a consequence that materially alters a youth's living conditions and that TJJJ will specify in its procedural manuals which consequences require this hearing. • Added that consequences requiring a Level II hearing are considered major consequences. • Specified the amount of due process required before issuing a consequence if a Level II hearing is not required. • Specified that <i>all</i> disciplinary consequences (rather than just certain minor consequences) must be reviewed for policy compliance and that the reviews must be conducted within three calendar days. • Added that the staff member reviewing discipline for policy compliance shall not be the staff member who issued the discipline. <p>OTHER CHANGES</p> <ul style="list-style-type: none"> • Added a definition for the term <i>Possession</i>. • Added that the term <i>Attempt to Commit</i> requires that youth have <i>specific intent</i> to commit a rule violation and engage in conduct that amounts to more than mere planning <i>that tends but fails to effect the commission of the intended rule violation</i>. • Clarified that an incident report is not proof that a youth committed a rule violation and that rule violations are considered proven only through a Level I or Level II due process hearing. • Added that an incident report cannot be appealed or grieved; however, discipline that results from an incident report may be appealed or grieved. • Clarified that youth may appeal <i>any</i> consequence (rather than major consequences) issued through a Level II hearing. • Specified that youth in high-restriction facilities may grieve <i>any consequence issued without a Level II hearing</i> (rather than minor consequences). • Added that youth in medium-restriction facilities may appeal any consequences issued through a Level III hearing, in accordance with 380.9557. • Removed the requirement to begin an investigation into certain alleged rule violations within 24 hours. • Removed a reference to which staff member decides to hold a Level II hearing; however, requests to hold such hearings are addressed in 380.9555. • Added that formal incident reports are written for alleged rule violations as required by internal operational procedures rather than specifying the instances in which they must be written. • Removed the requirement for a youth to be provided a copy of any incident report prepared for an alleged rule violation. • Removed the requirement for rules of conduct to be physically posted in facilities. • Removed a statement about issuing more than one consequence for a violation.

Section #	Title	Summary of Rule	Summary of Proposed Key Changes
			<ul style="list-style-type: none"> Removed a provision concerning the multidisciplinary team's authority to reduce, extend, or modify certain privilege suspensions; however, 380.9555 addresses the treatment team's ability to reduce or suspend the imposition of a consequence for violations proven in a Level II hearing. Removed a provision allowing requirements in this rule to be restated or adapted to accommodate a particular program. Removed a statement concerning the possibility of repeated violations of the same rule leading to more serious consequences. Removed a reference to a non-disciplinary placement option (i.e., placement in the Redirect Program). Removed definitions for terms that are no longer used in the rule and a term for which a definition is unnecessary.
380.9504	Rules and Consequences for Youth on Parole	Lists the rule violations and available consequences for youth on parole in home placements.	<ul style="list-style-type: none"> Added <i>Possessing, Selling, or Attempting to Purchase Ammunition</i> as a parole rule violation. Modified the definition of <i>Possession of a Weapon</i> to include selling or attempting to purchase a weapon. Removed <i>Escape</i> from the list of parole rule violations. Added <i>Unauthorized Absence</i> as a parole rule violation, which means leaving a medium-restriction facility without permission or failing to return from an authorized leave. Added a definition of the term <i>Possession</i>. Clarified that two violations contain the element that the youth intentionally <i>or</i> knowingly (rather than intentionally <i>and</i> knowingly) engaged in the prohibited conduct. Modified the definition of <i>Use of Unauthorized Substances</i> to include the use of paraphernalia such as that used to deliver or make any prohibited substance. Removed a reference to whether a verbal reprimand is considered a less severe disciplinary consequence for purposes of parole revocation.
380.9510	Intervention Program	Establishes eligibility criteria and programmatic requirements for various levels of TJJD's intervention program.	<ul style="list-style-type: none"> New rule that includes certain elements of the former 380.9517 and 380.9535, plus some new content. Establishes three levels of intervention within an overarching behavior management program. Allows youth to be moved between levels based on conduct in the program. Requires a rule violation to be proven through a Level II due process hearing before a youth can be assigned to the top two levels of the program.
380.9517	Redirect Program	Establishes eligibility criteria and program requirements for the Redirect Program	<ul style="list-style-type: none"> Repeal. Some content consolidated into new 380.9510.

Section #	Title	Summary of Rule	Summary of Proposed Key Changes
380.9535	Phoenix Program	Establishes eligibility criteria, standards of treatment, and services to be provided to youth in the Phoenix Program.	<ul style="list-style-type: none"> • Repeal. Some content consolidated into new 380.9510.
Division 2: Due Process Hearings			
380.9555	Level II Hearing Procedure	Establishes the procedure to be followed to ensure youth are afforded appropriate due process before certain actions are taken.	<p>REQUESTS AND SCHEDULING</p> <ul style="list-style-type: none"> • Removed that, when a youth in a residential facility is alleged to have committed a major rule violation or a minor rule violation requiring a security referral, an investigation into the alleged violation must be started within 24 hours after the alleged offense, completed within 24 hours after the time started, and conducted by a staff member other than the one who reported the alleged violation. • Removed the requirement that a decision on whether to pursue a Level II hearing must be made within 24 hours after the completion of an investigation. • Added that the appropriate staff person, <i>as specified in TJJJ procedural manuals</i>, must request permission to schedule a hearing. • Added that a Level II hearing must be <i>requested and scheduled</i> (rather than conducted) as soon as practical but no later than seven days, excluding weekends and holidays, after the alleged violation <i>or discovery of the alleged violation</i>. • Removed the five-day timeframe for Level II hearings involving youth being held in a security unit due to potential interference with a pending Level II hearing. <p>DISPOSITION</p> <ul style="list-style-type: none"> • Added that, during the disposition phase, the youth will be given the opportunity to present evidence of extenuating circumstances. • Added that a finding of extenuating circumstances does not prohibit placement of a youth in the intervention program under §380.9510, but the admission review shall take the finding into account. • Added that, if extenuating circumstances are found, the youth may not be assigned <i>any consequence designated as a major consequence in accordance with §380.9503</i> (rather than the requested disciplinary dispositions or any other major consequences). • Clarified that, during disposition, if no extenuating circumstances are found, the hearing manager must make <i>the disposition finding the youth was given notice of</i> (instead of the disposition recommended by staff). • Removed a statement regarding the appropriate administrator's approval of a hearing manager's decision to transfer a youth. • Removed a statement regarding the approval by facility administration of a hearing manager's decision to demote a youth's stage in the rehabilitation program.

Section #	Title	Summary of Rule	Summary of Proposed Key Changes
			<ul style="list-style-type: none"> • Added that a hearing manager's decision to impose a disciplinary consequence is final, subject to appeal, but a youth's treatment team may reduce or suspend the imposition of the consequence if warranted. <p>OTHER CHANGES</p> <ul style="list-style-type: none"> • Added that a Level II hearing is required before placing a youth in the moderate or intensive level of the intervention program (rather than in the Redirect Program). • Clarified that a Level II hearing is required before transferring an <i>institutional-status</i> youth who was initially at a medium-restriction facility to a high-restriction facility for non-disciplinary reasons. • Added that the criteria for placing a youth in the <i>moderate or intensive level of the intervention program</i> (rather than placing a youth in the Redirect Program) include finding that the youth committed an eligible rule violation. • Clarified that a hearing manager must find that a youth committed an eligible rule violation and that there are not extenuating circumstances in order to have contraband money <i>seized and</i> placed in the student benefit fund. • Added that, if a youth hires his or her own counsel, no advocate will be appointed. • Clarified that, not later than 24 hours before a hearing, the youth and the youth's advocate must be given <i>written notice</i> of the proposed action to be taken and <i>written notice and copies</i> of the evidence to be relied upon. • Added that video created by TJJD is generally considered "readily available" and shall be shown to the youth if used as evidence during a hearing. • Clarified that a hearing may be held by conference call or <i>videoconference</i>. • Added that, when a hearing is held by conference call or videoconference, all required participants must be able to simultaneously hear one another. • Removed the requirement for the hearing manager to determine that holding a hearing by conference call will not deprive the youth of his/her due process rights. • Removed a provision stating that, if a youth waives his/her presence, the hearing may be conducted by teleconference, which conflicted with an existing provision allowing any hearing to be held by teleconference. • Specified that youth in all contract placements (whether secure or non-secure) must be given the hearing packet at least 24 hours before the hearing. • Added that a youth's failure to testify shall not create a presumption <i>or inference</i> against the youth. • Clarified that a victim who appears as a witness should be provided a waiting area where he/she is not likely to come in contact with the youth <i>or the youth's parent/guardian</i> except during the hearing. • Replaced one reference of the term <i>parent(s)</i> with <i>parent/guardian</i>.

Section #	Title	Summary of Rule	Summary of Proposed Key Changes
380.9557	Level III Hearing Procedure	Establishes a hearing procedure that provides the appropriate due process when determining admission or extension in the security unit or imposing minor disciplinary consequences for youth in medium-restriction facilities, or youth on parole.	<p>GENERAL CHANGES</p> <ul style="list-style-type: none"> • Divided the procedures into those to be used when determining admission to or extension in the security program and those to be used when determining disciplinary consequences. • Removed references to <i>minor</i> disciplinary consequences and explained which disciplinary consequences can be imposed through this hearing type. <p>APPEALS INVOLVING DISCIPLINARY CONSEQUENCES</p> <ul style="list-style-type: none"> • Clarified that, if it is determined that <i>there were not reasonable grounds to believe</i> the youth committed the violation (instead of determining that the youth <i>did not commit</i> the violation), <i>the fact that the violation was overturned will be documented appropriately</i> (instead of stating that the youth's behavioral record will be updated). • Clarified that, if it is determined that the youth did commit the violation but <i>the imposed disciplinary measure</i> (instead of the disciplinary decision) was inappropriate: <ul style="list-style-type: none"> ○ that fact <i>will be documented appropriately</i> (instead of stating only that the violation will remain on the youth's behavioral record); and ○ the appeal authority shall determine some form of equitable relief for a youth who has started or completed serving the disciplinary measure and may impose a different disciplinary measure if the youth has not yet started serving the disciplinary measure.

<p>Chapter: Rules for State-Operated Programs and Facilities Subchapter: Behavior Management and Youth Discipline Division: Behavior Management Rule: Rules and Consequences for Residential Facilities</p> <p>ACA: 4-JCF-3B-02, 3B-07, 3B-08, 3B-09, 3B-10, 3C-05, 3C-06 3-JCRF-3C-01, 3C-02, 3C-03, 3C-04</p> <p>Statutes: <u>Human Resources Code §242.063 N/A</u></p>	<p>Effective Date: [10/1/15]</p> <p>Page: 1 of 9</p> <p>Replaces: GAP.380.9503, <u>10/1/15</u> [5/1/13]</p>
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Draft 5/11/20

RULE

(a) **Purpose.**

This rule establishes the actions that constitute violations of the rules of conduct for residential facilities. Violations of the rules may result in disciplinary consequences that are proportional to the severity and extent of the violation. Appropriate due process, including a consideration of extenuating circumstances, shall ~~[must]~~ be followed before imposing consequences.

(b) **Applicability.**

This rule applies to youth assigned to residential facilities operated by the Texas Juvenile Justice Department (TJJD).

(c) **Definitions.**

The following terms, as used in this rule, have the following meanings unless the context clearly indicates otherwise.

~~(1) **Attempt to Commit**--a youth, with specific intent to commit a rule violation, engages in conduct that amounts to more than mere planning that tends but fails to effect the commission of the intended rule violation.~~

~~(2)[(4)] **Bodily Injury**--physical pain, illness, or impairment of physical condition. Fleeting pain or minor discomfort does not constitute bodily injury.~~

~~[(2) **Multi-Disciplinary Team** has the meaning assigned by §380.8501 of this title.]~~

~~[(3) **Residential Facility** includes high and medium restriction residential facilities.]~~

~~[(4) **Attempting to Commit**--engaging in conduct that amounts to more than mere planning, but failing to commit the intended rule violation.]~~

~~(3) **Direct Someone to Commit**--occurs when:~~

~~(A) a youth communicates with another youth;~~

~~(B) the communication is intended to cause the other youth to commit a rule violation; and~~

~~(C) the other youth commits or attempts to commit a rule violation.~~

~~(4) **Possession**--actual care, custody, control, or management.~~

~~[(5) **Serious Bodily Injury**--bodily injury that involves:]~~

~~[(A) a substantial risk of death;]~~

~~[(B) extreme physical pain;]~~

~~[(C) protracted and obvious disfigurement; or]~~

~~[(D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.]~~

(d) **General Provisions.**

- ~~[(1) Rules in this policy may be restated or otherwise adapted to accommodate a particular program to help clarify expected behavior in that program. All adapted or restated rules must remain consistent with the general rules of conduct.]~~
- ~~[(2) The rules of conduct must be posted in a visible area that is accessible to youth in each facility and program.]~~
- ~~[(3) Repeated violations of any rule of conduct may result in more serious disciplinary consequences.]~~
- ~~[(4) Youth may be issued more than one disciplinary consequence for a rule violation proven in a Level II or Level III due process hearing held in accordance with §380.9555 or §380.9557 of this title, respectively.]~~
- ~~(1)[(5) Formal incident reports are completed for alleged rule violations as required by internal operational procedures. [Major rule violations require the completion of a formal incident report.]~~
- ~~(2)[(6) A formal incident report is not proof that a youth committed an alleged rule violation. [A youth's disciplinary record consists only of] Only rule violations that are proven through a Level I or Level II due process hearing in accordance with §380.9551 or §380.9555 of this title, respectively, are considered proven and are considered a part of a youth's disciplinary record. A formal incident report is not appealable or grievable; only disciplinary consequences may be appealed or grieved, as provided below.~~
- ~~[(7) An appropriate investigation must be started within 24 hours after a report of a major rule violation or a minor rule violation resulting in a referral to the security unit. Based on available evidence, the facility administrator or designee must determine whether to hold a Level II due process hearing in order to pursue major consequences and/or placement of the violation on the youth's disciplinary record.]~~
- ~~(3)[(8) When a youth is found to be in possession of prohibited money as defined in this rule, a Level II [due process] hearing is required to seize the money. Seized money shall [must] be placed in the student benefit fund in accordance with §380.9555 of this title.~~
- ~~[(9) Except as noted in paragraph (10) of this subsection, minor rule violations must be documented on the appropriate activity log. A formal incident report is not required.]~~
- ~~[(10) A minor rule violation that escalates to the point that the current program/activity cannot continue due to the disruption or that poses a substantial risk to personal safety or facility security must be documented on a formal incident report. In high restriction facilities, this type of minor rule violation also includes a referral to the security unit.]~~
- ~~[(11) Any time a formal incident report is prepared for an alleged rule violation, a copy of the incident report must be given to the youth within 24 hours after the alleged violation.]~~
- ~~[(12) Although certain rule violations may not result in immediate disciplinary consequences, a rule violation proven through a Level II due process hearing may be considered upon expiration of the youth's minimum length of stay in determining whether a youth is in need of additional rehabilitation.]~~
- ~~[(13) For youth who receive privilege suspensions, the multi-disciplinary team may:]~~
- ~~[(A) lessen the duration of the suspension; or]~~
- ~~[(B) extend (one time only) or modify an on-site privilege suspension issued by direct care staff if warranted by the youth's behavior.]~~

(e) Disciplinary Consequences.

- (1) Disciplinary consequences shall be established in writing in TJJJ's procedural manuals. Appropriate disciplinary consequences may be imposed only if the consequences are established in writing in TJJJ's procedural manuals prior to the occurrence of the conduct for which the consequence is issued.
- (2) Disciplinary consequences may include, but are not limited to, the following:
 - (A) suspension of privileges;
 - (B) restriction from planned activities;
 - (C) trust-fund restriction; and
 - (D) disciplinary transfer to a high-restriction facility (available only for youth on institutional status in a medium-restriction facility).
- (3) The following are prohibited as disciplinary consequences:
 - (A) corporal or unusual punishment;
 - (B) subjecting a youth to humiliation, harassment, or physical or mental abuse;
 - (C) subjecting a youth to personal injury;
 - (D) subjecting a youth to property damage or disease;
 - (E) punitive interference with the daily functions of living, such as eating or sleeping;
 - (F) purposeless or degrading work, including group exercise as a consequence;
 - (G) placement in the intervention program under §380.9510 of this title;
 - (H) disciplinary isolation; and
 - (I) extending a youth's stay in a TJJJ facility.
- (4) A Level II hearing is required before imposing a disciplinary consequence that materially alters a youth's living conditions, including disciplinary transfer from a medium-restriction facility to a high-restriction facility. TJJJ's procedural manuals will specify which disciplinary consequences require a Level II hearing. Disciplinary consequences requiring a Level II hearing are considered major consequences.
- (5) If a Level II hearing is not required, the following must occur before imposing disciplinary consequences for a youth in a high-restriction facility:
 - (A) a formal incident report must be prepared;
 - (B) staff must tell the youth which rule violation the youth allegedly committed and describe the information staff has that establishes the youth committed it;
 - (C) staff must tell the youth what disciplinary consequence(s) staff is considering imposing; and
 - (D) the youth must be given the opportunity to address the allegation, including providing any extenuating circumstances and information on the appropriateness of the intended consequence(s).
- (6) If a Level II hearing is not required, a Level III hearing must occur before imposing disciplinary consequences for a youth in a medium-restriction facility, in accordance with §380.9557 of this title.

~~[(e) Consequences for High Restriction Facilities.]~~

~~[(1) Major Disciplinary Consequences.]~~

- ~~[(A) Placement in the Phoenix Program--in accordance with §380.9535 of this title, a youth may be placed in the Phoenix program when it is found that the youth engaged in certain aggressive behavior.]~~

~~[(B) **Major Suspension of Privileges**—a youth has all privileges suspended for 30 calendar days from the date of the hearing. This consequence may be issued only for minor rule violations resulting in a referral to the security unit or major rule violations, and only if the rule violation is proven through a Level II due process hearing in accordance with §380.9555 of this title.]~~

~~[(C) **Loss of Transition Eligibility**—a youth who has not completed the minimum length of stay serves an additional month in high restriction facilities before becoming eligible for transition to a medium restriction facility under §380.8545 of this title. This consequence may be issued only if it is proven through a Level II due process hearing that the youth committed a major rule violation.]~~

~~[(D) **Stage Demotion**—a youth's assigned stage in the agency's rehabilitation program is lowered by one or more stages. This consequence may be issued only if it is proven through a Level II due process hearing that the youth committed a major rule violation.]~~

~~[(2) **Minor Disciplinary Consequences.**]~~

~~[(A) **Suspension of Privileges by Multi-Disciplinary Team**—a youth has one or more privileges removed for up to 14 calendar days from the date of the multi-disciplinary team meeting. This consequence may be issued for major or minor rule violations. In order to issue this consequence, the multi-disciplinary team must:]~~

~~[(i) meet with the youth to discuss the youth's behavior and potential consequences;]~~

~~[(ii) consider any on-site suspension of privileges already imposed for the behavior; and]~~

~~[(iii) document the discussion of the youth's conduct and consequence imposed.]~~

~~[(B) **On-Site Suspension of Privileges**—a youth has one specific privilege removed for up to seven calendar days from the date of the violation or all privileges removed for up to three calendar days. This consequence may be issued by a staff member with direct supervisory responsibility for the youth after witnessing a major or minor rule violation. This consequence should be issued only after non-disciplinary interventions have been attempted. The staff member must document the conduct and consequence and discuss the consequence and the reasons for it with the youth.]~~

~~[(f) **Consequences for Medium Restriction Facilities.**]~~

~~[(1) **Major Consequences.**]~~

~~[(A) **Disciplinary Transfer**—a youth assigned to a medium restriction facility is transferred to a high restriction facility. Disciplinary transfer may be issued only for major rule violations that are proven through a Level II due process hearing in accordance with §380.9555 of this title. This consequence does not apply to youth who are on parole status in a medium restriction facility.~~

~~[(B) **Placement in the Phoenix Program**—in accordance with §380.9535 of this title, a youth on institutional status may be transferred to a high restriction facility and placed in the Phoenix program when the youth has been found to have engaged in certain aggressive behavior.]~~

~~[(C) **Major Suspension of Privileges**—a youth has all privileges suspended for 30 calendar days from the date of the hearing. This consequence may be issued only for major rule violations that are proven through a Level II due process hearing.]~~

~~[(D) **Stage Demotion**—a youth's assigned stage in the agency's rehabilitation program is lowered by one or more stages. This consequence may be issued only if it is proven through a Level II due process hearing that the youth committed a major rule violation.]~~

~~[(2) — Minor Consequences.~~

~~Minor disciplinary consequences include but are not limited to consequences described in this paragraph. Minor consequences may be imposed only after a Level III due process hearing held in accordance with §380.9557 of this title.]~~

~~[(A) — Privilege Suspension—a suspension of one or more privileges for no more than 14 calendar days.]~~

~~[(B) — Community Service Hours—disciplinary assignment of up to 40 hours in an approved community service assignment.]~~

~~[(C) — Trust Fund Restriction—youth is restricted from accessing his/her accrued personal funds for up to seven calendar days.]~~

~~[(D) — Facility Restriction—youth is restricted for up to 48 hours from participating in any activity outside the assigned placement other than approved constructive activities.]~~

~~(f)[(g)] Review and Appeal of Consequences.~~

- (1) All ~~[minor]~~ disciplinary consequences shall ~~[issued by staff other than the youth's multi-disciplinary team must]~~ be reviewed for policy compliance by the facility administrator or designee ~~[youth's assigned case manager, dorm supervisor, facility administrator, or other designee]~~ within three calendar days ~~[one workday]~~ after issuance. The reviewing staff shall not be the staff who issued the discipline.

~~[(2) — The facility administrator or designee:]~~

~~[(A) — must review any minor consequence issued for longer than 14 days within three workdays after issuance of the consequence; and]~~

~~(2)[(B)]~~ The reviewing staff may remove or reduce any disciplinary consequence ~~[overturn or modify any privilege suspension]~~ determined to be excessive or not validly related to the nature or seriousness of the conduct.

- (3) Youth may appeal ~~[major]~~ disciplinary consequences issued through a Level II hearing by filing an appeal in accordance with §380.9555 of this title.

~~(4)~~ Youth in medium-restriction facilities may appeal disciplinary consequences issued through a Level III hearing by filing an appeal in accordance with §380.9557 of this title.

~~(5)~~ Youth in high-restriction facilities may grieve [minor] disciplinary consequences issued without a Level II hearing by filing a grievance in accordance with §380.9331 of this title.

~~(h) — Placement Disposition Options.~~

~~In accordance with §380.9517 of this title, youth in high restriction facilities may be placed in the Redirect program when the youth is found to have engaged in certain major rule violations. Placement in the Redirect program is not a disciplinary consequence.]~~

~~(g)[(f)] Major Rule Violations.~~

It is a violation to knowingly commit, attempt to commit, direct someone to commit, or aid [help] someone else in committing ~~[commit]~~ any of the following:

- (1) **Assault ~~of [-Unauthorized Physical Contact with] Another Youth (No Injury)~~**--intentionally, knowingly, or recklessly engaging in conduct with the intent to cause bodily injury to ~~[making unauthorized physical contact with]~~ another youth but the conduct [that] does not result in bodily injury~~[-, such as, but not limited to, pushing, poking, and grabbing].~~
- (2) **Assault ~~of [-Unauthorized Physical Contact with] Staff (No Injury)~~**--intentionally, knowingly, or recklessly engaging in conduct with the intent to cause bodily injury to ~~[making unauthorized physical contact with]~~ a staff member, contract employee, or volunteer with the intent to cause injury but the conduct [that] does not result in bodily injury~~[-, such as, but not limited to, pushing, poking, and grabbing].~~
- (3) **Assault Causing Bodily Injury to Another Youth**--intentionally, ~~[and]~~ knowingly, or recklessly engaging in conduct that causes another youth to suffer bodily injury.
- (4) **Assault Causing Bodily Injury to Staff**--intentionally, ~~[and]~~ knowingly, or recklessly engaging in conduct that causes a staff member, contract employee, or volunteer to suffer bodily injury.
- (5) **Attempted Escape**--committing an act with specific intent to escape that amounts to more than mere planning ~~[but]~~ that tends but fails to effect an escape.
- (6) **Chunking Bodily Fluids**--causing a person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, and/or feces of another with the intent to harass, alarm, or annoy another person.
- (7) **Distribution of Prohibited Substances**--distributing or selling any prohibited substances or items.
- (8) **Escape**--leaving a high-restriction [high-or-medium-restriction] residential placement without permission or failing to return from an authorized leave.
- (9) **Extortion or Blackmail**--demanding or receiving favors, money, actions, or anything of value from another in return for protection against others, to avoid bodily harm, or in exchange for not reporting a violation.
- (10) **Fighting Not Resulting in Bodily Injury**--engaging in a mutually instigated physical altercation with another person or persons that does not result in bodily injury.
- (11) **Fighting That [that] Results in Bodily Injury**--engaging in a mutually instigated physical altercation with another person or persons that results in bodily injury.
- (12) **Fleeing Apprehension**--running from or refusing to come to staff when called and such act results in disruption of facility operations.
- ~~(13) **Two or More Failures to Comply with Written, Reasonable Request (for Youth in Medium Restriction Residential Placement)**--failing on two or more occasions to comply with a written, reasonable request of staff. If the expectation is daily or weekly, the two failures to comply must be within a 30-day period. If the expectation is monthly, the two failures to comply must be within a 90-day period.]~~
- ~~(13)~~**(14) Misuse of Medication**--using medication provided to the youth [juvenile] by authorized personnel in a manner inconsistent with specific instructions for use, including removing the medication from the dispensing area.
- ~~(14)~~**(15) Participating in a Major Disruption of Facility Operations**--intentionally participating with two ~~[(2)]~~ or more persons in conduct that poses a threat to persons or property and substantially disrupts the performance of facility operations or programs.

- (15) Possessing, Selling, or Attempting to Purchase Ammunition**--possessing, selling, or attempting to purchase ammunition.
- (16) **Possession of Prohibited Items**--possessing the following prohibited items:
- (A) cellular telephone;
 - (B) matches or lighters;
 - (C) jewelry, unless allowed by facility rules;
 - (D) money in excess of the amount or in a form not permitted by facility rules (see §380.9555 of this title for procedures concerning seizure of such money);
 - (E) pornography;
 - (F) items which have been fashioned to produce tattoos or body piercing;
 - (G) cleaning products when the youth is not using them for a legitimate purpose; or
 - (H) other items that are being used inappropriately in a way that poses a danger to persons or property or threatens facility security.
- (17) **Possessing, Selling, or Attempting to Purchase [Possession of] a Weapon**--possessing, selling, or attempting to purchase a weapon or an item [item(s)] that has been made or adapted for use as a weapon.
- (18) **Possession or Use of Prohibited Substances and Paraphernalia**--possessing or using any unauthorized substance, including controlled substances or intoxicants [~~including alcohol and tobacco~~], medications not prescribed for the youth [juvenile] by authorized medical or dental staff, alcohol, tobacco products, [~~similar intoxicants~~], or related paraphernalia such as that used to deliver or make any prohibited substance.
- (19) **Refusing a Drug Screen**--refusing to take a drug screen when requested to do so by staff or tampering with or contaminating the urine sample provided for a drug screen. (Note: If the youth says he/she cannot provide a sample, the youth shall [must] be given water to drink and two hours to provide the sample.)
- (20) **Refusing a Search**--refusing to submit to an authorized search of person or area.
- (21) **Repeated Non-Compliance with a Written, Reasonable Request of Staff (for Youth in Medium-Restriction Residential Placement)**--failing on two or more occasions to comply with a specific written, reasonable request of staff. If the request requires the youth to do something daily or weekly, the two failures to comply must be within a 30-day period. If the request requires the youth to do something monthly, the two failures to comply must be within a 60-day period.
- ~~(22)~~ **Sexual Misconduct**--intentionally or [and] knowingly engaging in any of the following:
- (A) causing contact, including penetration (however slight), between the penis and the vagina or anus; between the mouth and penis, vagina or anus; or penetration (however slight) of the anal or genital opening of another person by hand, finger, or other object;
 - (B) touching or fondling, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person;
 - (C) kissing for sexual stimulation;
 - (D) exposing the anus, buttocks, breasts, or genitals to another or exposing oneself knowing the act is likely to be observed by another person; or
 - (E) masturbating in an open and obvious way, whether or not the genitals are exposed.
- ~~(23)~~ **Stealing**--intentionally taking property with an estimated value of \$100 or more from another without permission.
- (24) **Tampering with Monitoring Equipment**--a youth intentionally or knowingly tampers with monitoring equipment assigned to any youth.

- ~~(25)~~~~(23)~~ **Tampering with Safety Equipment**--intentionally tampering with, damaging, or blocking any device used for safety or security of the facility. This includes, but is not limited to, any locking device or item that provides security access or clearance, any fire alarm or fire suppression system or device, video camera, radio, telephone (when the tampering prevents it from being used as necessary for safety and/or security), handcuffs, or shackles.
- ~~(26)~~~~(24)~~ **Tattooing/Body Piercing**--engaging in tattooing or body piercing of self or others. Tattooing is defined as making a mark on the body by inserting pigment into the skin.
- ~~(27)~~~~(25)~~ **Threatening Another with a Weapon**--intentionally and knowingly threatening another with a weapon. A weapon is something that is capable of inflicting bodily injury in the manner in which it is being used.
- ~~(28)~~ **Unauthorized Absence**--leaving a medium-restriction residential placement without permission or failing to return from an authorized leave.
- ~~(29)~~~~(26)~~ **Vandalism**--intentionally causing \$100 or more in damage to state property or personal property of another.
- ~~(30)~~~~(27)~~ **Violation of Any Law**--violating a Texas or federal law that is not already defined as a major or minor rule violation.

~~(h)~~~~(f)~~ **Minor Rule Violations.**

It is a violation to knowingly commit, attempt to commit, direct someone to commit, or aid [help] someone else in committing [commit] any of the following:

- (1) **Breaching Group Confidentiality**--disclosing or discussing information provided in a group session to another person not present in that group session.
- (2) **Disruption of Program**--engaging in behavior that requires intervention to the extent that the current program of the youth and/or others is disrupted. This includes, but is not limited to:
 - (A) disrupting a scheduled activity;
 - (B) being loud or disruptive without staff permission;
 - (C) using profanity or engaging in disrespectful behavior toward staff or peers; or
 - (D) refusing to participate in a scheduled activity or abide by program rules.
- (3) **Failure to Abide by Dress Code**--failing to follow the rules of dress and appearance as provided by facility rules.
- (4) **Failure to do Proper Housekeeping**--failing to complete the daily chores of cleaning the living environment to the expected standard.
- (5) **Gang Activity**--participating in an activity or behavior that promotes the interests of a gang or possessing or exhibiting anything related to or signifying a gang, such as, but not limited to, gang-related literature, symbols, or signs.
- (6) **Gambling or Possession of Gambling Paraphernalia**--engaging in a bet or wager with another person or possessing paraphernalia that may be used for gambling.
- (7) **Horseplay**--engaging in wrestling, roughhousing, or playful interaction with another person or persons that does not rise to the level of an assault. Horseplay does not result in any party getting upset or causing injury to another.

- (8) **Improper Use of Telephone/Mail/Computer**--using the mail, a computer, or the telephone system for communication that is prohibited by facility rules, at a time prohibited by facility rules, or to inappropriately access information.
- (9) **Lending/Borrowing/Trading Items**--lending or giving to another youth, borrowing from another youth, or trading with another youth possessions, including food items, without permission from staff.
- (10) **Lying/Falsifying Documentation/Cheating**--lying or withholding information from staff, falsifying a document, and/or cheating on an assignment or test.
- (11) **Possession of an Unauthorized Item**--possessing an item the youth is not authorized to have (possession of which is not a major rule violation), including items not listed on the youth's personal property inventory. This does not include personal letters or photographs.
- (12) **Refusal to Follow Staff Verbal Instructions**--deliberately failing to comply with a specific reasonable verbal instruction made by a staff member.
- (13) **Stealing**--intentionally taking property with an estimated value under \$100 from another without permission.
- (14) **Threatening Others**--making verbal or physical threats toward another person or persons.
- (15) **Unauthorized Physical Contact with Another Youth (No Injury)**--intentionally making unauthorized physical contact with another youth without the intent to cause injury and that does not cause injury, such as, but not limited to, pushing, poking, or grabbing.
- (16) **Unauthorized Physical Contact with Staff (No Injury)**--intentionally making unauthorized physical contact with a staff member, contract employee, or volunteer without the intent to cause injury and that does not cause injury, such as, but not limited to, pushing, poking, and grabbing.
- (17)[(45)] **Undesignated Area**--being in any area without the appropriate permission to be in that area.
- (18)[(46)] **Vandalism**--intentionally causing less than \$100 in damage to state or personal property.
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Chapter: Rules for State-Operated Programs and Facilities	Effective Date: [10/1/15]
Subchapter: Behavior Management and Youth Discipline	Page: 1 of 3
Division: Behavior Management	Replaces: GAP.380.9504, <u>10/1/15</u>
Rule: Rules and Consequences for Youth on Parole	<u>[9/1/09]</u>
[ACA: N/A]	
Statutes: HR Code §244.005, §245.051	

Draft 5/11/20

RULE

(a) Purpose.

This rule establishes the actions that constitute violations of the rules of conduct youth are expected to follow while under parole supervision. Violations of the rules may result in disciplinary consequences, including revocation of parole, that are proportional to the severity and extent of the violation. Appropriate due process must be followed before imposing consequences.

(b) Applicability.

- (1) This rule applies to youth on parole status who are assigned to a home placement.
- (2) For parole revocation purposes, this rule also applies to youth on parole status who are assigned to a residential placement as a home substitute. However, this rule does not apply to the daily rules of conduct for these youth. For the daily rules of conduct, see §380.9503 of this title.

(c) General Provisions.

- (1) Conditions of parole are provided to the youth before release on parole.
- (2) Conditions of parole, including the rules of conduct, are reviewed with ~~[the]~~ youth when they initially meet with their parole officers and at other times as necessary.
- (3) Repeated violations of any rule of conduct may result in more serious disciplinary consequences.

(d) Definitions.

Possession--actual care, custody, control, or management.

(e)[(d)] Parole Rule Violations.

It is a violation to knowingly commit [violate], attempt to commit [violate], or aid [help] someone else in committing [violate] any of the following:

- (1) **Abscond**--leaving a home placement or failing to return from an authorized leave when:

- (A) [without permission of] the youth's parole officer did not give permission; and
- (B) the youth's whereabouts are unknown to his/her parole officer.

~~[(2)] **Escape**--leaving a high- or medium-restriction residential placement without permission or failing to return from an authorized leave.]~~

- ~~(2)[(3)]~~ **Failure to Comply with Sex Offender Conditions of Parole**--intentionally or [and] knowingly failing to comply with one of the following conditions present in the youth's sex offender conditions of parole addendum:

- (A) do not have unsupervised contact with children under the age specified by the conditions of parole;
- (B) do not babysit or participate in any activity where the youth is responsible for supervising or disciplining children under the age specified by the conditions of parole; or
- (C) do not initiate physical contact or touching of any kind with a child, victim, or potential victim.

(3) Possessing, Selling, or Attempting to Purchase Ammunition--possessing, selling, or attempting to purchase ammunition.

(4) Possessing, Selling, or Attempting to Purchase [Possession of] a Weapon--possessing, selling, or attempting to purchase a weapon or an item [item(s)] that has been made or adapted for use as a weapon.

~~(5) Use of Unauthorized Substances--using an unauthorized substance or intoxicant including controlled substances or intoxicants (including alcohol and tobacco if the youth is underage), medications not prescribed for the youth by authorized medical or dental staff, or similar intoxicants.]~~

~~(5)~~(6) **Refusing a Drug Screen**--refusing to take a drug screen when requested to do so by staff or tampering with or contaminating the urine sample provided for a drug screen.

~~(6)~~(7) **Repeated Non-Compliance with a Written, Reasonable Request of Staff**--failing on two or more occasions to comply with a specific condition of release under supervision and/or a specific written, reasonable request of staff. If the request requires the youth to do something [expectation is] daily or weekly, the two failures to comply must be within a 30-day period. If the request requires the youth to do something [expectation is] monthly, the two failures to comply must be within a 60-day period.

~~(7)~~(8) **Tampering with Monitoring Equipment**--a youth intentionally or [and] knowingly tampers with monitoring equipment assigned to any youth.

(8) Unauthorized Absence--leaving a medium-restriction residential placement without permission or failing to return from an authorized leave.

(9) Use of Unauthorized Substances--using any unauthorized substance, including controlled substances or intoxicants, medications not prescribed for the youth by authorized medical or dental staff, alcohol or tobacco products (if the youth is underage), or related paraphernalia such as that used to deliver or make any prohibited substance.

~~(10)~~(9) **Violation of Any Law**--violating a federal or state law or municipal ordinance.

~~(f)~~(e) **Possible Consequences.**

- (1) A parole rule violation may result in a Level I hearing or a Level III hearing conducted in accordance with §380.9551 or §380.9557 of this title, respectively. Parole officers are encouraged to be creative in determining a consequence appropriate to address and correct the youth's behavior. All assigned consequences should be related to the misconduct when possible.
- (2) Consequences through a Level III hearing for a youth on parole include, but are not limited to:
 - (A) **Verbal Reprimand**--conference with a youth including a verbal reprimand that draws [drawing] attention to the misbehavior and serves [serving] as a warning that continued misbehavior could result in more severe consequences. ~~[A verbal reprimand may not be considered as a less severe disciplinary consequence for the purpose of parole revocation.]~~

- (B) **Curfew Restriction**--an immediate change in existing curfew requirements outlined in the youth's conditions of parole.
 - (C) **Community Service Hours**--disciplinary assignment of a specific number of hours the youth is to perform community service in addition to the hours assigned when the youth was placed on parole. In no event may more than 20 community service hours be assigned through a Level III hearing.
 - (D) **Increased Level of Supervision**--an assigned increase in the number of primary contacts between the youth and parole officer in order to increase the youth's accountability.
 - (E) **Electronic Tracking**--assignment to a system that electronically tracks a youth's movement and location.
 - (F) **Writing Assignment**--an assignment designed for the youth to address the misbehavior and identify appropriate behavior in similar situations.
- (3) Consequences through a Level I hearing for a youth on parole, including youth assigned to a residential placement as a home substitute, include:
- (A) parole revocation and placement in any high- or medium-restriction program operated by or under contract with the Texas Juvenile Justice Department; and
 - (B) assignment of a length of stay consistent with §380.8525 of this title.
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Chapter: Rules for State-Operated Programs and Facilities	Effective Date:
Subchapter: Behavior Management and Youth Discipline	Page: 1 of 5
Division: Behavior Management	Replaces: GAP.380.9517, 10/1/15 GAP.380.9535, 3/15/17
Rule: Intervention Program	
Statutes: 20 USC §1400 et al.	
References: 34 CFR §300.530	

Draft 5/11/20

RULE

(a) **Purpose.**

The Texas Juvenile Justice Department (TJJD) delivers interventions in a structured environment for youth who have engaged in certain serious conduct. The interventions are designed to promote violence reduction and skill building to increase safety on TJJD campuses and to help the youth regulate their behavior in order to progress in treatment. Placement in an intervention program is not considered a disciplinary consequence. This rule sets forth eligibility criteria, program requirements, and services to be provided to youth.

(b) **Applicability.**

This rule applies only to high-restriction facilities operated by TJJD.

(c) **Definitions.**

- (1) **Admission, Review, and Dismissal (ARD) Committee**--a committee that makes decisions on educational matters relating to special-education-eligible youth.
- (2) **Individualized Education Program (IEP)**--the program of special education and related services developed by a youth's ARD committee.
- (3) **Isolation**--the confinement of a youth in a locked room or cubicle as a tool to manage the behavior of a youth. Rules regarding isolation do not apply:
 - (A) when doors are routinely locked during normal sleeping hours and isolation has not otherwise been imposed; or
 - (B) when a youth is placed in the security program.
- (4) **Manifestation Determination Review**--a review conducted by a youth's ARD committee when a decision has been made to change a special-education-eligible youth's school placement due to a violation of the code of conduct. The committee determines whether a youth's conduct is a manifestation of the youth's disability and whether the youth's IEP was fully implemented.

(d) **Eligibility.**

- (1) At a minimum, a youth must be reviewed to determine appropriateness for placement at any level of the intervention program if the youth engages in one or more of the following rule violations as defined in §380.9503 of this title:
 - (A) assault of youth (with or without injury);
 - (B) assault of staff (with or without injury);
 - (C) fighting (with or without injury);
 - (D) threatening another with a weapon;
 - (E) escape;
 - (F) extortion or blackmail;
 - (G) possession of a weapon;

- (H) sexual misconduct;
- (I) threatening others; or
- (J) any other rule violation that the executive director or designee establishes in writing as an eligible violation.

- (2) A youth may be reviewed to determine appropriateness for placement at any level of the intervention program based on any other rule violation defined in §380.9503 of this title or based on a pattern of rule violations that suggests the youth would benefit from the program.

(e) **Program Intervention Levels.**

(1) **Primary.**

The primary level of the intervention program provides short-term intervention that cannot be provided during regular campus programming.

- (A) Youth at this level of intervention in the program continue to sleep at their assigned dorm but other activities are conducted at the site of the program.
- (B) A Level II hearing is not required for placement at this level of intervention. However, designated treatment and direct-care staff must review the youth for appropriateness in the intervention program, including the youth's treatment needs and the severity of the youth's behavior.

(2) **Moderate.**

The moderate level of the intervention program provides short-term intervention in a self-contained unit with a gradual transition back to regular campus programming.

- (A) Youth at this level of intervention in the program live on the unit where the program operates.
- (B) Youth may be placed at this level of the intervention program only if:
 - (i) a Level II due process hearing has been held in accordance with §380.9555 of this title;
 - (ii) there is a finding of *true* that the youth committed a rule violation listed in subsection (d) of this section; and
 - (iii) the youth and the youth's advocate were given notice before the hearing that a *true* finding on one or more of the allegations would make the youth eligible for placement in the intervention program.

(3) **Intensive.**

The intensive level of the intervention program provides longer-term intervention in a highly structured environment.

- (A) Youth at this level of intervention in the program live on the unit where the program operates.
- (B) Youth may be placed at this level of the intervention program only if:
 - (i) a Level II due process hearing has been held in accordance with §380.9555 of this title;
 - (ii) there is a finding of *true* that the youth committed a rule violation listed in subsection (d) of this section; and
 - (iii) the youth and the youth's advocate were given notice before the hearing that a *true* finding on one or more of the allegations would make the youth eligible for placement in the intervention program.

(f) Placement in the Program.

- (1) Each youth being considered for placement in the intervention program is reviewed to determine if placement is appropriate and, if so, which level of the program is appropriate.
- (2) If it is determined that the youth should be placed in the intensive level of the program but space is not available, the youth may be temporarily placed in a lower level of the program until space becomes available at the intensive level or the youth otherwise successfully meets the criteria under subsection (j) of this section.
- (3) TJJJ procedural manuals shall establish a process that allows a youth to be moved from one level of the program to another, if appropriate. A youth may be placed in the moderate or intensive level of the program only if the youth was given notice of the potential placement before the Level II hearing. Once a youth has been removed from the intervention program, new conduct and a new Level II due process hearing, if necessary for the program level, are required to return the youth to the intervention program.
- (4) TJJJ procedural manuals shall establish the factors to be considered when determining if a youth should be placed in the intervention program and which level of intervention is most appropriate or when determining if a youth should be moved from one level to another. The procedural manuals shall include a requirement that, at a minimum, the following factors be considered:
 - (A) whether the youth poses a continuing risk to the safety of the facility;
 - (B) whether less restrictive methods of documented intervention have been attempted when appropriate; and
 - (C) whether there are any therapeutic contraindications to placing the youth in the intervention program or at a particular level in the intervention program.
- (5) A youth shall not be placed at any level in the intervention program if a therapeutic contraindication to placement at that level exists.
- (6) TJJJ shall make reasonable efforts to provide notice to the parent/guardian that the child is being considered for placement in the intervention program or for moving to a different level of the program.

(g) Additional Considerations for Youth Receiving Special Education Services.

- (1) If a youth who is receiving special education services engages in a rule violation during school-related activities and that violation is the basis for placement or potential placement in the intervention program, the requirements of the Individuals with Disabilities Education Act, including a manifestation determination review when required, must be met. TJJJ's procedural manuals shall include specific instructions for compliance and shall include a routine review to ensure the requirements are met.
- (2) All special education services shall be provided in accordance with ARD committee decisions. For youth who are eligible to participate in special education services, an ARD committee meeting to review the IEP is held within ten days after admission to the intervention program. Subsequent ARD committee meetings and evaluations are completed in compliance with state and federal regulations.

(h) Program Requirements.

- (1) The intervention program is administered in units designated for such purpose. Each level may be administered in a different unit.
- (2) A structured daily schedule is maintained and posted to provide a predictable and safe environment.

- (3) On scheduled academic days, youth shall be provided with the amount of education services established by the approved master schedule for the regular school program.
- (4) Youth with limited English proficiency shall be provided with appropriate adaptations to the educational program as recommended by the Language Proficiency Assessment Committee.
- (5) An individual plan shall be developed or modified for each youth. The plan shall be written in a language the youth clearly understands. The plan shall address the reasons for admission to the program, including providing strategies for intervention and prevention of the admitting behavior, include a component that addresses transition to the general campus population, and provide clearly written objectives for completion of the program. The plan shall also take into consideration any recommendations by a mental health specialist to address the motivation for the behavior.
- (6) TJJD procedural manuals will set out how the individual plan and youth's progress will be reviewed and evaluated. This review shall occur at least once every seven days.
- (7) Youth in the moderate and intensive levels of the intervention program are provided daily contact and weekly individual sessions with the assigned case manager or other designated staff for counseling and case management services.
- (8) Staff shall immediately refer a youth to a mental health professional if concerns exist as to the youth's mental health status.
- (9) Youth shall be provided with at least one hour of large-muscle exercise seven days per week.
- (10) Youth are allowed phone calls and visitation with approved family members and other individuals according to program visitation procedures.
- (11) A youth in the moderate level of the program:
 - (A) earns privileges based on progress through the program;
 - (B) shall be gradually reintegrated into campus programming as soon as he/she demonstrates comprehension of the goals established in the individual plan; and
 - (C) shall receive weekly mental health status exams by mental health staff as long as the youth's movement and program activities are restricted to the program unit. If deemed necessary by mental health staff, youth shall receive psychological counseling. Psychological counseling will be at the frequency determined appropriate by the mental health professional providing the counseling.
- (12) A youth in the intensive level of the program:
 - (A) earns privileges based on progress through the program; and
 - (B) shall receive weekly mental health status exams by mental health staff. If deemed necessary by mental health staff, youth receive psychological counseling. Psychological counseling will be at the frequency determined appropriate by the mental health professional providing the counseling.
- (13) For youth assigned to the primary and moderate levels, staff not assigned to the intervention program shall review each youth's progress at least once every 30 days to ensure the individual plan is being implemented appropriately.
- (14) For youth assigned to the intensive level, staff not assigned to the intervention program shall review each youth's progress when the youth has been at that level for 60 days and every 30 days thereafter to ensure the individual plan is being implemented appropriately.
- (15) A youth may remain in the moderate level of the program for more than 90 days only if approved by the executive director or designee.

- (16) A youth may remain in the intensive level of the program for more than 120 days only if approved by the executive director or designee.
- (17) In all levels of the program, mechanical restraints may be used in a manner consistent with the use of such restraints as provided by §380.9723 of this title. In the intensive level of the program only, mechanical restraints may also be used in a manner consistent with the use of such restraints in a security unit as provided by §380.9723 of this title.

(i) **Room Isolation and Security Unit.**

- (1) Youth may be referred to the security program while assigned to the intervention program if the youth meets criteria in §380.9740 of this title. A security unit and program may be operated at the location of each level of the intervention program.
- (2) Room isolation may be used as necessary in accordance with §380.9739 of this title.

(j) **Criteria for Release from the Intervention Program.**

A youth shall be released from the intervention program upon the earliest of the following events:

- (1) a determination by the executive director or designee that the youth has:
 - (A) met the goals in his/her individual plan; and
 - (B) based on a totality of circumstances, demonstrated an ability to safely transition to campus programming; or
- (2) a decision by the executive director or designee to return the youth to the youth's assigned dorm or transfer to an alternative placement based on a recommendation by a mental health professional due to the youth's mental health condition; or
- (3) a decision by appropriate staff not to continue the youth in the intervention program after an administrative transfer of the youth to another high-restriction facility while assigned to the intervention program.

(k) **Family Notification.**

The youth's parent/guardian shall be notified of the decision to place the youth in the intervention program no later than the end of the next business day following the day the decision was made. In accordance with §380.8705 of this title, the notification may occur only with the youth's consent if the youth is 18 years of age.

(l) **Program Monitoring and Youth Rights.**

- (1) To ensure the intervention program is being implemented according to the provisions of this rule, staff from facility administration shall visit each program unit seven days per week. Staff from psychology administration shall visit each program unit weekly.
- (2) Youth rights staff or a designee shall visit each program unit seven days per week to ensure that youth have access to the youth grievance system.
- (3) Staff are not required to visit a program unit on days when there are no youth in that unit.

(m) **Grievance Regarding Assessment of Progress.**

A youth in the intervention program may address disagreement with the results of an assessment of progress or may address the lack of opportunity to demonstrate completion of requirements by filing a grievance in accordance with §380.9331 of this title. The person assigned to respond to the youth's grievance may not be a person involved in the subject of the youth's grievance.

Chapter: Rules for State-Operated Programs and Facilities	Effective Date: 10/1/15
Subchapter: Behavior Management and Youth Discipline	
Division: Behavior Management	Page: 1 of 4
Rule: Redirect Program	Replaces: GAP.380.9517, 9/16/12
ACA: 4-JCF-3C-01, 3C-17	
Statutes: 20 USC §1400 et al., 34 CFR §300.530	

RULE

(a) **Purpose.**

The Redirect program delivers intensive interventions in a structured environment for youth who have engaged in certain serious rule violations. The program is designed to promote violence reduction and skill building to increase safety on Texas Juvenile Justice Department (TJJD) campuses. This rule sets forth eligibility criteria, program completion requirements, and services to be provided to youth in the program.

(b) **Applicability.**

This rule applies only to high restriction facilities operated by TJJD.

(c) **Definitions.**

- (1) **Admission, Review, and Dismissal (ARD) Committee**--a committee that makes decisions on educational matters relating to special-education-eligible youth.
- (2) **Behavior Intervention Plan**--a written plan developed as a result of a functional behavioral assessment to address specific behavioral concerns that are impeding a youth's learning or the learning of others. The plan is part of a youth's individualized education program and includes positive behavioral interventions and supports and other strategies to address the behavior.
- (3) **Functional Behavioral Assessment**--a process for observing and collecting data on specific behaviors that are impeding a youth's progress and determining the function the behavior plays for a youth (e.g., seeking attention, peer acceptance, avoidance, etc.).
- (4) **Individualized Education Program (IEP)**--the program of special education and related services developed by a youth's ARD committee.
- (5) **Manifestation Determination Review**--a review conducted by a youth's ARD committee when a decision has been made to change a special-education-eligible youth's school placement due to a violation of the code of conduct. The committee determines whether a youth's conduct is a manifestation of the youth's disability and whether the youth's IEP was fully implemented.
- (6) **Multi-Disciplinary Team (MDT)**--a team that assesses youth progress through the Redirect program. At a minimum, the team must include representatives from the following departments: psychology, case management, education, and dorm supervision.

(d) **Program Eligibility.**

A youth who is referred to the Phoenix program pursuant to §380.9535 of this title or who engages in one or more of the following rule violations as defined in §380.9503 of this title meets criteria for placement in the Redirect program:

- (1) assault or fighting;
- (2) escape or attempted escape;
- (3) vandalism (major rule violation only);
- (4) sexual misconduct (excluding kissing);
- (5) possessing or threatening others with a weapon or item that could be used as a weapon;
- (6) chunking bodily fluids;
- (7) tampering with safety equipment; or

- (8) any other major rule violation when the totality of circumstances justifies the placement in the program and the placement is directed by the executive director or designee.

(e) **Request to Pursue Placement in Redirect Program.**

The facility administrator or designee may approve a request to pursue placement of a youth in the Redirect program only when it is determined that:

- (1) the youth poses a continuing risk for the admitting behavior(s);
- (2) less restrictive methods of documented intervention have been attempted when appropriate; and
- (3) the mental status of the youth has been assessed by a mental health specialist and there are no therapeutic contraindications for admission to the Redirect program.

(f) **Additional Considerations for Youth Receiving Special Education Services.**

When a youth who is receiving special education services engages in a rule violation during school-related activities and is recommended for placement in the Redirect program, the recommendation must include a determination of whether to request removal from the regular educational setting as part of the youth's placement in the Redirect program. The recommendation must take into consideration the youth's educational plan, behavior in school, safety issues, and any other relevant information. If a removal from the regular educational setting is recommended, the youth's ARD committee determines the youth's educational placement.

- (1) If a removal is not recommended, the youth may be placed in the Redirect program but will receive educational services in the youth's regular educational setting.
- (2) If a removal is recommended, the youth's ARD committee must conduct a manifestation determination review as required by the Individuals with Disabilities Education Act (IDEA).
 - (A) If the youth's ARD committee determines that the youth's conduct was a direct result of a failure to implement the youth's IEP or that the conduct was caused by or had a direct and substantial relationship to the youth's disability:
 - (i) the ARD committee must conduct a functional behavior assessment and develop a behavior intervention plan or, if a behavior intervention plan already exists, modify the existing plan to address the youth's conduct;
 - (ii) the youth will not be removed from his/her regular educational setting unless the youth's parent or surrogate parent (as defined by 34 CFR §300.519) agrees to a change in the educational setting as part of the youth's behavior intervention plan; and
 - (iii) the youth may be admitted to the Redirect program.
 - (B) If the youth's ARD committee determines that the youth's conduct was not a result of a failure to implement the youth's IEP and was not caused by and did not have a direct and substantial relationship to the youth's disability, the ARD committee may determine that the youth may receive educational services in the Redirect housing area.
 - (C) Regardless of the results of a manifestation determination review, a youth may be admitted to the Redirect program and may receive educational services in the Redirect housing area for up to 45 days if the rule violation includes possession of a weapon or the infliction of serious bodily injury upon another person.
 - (i) For purposes of subparagraph (C) of this paragraph only, weapon means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, not including a pocket knife with a blade of less than 2 1/2 inches in length.

- (ii) For purposes of subparagraph (C) of this paragraph only, serious bodily injury means bodily injury that involves:
 - (I) a substantial risk of death;
 - (II) extreme physical pain;
 - (III) protracted and obvious disfigurement; or
 - (IV) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
- (D) If a youth is removed from his/her regular educational setting, educational services must be provided so as to enable the youth to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the youth's IEP goals.

(g) **Admission Process.**

A Level II due process hearing must be held in accordance with §380.9555 of this title. The youth may be admitted to the Redirect program if there is a finding of true with no extenuating circumstances that the youth committed a rule violation listed in subsection (d) of this section. The parent/guardian must be provided prior notice of the hearing as required by §380.9555 of this title and must be given an opportunity to provide information to be considered in Redirect program placement decisions.

(h) **Program Requirements.**

- (1) The Redirect program is administered in a special unit designated for such purpose.
- (2) On scheduled academic days, youth must be provided with the amount of education services established by the approved master schedule for the regular school program.
- (3) An individual plan must be developed for each youth. The plan must be written in a language clearly understood by the youth. The plan must:
 - (A) address the specific target behavior or cluster of behaviors that led to admission to the Redirect program, taking into consideration the mental health specialist's recommendations to address the motivation for the behavior;
 - (B) involve strategies for intervention and prevention of the target behavior through skills development;
 - (C) include a component that addresses transition to the general campus population; and
 - (D) provide clearly written objectives for release from the Redirect program.
- (4) Staff must explain the individual plan to the youth. The youth must be provided an opportunity to sign the plan in acknowledgment.
- (5) The individual plan and youth's progress with regard to target behaviors and skills development is reviewed and evaluated at least once every seven days by the MDT.
- (6) Youth must be gradually reintegrated into campus programming as soon as he/she demonstrates comprehension of the goals established in the treatment plan.
- (7) Youth who are placed in the Redirect program are afforded living conditions and privileges approximating those available to the general campus population.
- (8) Youth must receive daily visits and a minimum of 30 minutes of counseling per week with the assigned case manager or designee. The case manager or designee must immediately refer youth to a mental health professional if concerns exist as to the youth's mental health status.

- (9) Youth must receive weekly mental health status exams by a mental health specialist while youth movement and program activities are restricted to the Redirect unit. Youth must also receive weekly mental health counseling if deemed necessary by a mental health specialist.
- (10) Youth must be provided with at least one hour of large-muscle exercise seven days per week.
- (11) For youth who remain in the Redirect program more than 30 days, the facility administrator or designee must review the youth's progress, programming, and adequacy of interventions at least once every 30 days.
- (12) For youth who remain in the Redirect program more than 60 days, the division director over residential facilities or designee must review the youth's progress, programming, and adequacy of interventions at least once every 30 days.

(i) Temporary Removal from the Redirect Program.

Youth may be referred to the Security program while currently assigned to the Redirect program if the youth meets criteria in §380.9740 of this title. The Security program location for youth in the Redirect program may be in the Redirect program unit, using individual youth rooms.

(j) Criteria for Release from Redirect Program.

A youth must be released from the Redirect program and returned to his/her assigned dorm upon the earliest of the following events:

- (1) a determination by the MDT that the youth has:
 - (A) met goals in his/her individual plan; and
 - (B) demonstrated an ability to safely transition to campus programming; or
- (2) a determination by the facility administrator or designee that the program has failed to be implemented as designed for reasons other than noncompliance of the youth; or
- (3) a decision by the division director over residential facilities, the facility administrator, or their designees to return the youth to his/her assigned dorm or transfer to an alternative placement based on:
 - (A) a recommendation by a mental health professional due to the youth's mental health condition; or
 - (B) other administrative concerns; or
- (4) a decision by the receiving facility administrator or designee not to continue the Redirect program after an administrative transfer of the youth to another high restriction facility while assigned to the Redirect program.

(k) Right to Appeal.

The youth must be notified in writing of his/her right to appeal placement in the Redirect program in accordance with §380.9353 of this title. The pendency of an appeal does not preclude implementation of the decision.

(l) Family Notification.

In accordance with §380.8705 of this title, a youth's parents or guardian must be notified within 24 hours after the due process hearing of the youth's admission to the Redirect program.

Chapter: Rules for State-Operated Programs and Facilities	Effective Date: 3/15/17
Subchapter: Behavior Management and Youth Discipline	
Division: Behavior Management	Page: 1 of 8
Rule: Phoenix Program	Replaces: GAP.380.9535, 10/1/15
Statutes: 20 USC §1400 et al., 34 CFR §300.530	

RULE

(a) **Purpose.**

The Phoenix Program is designed to protect staff and youth in Texas Juvenile Justice Department (TJJD) state-operated facilities from highly aggressive youth. The Phoenix Program provides these aggressive youth with a highly structured environment designed to reduce their aggression and to help them progress in treatment. This rule sets forth eligibility criteria, standards of treatment, and services to be provided to youth in the program.

(b) **Applicability.**

This rule does not apply to:

- (1) youth on parole status, unless parole status is revoked in conjunction with the criteria for admission;
- (2) youth with determinate sentences who have been approved by the final TJJD authority for a court hearing to transfer the youth to the Correctional Institutions Division of the Texas Department of Criminal Justice;
- (3) youth currently diagnosed with a major emotional disturbance and/or psychiatric disorder that contraindicates admission to the Phoenix Program, as determined by the director of clinical services at the youth's assigned facility; or
- (4) youth with a current diagnosis of intellectual disability that contraindicates admission to the Phoenix Program, as determined by the director of clinical services at the youth's assigned facility.

(c) **Definitions.**

The following terms, as used in this rule, have the following meanings unless the context clearly indicates otherwise.

- (1) **Admission, Review, and Dismissal (ARD) Committee**--a committee that makes decisions on educational matters relating to special-education-eligible youth.
- (2) **Assault Causing Moderate or Serious Bodily Injury to Another Youth**--intentionally and knowingly engaging in conduct that causes another youth to suffer moderate or serious injury as determined by medical staff.
- (3) **Assault Causing Bodily Injury to Staff**--intentionally and knowingly engaging in conduct that causes a staff member, contract employee, or volunteer to suffer bodily injury that involves more than passing discomfort or fleeting pain.
- (4) **Chunking Bodily Fluids at Staff**--intentionally and knowingly causing a person to contact the blood, seminal fluid, vaginal fluid, urine, and/or feces of another.
- (5) **Fighting Causing Moderate or Serious Bodily Injury to Another Youth**--intentionally and knowingly engaging in a mutually instigated physical altercation that causes another youth to suffer moderate or serious injury as determined by medical staff.

- (6) **Isolation**--the confinement of a youth in a locked room or cubicle as a tool to manage the behavior of a youth. Rules regarding isolation do not apply:
 - (A) when doors are routinely locked during normal sleeping hours and isolation has not otherwise been imposed; or
 - (B) when a youth is placed in the Security Program.
- (7) **Multi-Disciplinary Team (MDT)**--a group of staff who are responsible for partnering with the youth and his/her parent/guardian to facilitate the youth's progress in the rehabilitation program.

(d) **General Provisions.**

- (1) The Phoenix Program is administered in a location designated for this purpose. The location is self-contained and the youth do not leave the location except for health-care appointments or by approval of the facility administrator for a specific programmatic purpose.
- (2) Security Program referral/admission and room isolation are used as necessary in accordance with §380.9739 and §380.9740 of this title. The Security Program location for youth in the Phoenix Program is in the Phoenix Program unit, using individual youth rooms.
- (3) Youth are demoted to the lowest stage in the agency's rehabilitation program upon admission to the Phoenix Program.

(e) **Authorized Facilities.**

The Phoenix Program may be administered only at TJJD-operated, high-restriction facilities designated by the executive director.

(f) **Program Eligibility.**

Only the following youth are eligible for placement in the Phoenix Program:

- (1) a youth who engages in one or more of the following rule violations as defined in subsection (c) of this section:
 - (A) assault causing moderate or serious bodily injury to another youth;
 - (B) assault causing bodily injury to staff;
 - (C) fighting causing moderate or serious bodily injury to another youth; or
 - (D) chunking bodily fluids at staff; or
- (2) a youth who engages in any other major rule violation when the totality of circumstances justifies the placement in the program and the placement is directed by the executive director or designee; or
- (3) a youth who commits, on three separate occasions within a 90-day period, an assault causing bodily injury, as defined in §380.9503 of this title, when the second and third assaults are committed after a finding of true with no extenuating circumstances had been made in a Level II due process hearing for the previous assault.

(g) **Additional Considerations for Youth Receiving Special-Education Services.**

When a youth who is receiving special-education services is recommended for placement in the Phoenix Program due to a rule violation that occurred during school-related activities, the youth's ARD committee must conduct a manifestation determination review.

- (1) If the ARD committee determines that the youth's conduct was a direct result of a failure to implement the youth's individualized education program (IEP) or that the conduct was caused by or had a direct and substantial relationship to the youth's disability:

- (A) the ARD committee must conduct a functional behavior assessment and develop a behavior intervention plan or, if a behavior intervention plan already exists, modify the existing plan to address the youth's conduct; and
 - (B) the youth may be removed from his/her regular educational setting and placed in the Phoenix Program only if the youth's parent or surrogate parent (as defined by 34 CFR §300.519) agrees to a change in the educational setting as part of the youth's behavior intervention plan.
- (2) If the ARD committee determines that the youth's conduct was not a result of a failure to implement the youth's IEP and was not caused by and did not have a direct and substantial relationship to the youth's disability, the youth may be removed from his/her regular educational setting and placed in the Phoenix Program. The ARD committee determines the youth's IEP while the youth is in the Phoenix Program.
- (3) Regardless of the results of a manifestation determination review, a youth may be admitted to the Phoenix Program and may receive educational services in the Phoenix housing area for up to 45 days if the rule violation includes possession of a weapon or the infliction of serious bodily injury upon another person.
- (A) For purposes of paragraph (3) of this subsection only, weapon means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, not including a pocket knife with a blade of less than 2 1/2 inches in length.
 - (B) For purposes of paragraph (3) of this subsection only, serious bodily injury means bodily injury that involves:
 - (i) a substantial risk of death;
 - (ii) extreme physical pain;
 - (iii) protracted and obvious disfigurement; or
 - (iv) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
- (4) Educational services in the Phoenix Program must be provided to meet the youth's IEP goals set by the youth's ARD committee.
- (h) **Admission Decision Process.**
- (1) A Level II due process hearing must be held in accordance with §380.9555 of this title. Unless there are considerations concerning special-education services that would make the youth ineligible for placement in the Phoenix Program as described in subsection (g) of this section, the youth may be referred to the Phoenix Program if there is a finding of true with no extenuating circumstances that the youth committed a rule violation listed in subsection (f) of this section.
 - (2) A committee composed of, at a minimum, the dorm supervisor, mental health specialist, and case manager assigned to the Phoenix Program reviews each youth referred to the program.
 - (3) The committee may not recommend admission to the program unless:
 - (A) a current mental health assessment indicates there is no therapeutic contraindication to placement in the Phoenix Program; and
 - (B) the committee determines that the Phoenix Program is the most appropriate intervention under the circumstances.
 - (4) The division director over residential facilities or his/her designee makes the final decision on whether the youth will be admitted to the Phoenix Program.

- (5) If the number of referrals exceeds the number of available beds, priority for admission is given to:
- (A) youth with the most dangerous behavior;
 - (B) youth with chronic aggressive behavior;
 - (C) youth with greater frequency of weapon use; or
 - (D) a directive from the executive director or designee.

(i) **Placement in the Redirect Program Pending Admission to the Phoenix Program.**

If, after a Level II hearing, there is a disposition for referral to the Phoenix Program, the youth may be placed in the Redirect Program pursuant to §380.9517 of this title at the youth's current placement pending admission and transfer of the youth to the Phoenix Program. The facility may cancel the referral at any time.

(j) **Program Components.**

The Phoenix Program's structure is designed to maximize the safety and security of youth and staff.

(1) **Physical Structure and Safety Precautions.**

- (A) Youth are assigned to single-occupancy housing units in accordance with §380.8524 of this title.
- (B) Mechanical restraints may be used in a manner consistent with the use of such restraints in a security unit as provided by §380.9723 of this title.
- (C) A structured daily schedule is maintained and posted to provide a predictable and safe environment.

(2) **Case Planning.**

- (A) An individual plan must be developed for each youth. The plan must be written in a language clearly understood by the youth. The plan must:
 - (i) be based on a comprehensive assessment conducted by the MDT;
 - (ii) address the specific target behavior or group of behaviors that led to admission to the Phoenix Program, taking into consideration the mental health specialist's recommendations to address the motivation for the behavior;
 - (iii) involve strategies for intervention and prevention of the target behavior through skills development;
 - (iv) include a component that addresses transition to the general campus population following graduation from the Phoenix Program; and
 - (v) provide clearly written objectives for promotion through levels of the Phoenix Program and graduation from the Phoenix Program.
- (B) Staff must explain the individual plan to the youth. Youth must be provided an opportunity to sign the plan in acknowledgment.
- (C) The individual plan and youth's progress with regard to target behaviors and skills development must be reviewed and evaluated at least once every seven days by the MDT.

(3) **Academics.**

- (A) All youth are expected to participate in an educational program. Youth receive educational instruction each school day in accordance with the master school schedule.
- (B) All special-education services must be provided in accordance with ARD committee decisions. For youth who are eligible to participate in special-education services, an ARD meeting is held within ten days after admission to the Phoenix Program to review the IEP. Subsequent ARD meetings and evaluations are completed in compliance with state and federal regulations.
- (C) Youth with limited English Proficiency must be provided with appropriate adaptations to the educational program as recommended by the Language Proficiency Assessment Committee (LPAC).

(4) **Individual Counseling.**

Youth are provided daily contact and weekly counseling with the assigned case manager or designee. The case manager or designee must immediately refer a youth to a mental health professional if concerns exist as to the youth's mental health status.

(5) **Skills Development Groups.**

- (A) In accordance with the daily schedule, the case manager assigned to the Phoenix Program conducts groups on topics such as:
 - (i) aggression control;
 - (ii) emotional and behavior regulation;
 - (iii) skills development and demonstration;
 - (iv) identifying and modifying cognitive distortions;
 - (v) risk and protective factors; and
 - (vi) transition issues.
- (B) Scheduled behavior groups are provided to all youth and are conducted daily by the assigned juvenile correctional officer.

(6) **Medical and Mental Health Services.**

- (A) Youth receive weekly mental-health-status exams by the designated mental health specialist while assigned to the Phoenix Program. Youth also receive weekly psychological counseling if deemed necessary by a mental health specialist.
- (B) Youth are seen by medical and/or psychiatric staff, as needed, and treatment is provided as ordered. The mental health specialist assigned to the Phoenix Program continually assesses the youth's mental status, provides individual counseling, and provides consultation with the MDT.

(7) **Behavior Management.**

- (A) Youth are expected to follow a prescribed schedule and commit no rule violations as defined in §380.9503 of this title.
- (B) Youth earn privileges in the Phoenix Program based on progress through the Phoenix Program levels in accordance with §380.9502 of this title.

(8) **Physical Exercise.**

Youth must be provided with at least one hour of large-muscle exercise seven days per week in an exercise yard if safety and weather permit.

(9) **Family Involvement.**

- (A) Youths' families are encouraged to be involved in the youths' treatment.
- (B) Youth in the Phoenix Program are allowed phone calls to approved family members and visitation with immediate family members according to program visitation procedures.

(10) **Youth Rights.**

Basic rights are recognized for each youth in TJJD pursuant to §380.9301 of this title.

(k) **Progress in the Phoenix Program.**

The Phoenix Program includes three levels. The MDT reviews each youth's progress weekly.

(1) **Level I.**

- (A) This level is completed when the MDT determines that the youth has:
 - (i) demonstrated basic knowledge of the level objectives as defined in the youth's individual case plan (ICP); and
 - (ii) participated with the MDT in targeting specific skills for development.
- (B) The youth:
 - (i) attends foundational skills development groups;
 - (ii) participates in individual sessions with his/her case manager; and
 - (iii) demonstrates consistent participation in other areas of programming.

(2) **Level II.**

- (A) This level is completed when the MDT determines that the youth has:
 - (i) identified patterns in his/her thoughts, feelings, attitudes, values, and beliefs that relate to ongoing behaviors;
 - (ii) demonstrated sufficient competency in the targeted skills to address those behaviors; and
 - (iii) completed the level objectives as defined in the youth's ICP.
- (B) The youth:
 - (i) attends intermediate skills development groups;
 - (ii) participates in individual sessions with his/her case manager; and
 - (iii) demonstrates consistent participation in other areas of programming.

(3) **Level III.**

- (A) This level is completed when the MDT determines that the youth demonstrates and practices skills learned in skills development groups through daily application in situations that present increased risk for the youth. Youth are expected to engage in responsible behaviors and provide leadership in the program. Additional skills are learned as assigned and the plan for reintegration to general campus programming is completed.

- (B) The youth:
 - (i) attends advanced skills development groups;
 - (ii) participates in individual sessions with his/her case manager; and
 - (iii) demonstrates consistent participation in other areas of programming.

(l) **Progress Reviews.**

(1) **Multi-Disciplinary Team Reviews.**

- (A) The MDT reviews the youth's ICP, evaluates progress through program requirements, and reviews the effectiveness of treatment strategies on a weekly basis. The MDT may not promote youth in the stages of the agency's rehabilitation program while the youth is in the Phoenix Program.
- (B) The MDT makes decisions regarding promotion within Phoenix Program levels based on achievement of established criteria.
 - (i) Level Promotion.
Youth meeting the established criteria must be promoted to the next level.
 - (ii) Level Demotion.
The MDT may assign the youth to a lower level when the youth's behavior demonstrates low use of pro-social skills. The MDT may demote one or two levels depending upon the severity of the behavior and/or lack of consistency in the use of pro-social skills.

(2) **Individual Case Plan Review.**

Case plan reviews and updates are conducted in accordance with §380.8701 of this title.

(3) **Mental Health Review.**

- (A) Youth must be evaluated on a regular basis by the Phoenix Program mental health specialist for the presence of a mental health disorder that contraindicates continued placement in the Phoenix Program.
- (B) Youth must be released from the Phoenix Program at any time for mental health reasons based on the recommendation of the mental health specialist or psychiatrist and the approval of the TJJD director of treatment.
- (C) Youth with neurological and/or mental health disorders may be temporarily admitted to a TJJD-operated crisis stabilization unit pursuant to §380.8767 of this title for diagnostic purposes to determine the most appropriate placement.

(m) **Graduation from the Phoenix Program.**

- (1) Youth graduate from the Phoenix Program upon completion of Level III as described in subsection (k) of this section.
- (2) Youth released from the Phoenix Program are assigned to the Redirect Program at the receiving facility and are provided support to reintegrate into the general campus population at the receiving facility.

(n) **Program Monitoring and Youth Rights.**

- (1) To ensure the Phoenix Program is being implemented according to the provisions of this rule, staff from facility administration must visit the program daily and staff from psychology administration must visit the program weekly.
- (2) Youth rights staff or a designee must visit the Phoenix Program daily to ensure that the youth have access to the youth grievance system.

(o) **Appeal of Level Assessment in the Phoenix Program.**

A youth in the Phoenix Program may appeal the results of a level assessment or of the lack of opportunity to demonstrate completion of requirements by filing a grievance in accordance with §380.9331 of this title. The person assigned to respond to the youth's grievance must not be a member of the youth's MDT or a staff member who has been involved in the youth's current assessment.

(p) **Independent Oversight.**

- (1) A managerial staff member designated by the facility administrator who is not assigned to the Phoenix Program monitors the Phoenix MDT monthly.
- (2) The director of facility operations reviews compliance with Phoenix Program policy and procedure requirements as part of routine facility assessment processes.
- (3) A cross-divisional team based in the TJJD Central Office reviews youth who remain on Level I or Level II after 120 days in the program until the youth progresses to the next level. The team conducts quarterly reviews thereafter until the youth graduates from the program.
- (4) The TJJD division responsible for monitoring and inspections conducts an annual comprehensive review of the Phoenix Program files and coordinates with other departments as appropriate for reviews of certain components of Phoenix Program files such as mental health assessments, ICPs, and education service delivery. The division responsible for monitoring and inspections may also conduct random reviews of Phoenix Program files.

For implementation procedures, see CMS.03.75.

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Behavior Management and Youth Discipline Division: Due Process Hearings Procedures Rule: Level II Hearing Procedure [ACA: 4 JCF 3B-09, 3C-06, 3C-07, 3C-08, 3C-09, 3C-10, 3C-11, 3C-12, 3C-13, 3C-14, 3C-15] [Statutes: N/A] References: <i>Morales v. Turman</i> Settlement Agreement Section (V)(H)	Effective Date: [10/1/15] Page: 1 of 7 Replaces: GAP.380.9555, <u>10/1/15</u> <u>[9/1/09]</u>
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Draft 5/11/20

RULE

(a) **Purpose.**

This rule establishes the procedure to be followed to ensure youth are afforded appropriate due process before certain actions are taken.

(b) **Definitions.**

Definitions pertaining to this rule are under §380.9550 of this title unless otherwise defined within this rule.

(c) **Applicability.**

A Level II hearing is appropriate due process in the following instances ~~[required before taking any of the following actions]:~~

- (1) imposing a ~~[major]~~ disciplinary consequence designated as a major consequence in accordance with §380.9503 of this title;
- (2) placing a youth in the moderate or intensive level of the intervention program ~~[Redirect program]~~ in accordance with §380.9510 ~~[§380.9517]~~ of this title;
- (3) transferring a parole-status youth from a home or home substitute to a medium-restriction facility for non-disciplinary reasons;
- (4) transferring an institutional-status [a] youth who was initially assigned to a medium-restriction facility in accordance with §380.8521 of this title to a high-restriction facility for non-disciplinary reasons;
- (5) transferring a conditionally placed youth to a higher-restriction facility pursuant to §380.8545 of this title;
- (6) with a few exceptions in procedure as identified in §380.9571 of this title:
 - (A) admitting a youth to a Texas Juvenile Justice Department (TJJD)-operated crisis stabilization unit; and
 - (B) extending the time to treat a psychiatric disorder in connection with a crisis stabilization unit placement (as appropriate); or
- (7) depositing into the student benefit fund money possessed by a youth in a residential program in violation of §380.9503 of this title.

(d) **Criteria.**

- (1) In order for a youth to receive ~~[To impose]~~ a major consequence, in accordance with §380.9503 of this title, [,-place a youth in the Redirect program,] or have ~~[place]~~ contraband money seized and placed in the student benefit fund, the hearing manager shall ~~[must]~~ find:
 - (A) the youth committed an eligible rule violation; and
 - (B) there are no extenuating circumstances, as defined by §380.9550 of this title.

(2) In order for the youth to be placed in the moderate or intensive level of the intervention program, the hearing manager must find the youth committed an eligible rule violation.

~~(3)~~(2) In order for a youth to be transferred ~~[To transfer a youth]~~ to a higher-restriction placement for non-disciplinary reasons, the hearing manager must find that there are no less restrictive placements appropriate and available for the youth.

~~(4)~~(3) In order for ~~[To transfer]~~ a conditionally placed youth to be transferred to a higher-restriction placement, the hearing manager must find one or more of the criteria required in §380.8545 of this title.

~~(5)~~(4) For criteria for admission to or extension in a crisis stabilization unit, see §380.8767 of this title.

(e) **~~[Investigating Alleged Violations and]~~ Requesting the Hearing.**

~~(1)~~ ~~When a youth in a residential facility is alleged to have committed a major rule violation or a minor rule violation requiring a security referral, an investigation into the alleged violation(s) must be started within 24 hours after the alleged offense(s) and completed within 24 hours after the time started. The investigation must be conducted by a staff member other than the one who reported the alleged violation.]~~

~~(1)~~(2) ~~[A decision on whether or not to pursue a Level II hearing must be made within 24 hours after the completion of the investigation.]~~ The appropriate staff person, as specified by TJJJ procedural manuals, must request permission to schedule a hearing from the facility administrator, parole supervisor, contract case management supervisor, or their designees. The hearing must be requested and scheduled as soon as practical but no later than seven days, excluding weekends and holidays, after the alleged violation or discovery of the alleged violation.

~~(3)~~ ~~For hearings involving rule violations or contraband money, the hearing must be conducted as soon as practical but not later than seven days, excluding weekends and holidays, after the alleged violation was committed or the money was found.]~~

~~(2)~~(4) For hearings involving a non-disciplinary transfer or transfer from a conditional placement, the youth may waive the hearing and agree to the transfer. The waiver must be in writing. If the youth does not waive the hearing, the hearing must be held before the transfer. However, if good cause compels a pre-hearing transfer, the hearing must be held no later than three calendar days after the transfer.

~~(5)~~ ~~If the youth is being held in a security unit due to potential interference with a pending Level II hearing, the hearing must be conducted as soon as possible but no later than five working days after the date of admission to the security unit.]~~

~~(3)~~(6) Failure to meet any timeline in this subsection must be justified with documentation of circumstances that made it impossible, impractical, or inappropriate to meet the deadline. Failure to document these justifications may result in a dismissal of the allegations or a reversal of the decision(s) of the hearing manager.

(f) **Hearing Manager.**

(1) The hearing manager must be a TJJJ employee trained to function as a hearing manager. The hearing manager must be impartial and may not be a person who:

- (A) witnessed any part of the alleged violation(s);
- (B) made any prior decisions regarding the youth based on the alleged violation; or
- (C) is directly responsible for supervising the youth.

(2) If the youth is currently assigned to a halfway house, the hearing manager may not be a member of the halfway house staff.

- (3) If the youth is currently assigned to a contract program, the hearing manager may not be the TJJD case management specialist assigned to that youth.
- (4) If the youth is currently assigned to his/her home, the hearing manager may not be the parole officer or parole supervisor assigned to the youth's case.

(g) Staff Representative.

- (1) The staff representative shall [must] be a TJJD employee trained to function as a staff representative.
- (2) The staff representative is responsible for assembling all evidence, giving all required notices, and presenting evidence at the hearing.

(h) Advocate.

- (1) A TJJD employee, contract employee, or volunteer who has been trained to serve as an advocate shall [must] assist the youth. If a youth hires his or her own counsel, then no advocate will be appointed.
- (2) The youth is given the opportunity to choose an advocate from among those trained. The youth's choice shall [must] be honored unless there is a showing of unavailability of the requested advocate. If the youth does not choose an advocate or the requested advocate is unavailable, an advocate will be appointed.
- (3) The advocate may not be a person who was a witness to the alleged violation.
- (4) If the youth is not proficient in the English language, the advocate must be proficient in English and in the youth's primary language or an interpreter shall [must] be used.

(i) Notice.

- (1) Not later than 24 hours before the hearing, the youth and the youth's advocate shall [must] be given:
 - (A) written notice of the reasons for calling the hearing;
 - (B) written notice of the proposed action to be taken;
 - (C) written notice and copies of the evidence to be relied upon; and
 - (D) written notice of the following rights of the youth:
 - (i) the right to remain silent;
 - (ii) the right to be assisted by an advocate in the hearing process;
 - (iii) the right to confront and cross-examine adverse witnesses who testify at the hearing;
 - (iv) the right to contest adverse evidence admitted at the hearing;
 - (v) the right to call readily available witnesses and present readily available evidence on his/her own behalf at the hearing; and
 - (vi) the right to appeal the results of the hearing. The right to appeal cannot be waived.
- (2) Staff currently employed at and youth currently residing at the location of the hearing are considered to be "readily available" and shall [must] be called to testify at the youth's request. If there are unusual circumstances that would prevent the witness from attending in person or by phone or

videoconference, the hearing may be postponed or continued to allow a witness's testimony. If the witness's testimony cannot be secured within a reasonable time, the hearing may proceed without the witness. The reasons for proceeding without requested witnesses shall [must] be documented and placed in the hearing record.

- (3) Evidence is considered "readily available" if it is within the control of any TJJD staff member at the location of the hearing or is otherwise easily attainable. Video created by TJJD, such as body-worn-camera video and surveillance video, is generally considered "readily available" and shall be shown to the youth if used as evidence during the hearing. The reasons for excluding requested evidence must be documented and placed in the hearing record.
- (4) All youth in TJJD facilities and ~~[secure]~~ contract placements shall [must] be given the hearing packet (all written materials relied upon and a list of witnesses) at least 24 hours before the hearing. The paperwork may be taken away from the youth if the youth is misusing the papers in any way.
- (5) After receipt of the written notice and consultation with the advocate, the youth may waive the 24-hour-notice period by agreeing, in writing, to an earlier hearing time.
- (6) If the youth is younger than 18 years of age, reasonable efforts shall [must] be made to inform the youth's parent/guardian [parent(s)-or-guardian] of the time and place of the hearing at least 24 hours before the hearing. If the youth is 18 years of age or older, such notice may be provided only with the youth's authorization to release the information.

(j) **Location of Hearing, Youth's Presence at Hearing, and Official Record of Hearing.**

- (1) The hearing shall [must] be held where the youth resides unless the hearing manager determines another site is more appropriate.
- (2) The hearing shall [must] be recorded. The recording is the official record of the hearing. The recording and the hearing packet shall [must] be preserved for six months after the hearing.
- (3) The youth shall [must] be present during the hearing unless the youth waives his/her presence, ~~[or]~~ his/her behavior prevents the hearing from proceeding in an orderly and expeditious fashion, or his/her temporary removal from the hearing room is necessary to secure the testimony of a witness.
 - (A) A voluntary waiver of the youth's presence must be in writing and signed by the youth and his/her advocate. If the youth does not sign the waiver for any reason, his/her presence is not waived.
 - ~~[(B) — If the youth waives his/her presence, the hearing may be conducted by teleconference.]~~
 - ~~[(B)]~~~~[(C)]~~ If a youth is excluded from the hearing for behavioral reasons or to secure the testimony of a witness, the reason(s) for the exclusion shall [must] be documented in the hearing record. The advocate shall [must] be present during the testimony and must have the opportunity to question the witness.
 - ~~[(C)]~~~~[(D)]~~ A true plea cannot be entered on behalf of a youth who has waived his/her presence at the hearing.
- (4) A victim who appears as a witness shall [must] be provided a waiting area where he/she is not likely to come in contact with the youth or the youth's parent/guardian except during the hearing.
- (5) To protect the confidential nature of the hearing, persons other than the youth, the youth's advocate, the staff representative, and the youth's parent/guardian [parent(s)] may be excluded from the hearing room at the discretion of the hearing manager; however, any person except the staff representative or the youth's advocate may be excluded from the hearing room if his/her presence causes undue disruption or delay of the hearing. The reason(s) for the exclusion(s) shall [must] be stated on the record.

- (6) The hearing may be held by conference call or videoconference ~~[if the hearing manager determines doing so will not deprive the youth of his/her due process rights]~~. If the hearing is held by conference call or videoconference, all required participants must be able to simultaneously hear one another.

(k) **Hearing Process.**

- (1) Except as provided by paragraphs (2) and (3) of this subsection, hearings consist of two parts: fact finding and disposition. During the fact-finding portion of the hearing, only evidence concerning the alleged violation(s) may be considered. The youth's prior behavior may not be discussed or considered unless disposition is reached. In the disposition phase, the youth will be given the opportunity to present evidence of extenuating circumstances.
- (2) The following types of hearings consist only of fact finding to determine if the criteria for transfer are met:
- (A) non-disciplinary transfer hearings; and
- (B) conditional placement transfer hearings requested because the conditional placement is no longer a viable option.
- (3) A mental health status review hearing consists only of fact finding to determine if the criteria for admission or extension in a crisis stabilization unit are met.
- (4) The youth shall [must] be given the opportunity to plead "true" or "not true" to each allegation. If the youth pleads "true," the hearing manager shall [must] ask questions of the youth to ensure he/she did so voluntarily and that he/she did commit the violation.
- (5) If the youth pleads "not true," the staff representative has the burden of proving by a preponderance of evidence that the youth did commit the alleged violation(s).
- (6) Witnesses shall [must] take an oath before testifying. Witnesses may testify by phone or videoconference if in-person testimony is impractical or unfeasible. If testimony is provided by phone, persons required to be present at the hearing must be able to simultaneously hear the testimony.
- (7) The hearing manager, staff representative, and advocate may question each witness in turn.
- (8) With the exception of the youth or staff representative, any person designated as a witness may be excluded from the hearing room during the testimony of other witnesses and may be instructed to refrain from discussing his/her testimony with anyone until all the witnesses have been dismissed.
- (9) The hearing manager may permit a witness to testify outside the presence of the youth if doing so appears reasonable and necessary to secure the testimony of the witness. If the youth is excluded from the hearing room during testimony, the advocate for the youth must be present during the testimony and must have the opportunity to review the testimony with the youth before questioning the witness.
- (10) The youth may not be called as a witness unless, after consulting with the advocate, he/she waives on the record his/her right to remain silent. Neither the hearing manager nor the staff representative may question the youth unless he/she waives the right to remain silent.
- (A) The youth's failure to testify shall [must] not create a presumption or inference against him/her.
- (B) A youth who waives the right to remain silent may [only] be questioned concerning only those issues addressed by his/her testimony.
- (11) All credible evidence may be considered, irrespective of its form.
- (12) The standard of proof for all disputed issues is a preponderance of evidence.

- (13) The hearing manager may recess or continue the hearing for such period(s) of time as may be necessary to ensure an informed and accurate fact finding or to secure evidence the hearing manager determines may be relevant.
- (14) After all evidence has been presented, the staff representative and advocate may offer summation statements.
- (15) The hearing manager shall ~~[must]~~ announce his/her findings of fact.
- (16) If there is a finding of true, the hearing manager shall ~~[must]~~ proceed to disposition, unless the hearing consists only of fact finding as described in paragraphs (2) and (3) of this subsection. During disposition, the hearing manager shall ~~[must]~~ provide the youth an opportunity to present evidence of extenuating circumstances. If no extenuating circumstances are found, the hearing manager shall ~~[make [must-order]]~~ the disposition finding of which the youth was given notice ~~[recommended by the staff representative]~~.
- ~~[(A) A hearing manager's decision to transfer a youth is final subject to approval by the appropriate administrator.~~
- ~~[(B) A hearing manager's decision to demote a youth's stage in the agency's rehabilitation program is final subject to approval by the facility administrator or assistant facility administrator.~~
- ~~[(C) If extenuating circumstances are found incident to the rule violation(s) proved at the hearing, the youth may not be assigned the requested disciplinary dispositions or any other major consequences. However, the true finding will remain in the youth's record and may be Level II Hearing Procedure GAP.380.9555 Page 6 of 6 considered by the youth's treatment team or parole officer in determining appropriate actions to address the youth's behavior. If extenuating circumstances are found incident to a youth's possession of prohibited money, the hearing manager determines the appropriate way to dispose of the money.]~~
- (17) If the hearing manager finds extenuating circumstances incident to the rule violation(s) proved at the hearing, the youth may not be assigned any consequence designated as a major consequence in accordance with §380.9503 of this title. However, the true finding will remain in the youth's disciplinary record and may be considered by the youth's treatment team or parole officer in determining appropriate actions to address the youth's behavior. If extenuating circumstances are found incident to a youth's possession of prohibited money, the hearing manager determines the appropriate way to dispose of the money. A finding of extenuating circumstances does not prohibit placement of a youth in the intervention program under §380.9510 of this title, but the admission review shall take the finding into account.
- (18) A hearing manager's decision to impose a disciplinary consequence is final, subject to appeal. However, the youth's treatment team may reduce or suspend the imposition of the consequence if warranted.
- ~~(19)~~(47) The hearing manager shall ~~[must]~~ prepare a report of his/her findings, which includes the grounds for the hearing, the evidence relied upon, and the decision.
- ~~(20)~~(48) After the hearing manager announces his/her decision, he/she shall ~~[must]~~ inform the youth of the youth's right to appeal to the executive director or ~~[his/her]~~ designee. The hearing manager's decision is implemented even if the youth appeals and the response is pending.
- ~~(21)~~(49) A copy of the hearing report shall ~~[must]~~ be given to the youth immediately after the hearing is closed.
- ~~(22)~~(20) The hearing manager's report shall ~~[must]~~ be reviewed by the appropriate supervisor, institutional superintendent, halfway house superintendent, or parole supervisor, as are all disciplinary reports, to ensure consistency in the application of policy.

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Behavior Management and Youth Discipline Division: Due Process Hearings Procedures Rule: Level III Hearing Procedure [ACA: _____ N/A] References: <i>Morales v. Turman</i> Settlement Agreement Section (V)(B)	Effective Date: [10/1/15] Page: 1 of 3 Replaces: GAP.380.9557, <u>10/1/15</u> <u>[9/1/09]</u>
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Draft 5/11/20

RULE

(a) **Purpose.**

~~This rule establishes a hearing procedure that provides the appropriate due process in certain situations.~~
This rule establishes the procedure to be followed to ensure youth are afforded appropriate due process before certain actions are taken.

(b) **Applicability.**

The Level III hearing procedure is appropriate due process in the following instances:

- (1) to determine admission or extension in the security program [Security Program] in accordance with §380.9740 of this title;
- (2) to impose [determine minor] disciplinary consequences for youth in medium-restriction facilities other than those requiring a Level II hearing in accordance with §380.9503 of this title; and
- (3) to impose [determine minor] disciplinary consequences other than parole revocation for youth on parole in accordance with §380.9504 of this title.

(c) **Procedure When Determining Admission to or Extension in the Security Program [Procedures].**

- (1) To initiate a Level III hearing, the youth shall [must] be notified orally of the time and date of the hearing, the alleged misconduct, and the recommended action(s) to be taken.
- (2) The youth has the right and shall [must] be given the opportunity to speak on his/her own behalf regarding the alleged misconduct or the appropriateness of admission to or extension in the security program[the recommended action].
- (3) If the Level III hearing involves a decision for an extension in the security program [Security Program] beyond the initial 24 hours, the youth shall [must] be appointed an advocate to assist the youth in presenting his/her position during the extension hearing.
- (4) The hearing administrator may consider any reasonably reliable information in deciding whether the youth committed the alleged misconduct and whether the requested admission to or extension in the security program [action] is appropriate.

~~(5) If the hearing administrator finds a rule violation was committed, the youth will be given the opportunity to present evidence of extenuating circumstances.~~

~~(6) If the hearing administrator finds reasonable grounds to believe a youth on parole or in a medium-restriction facility has committed a violation and does not find that extenuating circumstance exist, the hearing administrator must indicate which violation was committed and the appropriate disciplinary consequence(s) may be imposed.~~

~~(5)~~[(7)] If the hearing administrator finds there are reasonable grounds to believe the criteria in §380.9740 of this title are met to admit or extend a youth in the security program [Security Program], the hearing administrator shall [must] indicate which rule violation was committed and which admission criterion was proven.

~~(6) The youth will be given the opportunity to present evidence of extenuating circumstances, as defined by §380.9550 of this title. If there is a finding of extenuating circumstances, the youth may still be admitted to the security program if the criteria in §380.9740 are met.~~

~~[(8) If there is a finding of extenuating circumstances:~~

~~(i) no disciplinary consequence may be imposed; and~~

~~(ii) the youth may be admitted to the Security Program if criteria in §380.9740 of this title are met.]~~

(d) Procedure When Imposing Disciplinary Consequences.

~~(1) This procedure applies only to youth in medium-restriction facilities or on parole.~~

~~(2) To initiate a Level III hearing, the youth shall be notified orally of the time and date of the hearing, the alleged misconduct, and the recommended disciplinary consequence(s).~~

~~(3) The youth has the right and shall be given the opportunity to speak on his/her own behalf regarding the alleged misconduct or the appropriateness of the recommended disciplinary consequence.~~

~~(4) The hearing administrator may consider any reasonably reliable information in deciding whether the youth committed the alleged misconduct and whether the recommended disciplinary consequence is appropriate.~~

~~(5) If the hearing administrator does not find reasonable grounds to believe the youth committed the alleged misconduct, no disciplinary consequences may be imposed.~~

~~(6) If the hearing administrator finds reasonable grounds to believe the youth committed the alleged misconduct, the youth shall be given the opportunity to present evidence of extenuating circumstances. If the hearing administrator finds there are extenuating circumstances, no disciplinary consequences may be imposed.~~

~~(7) If the hearing administrator finds reasonable grounds to believe the youth committed the alleged misconduct and does not find extenuating circumstances exist, the recommended disciplinary consequence(s) shall be imposed.~~

(e)[(d)] Appeals.

~~(1) The youth may appeal the decision to admit or extend the youth in the security program to the facility administrator or designee [or parole supervisor or their designees, as appropriate,] on grounds that the youth did not commit a rule violation or that any other criteria for admission or extension in the security program as set out in §380.9740 of this title were not proven.[-]~~

~~(A) If it is determined there were not reasonable grounds to believe the youth committed a violation, the fact that the violation was overturned will be documented appropriately and the youth will be released from the security program.[he/she did not commit the violation that was found true;]~~

~~(B) If it is determined there were reasonable grounds to believe the youth committed a violation but no criteria for admission to or extension in the security program were proven, the youth will be released from the security program.[the disciplinary measure imposed was inappropriate;]~~

~~[(C) the criteria for admission or extension in the Security Program was not proven; or]~~

~~[(D) there were extenuating circumstances to the commission of the violation.]~~

~~(2) The youth may appeal the decision to impose a disciplinary consequence to the facility administrator or parole supervisor or their designees, as appropriate, on the grounds that the youth did not commit~~

the rule violation found proven at the hearing, extenuating circumstances should have been found, or the imposed disciplinary measure was inappropriate.

(A) [(2)] If it is determined there were not reasonable grounds to believe the youth committed [~~did not commit~~] the violation, the fact that the violation was overturned will be documented appropriately. [~~found true at the hearing or there were extenuating circumstances, the youth's behavioral record must be updated to reflect that determination.~~] The appeal authority shall [~~must~~] determine some form of equitable relief if the youth has completed a disciplinary measure or has otherwise been adversely affected by the finding.

(B) If it is determined there were extenuating circumstances that should have been found, that fact will be documented appropriately. The appeal authority shall determine some form of equitable relief if the youth has completed a disciplinary measure or otherwise has been adversely affected by the finding.

(C) [(3)] If it is determined that the youth did commit the violation [~~found true at the hearing~~] but the imposed disciplinary measure was [~~decision is determined to be~~] inappropriate, that fact will be documented appropriately. [~~the violation will remain on the youth's behavioral record but the~~] The appeal authority shall [~~must~~] determine some form of equitable relief if the [~~for a~~] youth [~~who~~] has already completed or started serving the [~~a~~] disciplinary measure [~~and/or has been adversely affected~~]. If the youth has not yet started serving the disciplinary measure, the appeal authority may impose a different, appropriate disciplinary measure.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVAL TO PUBLISH THE FOLLOWING IN THE *TEXAS REGISTER* FOR A 30-DAY PUBLIC COMMENT PERIOD AND CONDITIONAL APPROVAL TO ADOPT THE REPEALS AND FINAL RULES: REPEAL OF 37 TAC §380.9517 AND §380.9535 (CONCERNING BEHAVIOR MANAGEMENT); NEW §380.9510 (CONCERNING BEHAVIOR MANAGEMENT); AND REVISIONS TO §§380.9503, 380.9504, 380.9555, AND 380.9557 (CONCERNING BEHAVIOR MANAGEMENT AND DUE PROCESS HEARINGS)

On this 15th day of May 2020, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Vacant					
Motion:		Second:			

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

WHEREAS, Human Resources Code §242.003 requires the Board to adopt rules appropriate to properly accomplish TJJJ’s functions and to adopt rules for governing TJJJ schools, facilities, and programs; and

WHEREAS, the TJJJ staff has proposed to repeal, amend, and create several rules relating to TJJJ’s behavior management system; and

WHEREAS, Government Code §2001.023 and §2001.029 require a state agency to give at least 30 days’ notice of its intention to adopt a rule and to allow all interested persons a reasonable opportunity to submit data, views, or arguments orally or in writing;

NOW, THEREFORE BE IT RESOLVED THAT for the above-referenced repealed, amended, and new rules, the Board grants approval to publish the proposal in the *Texas Register* for a 30-day public comment period; and

BE IT FURTHER RESOLVED THAT for each of the above-referenced rules, the Board grants approval to adopt the final repeal or final rule text after the comment period has ended if: (1) no public comments are received; (2) any additional revisions to the rule text are limited to technical, stylistic, or grammar changes or corrections of typographical errors; and (3) the board has not otherwise directed that final adoption must occur in a subsequent board meeting.

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

Signed this 15th day of May 2020

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman

To: Texas Juvenile Justice Board Members

From: Camille Cain, Executive Director

Kaci Singer, Deputy General Counsel for County Matters

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

Date: May 1, 2020

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

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

Proper notice is notice sufficient to comply with Tex. Gov. Code §2001.054 and 37 TAC §349.320, which require TJJD to provide the certified officer written notice that:

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

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

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

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

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

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

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

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

We respectfully request that the Board grant the Default Order(s) in the requested case(s). Attached for your review is the Affidavit of Attorney for each case. The Affidavit explains the notice given, the lack of response, the alleged conduct and violations, and the requested sanction(s). A proposed Default Order for each case is also attached.

DOCKET NO. 20-33878-190284

IN THE MATTER OF	§	BEFORE THE
	§	
GRISEL AYALA	§	TEXAS JUVENILE
	§	
CERTIFICATION NO. 33878	§	JUSTICE BOARD

DEFAULT ORDER

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of the Texas Juvenile Justice Department’s staff attorney, which were submitted pursuant to 37 TAC §349.340. The documents indicate sufficient proof that proper notice was provided to Grisel Ayala (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to TEX. HUM. RES. CODE, §222.053, TEX. GOV’T. CODE, §2001.056, and 37 TAC Chapter 349.

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

FINDINGS OF FACT

1. On or about June 10, 2019, Respondent held a juvenile supervision officer certification with the Texas Juvenile Justice Department (TJJD).
2. On or about June 10, 2019, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in TEX. HUM. RES. Code, Chap. 222 and 37 TAC Chaps. 341-359.
3. 37 TAC §349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
4. 37 TAC §345.310(c)(2)(D) provides juvenile justice professionals must not maintain or give the appearance of maintaining an inappropriate relationship with a juvenile, including, but not limited to, bribery or solicitation or acceptance of gifts, favors, or services from juveniles or their families.
5. On or about June 10, 2019, Respondent engaged in flirtatious behavior with a juvenile and made plans to meet the juvenile when he was released from the facility.

6. TJJJ effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on December 19, 2019.
7. More than twenty days have elapsed since December 23, 2019, the date Respondent is presumed to have received notice of the formal charges.
8. To date, Respondent has not filed an answer to the formal charges.

CONCLUSIONS OF LAW

1. As evidenced by Findings of Fact 1 through 3, TJJJ has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts 4 and 5, Respondent's actions violated 37 TAC §345.310(c)(2)(D).
3. As evidenced by Findings of Facts 6 through 8, the requirements as provided by TEX. GOV'T Code, §2001.056 and 37 TAC §349.340 upon which a default order may be granted have been met.

ORDERING PROVISIONS

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

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

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

TEXAS JUVENILE JUSTICE DEPARTMENT
Signatures and date affixed by Default Disposition
Master Order dated May 1, 2020

AFFIDAVIT OF KACI SINGER

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

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

1. On behalf of the Texas Juvenile Justice Department, written notice of formal charges, addressed to Grisel Ayala (Respondent) was sent via certified mail, return receipt requested and first-class mail, postage prepaid, on December 19, 2019, to the most recent address of record for Grisel Ayala as registered with the Texas Juvenile Justice Department.
2. The wrapper sent by regular mail has not been returned.
3. The wrapper sent by certified mail, return receipt requested indicates this item was delivered on December 23, 2019.
4. Notice is presumed received no later than three days after mailing.
5. The written notice and petition indicated that on or about June 10, 2019, Respondent violated 37 TAC §345.310(c)(2)(D), to wit: Respondent engaged in flirtatious behavior with a juvenile and made plans to meet the juvenile when he was released from the facility.
6. The written notice and petition informed Respondent that TJJD was seeking revocation of Respondent’s certification as a juvenile supervision officer.
7. The written notice included in capital letters in 12-point boldface type the statement: ‘FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.’
8. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice.
9. Twenty days have elapsed since December 23, 2019, the effective date of notice, and Respondent has failed to file a written response to the formal charges.”

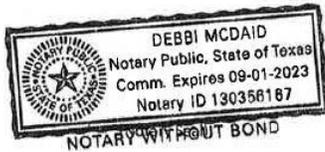
Signed this the 14th day of April 2020.

Kaci Singer

Kaci Singer,
Deputy General Counsel for County Matters

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

Given under my hand and seal of office this the 14th day of April 2020.



Debbi McDaid

Debbi McDaid
Notary Public in and for the State of Texas
Notary ID #: 13035616-7
My Commission expires: 09/01/2023

DOCKET NO. 20-32077-190301

IN THE MATTER OF	§	BEFORE THE
	§	
FERNANDO X MORENO	§	TEXAS JUVENILE
	§	
CERTIFICATION NO. 32077	§	JUSTICE BOARD

DEFAULT ORDER

The Texas Juvenile Justice Board (Board) considered the recommendation of the Executive Director and the affidavit of the Texas Juvenile Justice Department’s staff attorney, which were submitted pursuant to 37 TAC §349.340. The documents indicate sufficient proof that proper notice was provided to Fernando X Moreno (Respondent) and that appropriate relief, including the imposition of sanctions, was requested. The Board has jurisdiction over and authority to perform this action pursuant to TEX. HUM. RES. CODE, §222.053, TEX. GOV’T. CODE, §2001.056, and 37 TAC Chapter 349.

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

FINDINGS OF FACT

1. On or about June 29, 2019, Respondent held a juvenile supervision officer certification with the Texas Juvenile Justice Department (TJJD).
2. On or about June 29, 2019, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in TEX. HUM. RES. Code, Chap. 222 and 37 TAC Chaps. 341-359.
3. 37 TAC §349.305 provides that TJJD may initiate disciplinary action when TJJD confirms an officer has violated the Code of Ethics or has confirmed that abuse, neglect, or exploitation has occurred.
4. 37 TAC §345.310(c)(2)(K) provides that juvenile justice professionals must not falsify or make material omissions to governmental records.
5. On or about June 29, 2019, Respondent failed to report a restraint in which a juvenile’s clavicle was broken and then staged an incident and created a false report indicating the juvenile’s clavicle was broken in the staged incident.
6. TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested, and first class mail on December 19, 2019.
7. More than twenty days have elapsed since December 27, 2019, the date Respondent is presumed to have received notice of the formal charges.
8. To date, Respondent has not filed an answer to the formal charges.

CONCLUSIONS OF LAW

1. As evidenced by Findings of Fact 1 through 3, TJJD has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by Findings of Facts 4 and 5, Respondent's actions violated 37 TAC §345.310(c)(2)(K).
3. As evidenced by Findings of Facts 6 through 8, the requirements as provided by TEX. GOV'T Code, §2001.056 and 37 TAC §349.340 upon which a default order may be granted have been met.

ORDERING PROVISIONS

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

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

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

TEXAS JUVENILE JUSTICE DEPARTMENT

Signatures and date affixed by Default Disposition
Master Order dated May 1, 2020

AFFIDAVIT OF KACI SINGER

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

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

1. On behalf of the Texas Juvenile Justice Department, written notice of formal charges, addressed to Fernando X Moreno (Respondent) was sent via certified mail, return receipt requested and first-class mail, postage prepaid, on December 19, 2019, to the most recent address of record for Fernando X Moreno as registered with the Texas Juvenile Justice Department.
2. The wrappers sent by regular mail and certified mail return receipt requested have not been returned.
3. Notice is presumed received no later than three days after mailing.
4. The written notice and petition indicated that on or about June 29, 2019, Respondent violated 37 TAC §345.310 (c)(2)(K), to wit: Respondent failed to report a restraint in which a juvenile’s clavicle was broken and then staged an incident and created a false report indicating the juvenile’s clavicle was broken in the staged incident.
5. The written notice and petition informed Respondent that TJJD was seeking revocation of Respondent’s certification as a juvenile supervision officer.
6. The written notice included in capital letters in 12-point boldface type the statement: ‘FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.’
7. The written notice informed Respondent of the requirement to file a written response within twenty days of receipt of the notice.
8. Twenty days have elapsed since December 27, 2019, the effective date of notice, and Respondent has failed to file a written response to the formal charges.”

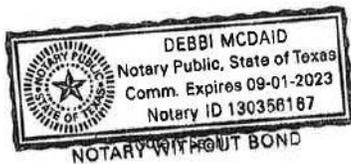
Signed this the 14th day of April 2020.

Kaci Singer

Kaci Singer,
Deputy General Counsel for County Matters

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

Given under my hand and seal of office this the 14th day of April 2020.



Debbi McDaid

Debbi McDaid
Notary Public in and for the State of Texas
Notary ID #: 13035616-7
My Commission expires: 09/01/2023



Texas Juvenile Justice Department

MASTER DEFAULT ORDER

A MASTER DEFAULT ORDER RELATED TO DISCIPLINARY CASES OF CERTIFIED JUVENILE PROBATION OFFICERS OR JUVENILE SUPERVISION OFFICERS OR COMMUNITY ACTIVITIES OFFICERS

On this the **1st day of May 2020**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit and where, among other matters, came up for consideration and adoption the following Default Order(s) in the following matter(s) related to the discipline of certified juvenile probation officer(s), juvenile supervision officer(s) or community activities officer(s):

ITEM	DOCKET NUMBER	NAME AND CERTIFICATION NUMBER				DISCIPLINE
a.	20-33878-190284	Grisel Ayala Certification No. 33878				Revocation
BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN	
Edeska Barnes, Jr.						
James Castro						
Mona Lisa Chambers						
Pama Hencerling						
Lisa Jarrett						
Ann Lattimore						
Melissa Martin						
BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN	
Scott Matthew						
Vincent Morales Jr.						
Allison Palmer						
Wesley C. Ritchey						
Jimmy Smith						
Vacant						
Motion:			Second:			

ITEM	DOCKET NUMBER	NAME AND CERTIFICATION NUMBER				DISCIPLINE
b.	20-32077-190301	Fernando X Moreno Certification No. 32077				Revocation
BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN	
Edeska Barnes, Jr.						
James Castro						
Mona Lisa Chambers						
Pama Hencerling						
Lisa Jarrett						
Ann Lattimore						
Melissa Martin						
BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN	
Scott Matthew						
Vincent Morales Jr.						
Allison Palmer						
Wesley C. Ritchey						
Jimmy Smith						
Vacant						
Motion:			Second:			

WHEREAS, the Board has jurisdiction over these actions pursuant to Texas Human Resources Code §222.053 and Texas Administrative Code, Title 37, §349.305 et seq. and authority to enter a Default Order under Texas Administrative Code, Title 37, §349.340, pursuant to Texas Government Code §2001.056; and

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

NOW, THEREFORE BE IT ORDERED THAT the Default Order in each referenced matter and each referenced matter shall become effective as provided therein according to the date this Order is signed and that a copy of this Order shall be affixed to each Default Order.

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

Signed this the 1st day of May 2020.

Texas Juvenile Justice Board

The Honorable Wes Ritchey, Chairman

To: TJJJ Board Members

From: Camille Cain, Executive Director

Christian J. von Wupperfeld

Subject: Settlement of Hudson Insurance Company a/s/o Sunset Logistics' claim against TJJJ

Date: May 1, 2020

Hudson Insurance Company a/s/o Sunset Logistics has filed a claim against TJJJ (Sunset Logistics v TJJJ; unfiled MVA of 5/9/2018 involving employee, Richard Hale) for property damages arising from a 2018 collision between a TJJJ vehicle and a Sunset Logistics vehicle. Hudson Insurance Company a/s/o Sunset Logistics' claimed damages of \$79,280.33 for the towing and cost of its damaged vehicle, and Hudson Insurance Company a/s/o Sunset Logistics' has agreed to settle their property damage against TJJJ for \$65,000.00, and the Office of the Attorney General has recommended settlement of this matter for \$65,000.00. Attached for your review is the Resolution for approval to settle this matter for an amount not to exceed \$65,000.00.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVAL TO GIVE THE EXECUTIVE DIRECTOR SETTLEMENT AUTHORITY TO RESOLVE A CLAIM BROUGHT AGAINST TJJJ BY HUDSON INSURANCE COMPANY A/S/O SUNSET LOGISTICS FOR DAMAGE TO SUNSET LOGISTICS' VEHICLE

On this **1st day of May 2020**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Vacant					
Motion:		Second:			

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

WHEREAS, Hudson Insurance Company a/s/o Sunset Logistics has filed a claim against TJJJ (Sunset Logistics v TJJJ; unfiled MVA of 5/9/2018 involving employee, Richard Hale) for property damages arising from a 2018 collision between a TJJJ vehicle and a Sunset Logistics vehicle; and

WHEREAS, Hudson Insurance Company a/s/o Sunset Logistics' claimed damages of \$79,280.33 for the towing and cost of its damaged vehicle, and

WHEREAS, Hudson Insurance Company a/s/o Sunset Logistics' has agreed to settle their property damage against TJJJ for \$65,000.00, and

WHEREAS, the Office of the Attorney General has recommended settlement of this matter for \$65,000.00.

NOW, THEREFORE BE IT RESOLVED THAT the Board authorizes the TJJJ Executive Director to settle this matter for an amount not to exceed \$65,000.00.

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

Signed this 1st day of May 2020.

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman

To: TJJJ Board Members

From: Camille Cain, Executive Director
Christian J. von Wupperfeld

Subject: Settlement of a lawsuit with PHI Inc. v. TJJJ

Date: May 1, 2020

PHI, Inc. has sued TJJJ (Cause No. CV15-00689, 235th Judicial District Court, Cooke County, Texas) for property damages arising from a 2014 collision between a TJJJ vehicle and a PHI helicopter; and the Supreme Court of Texas has ruled that sovereign immunity has been waived in this matter; and PHI's claims that the cost of repair to its helicopter is \$73,852.65 and has submitted a demand for this amount, and on August 9, 2019 the Texas Juvenile Justice Board approved the amount of the demand of \$73,852.65, and PHI, Inc. additionally sought interest, which accrued over the duration of the lawsuit totaling \$16,323.56 and the Office of the Attorney General negotiated a reduction of the interest to \$8,804.40, and the Office of the Attorney General has recommended settlement of the judgment and interest in the amount of \$82,657.05 given the current state of the law and the facts of this case. Attached for your review is the Resolution for approval to settle this matter for an amount not to exceed \$82,657.05.



**Texas Juvenile Justice Department
RESOLUTION**

A RESOLUTION FOR APPROVAL TO GIVE THE EXECUTIVE DIRECTOR SETTLEMENT AUTHORITY TO RESOLVE THE LAWSUIT BROUGHT AGAINST TJJD BY PHI, INC. FOR DAMAGE TO PHI'S HELICOPTER

On this **1st day of May 2020**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board was held in the City of Austin, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Edeska Barnes, Jr.					
James Castro					
Mona Lisa Chambers					
Pama Hencerling					
Lisa Jarrett					
Ann Lattimore					
Melissa Martin					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Scott Matthew					
Vincent Morales Jr.					
Allison Palmer					
Wesley C. Ritchey					
Jimmy Smith					
Vacant					
Motion:			Second:		

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

WHEREAS, PHI, Inc. has sued TJJD (Cause No. CV15-00689, 235th Judicial District Court, Cooke County, Texas) for property damages arising from a 2014 collision between a TJJD vehicle and a PHI helicopter; and

WHEREAS, the Supreme Court of Texas has ruled that sovereign immunity has been waived in this matter; and

WHEREAS, PHI's claims that the cost of repair to its helicopter is \$73,852.65 and has submitted a demand for this amount, and

WHEREAS, on August 9, 2019 the Texas Juvenile Justice Board approved the amount of the demand of \$73,852.65, and

WHEREAS, PHI, Inc. additionally sought interest, which accrued over the duration of the lawsuit totaling \$16,323.56 and

WHEREAS, the Office of the Attorney General negotiated a reduction of the interest to \$8,804.40, and

WHEREAS, the Office of the Attorney General has recommended settlement of the judgment and interest in the amount of \$82,657.05 given the current state of the law and the facts of this case.

NOW, THEREFORE BE IT RESOLVED THAT the Board authorizes the TJJD Executive Director to settle this matter for an amount not to exceed \$82,657.05.

The foregoing Resolution was lawfully moved, duly seconded, and adopted by the Texas Juvenile Justice Board.
Signed this 1st day of May 2020.

Texas Juvenile Justice Board

The Honorable Wesley C. Ritchey, Chairman

Advisory Council on Juvenile Services

Date: May 15, 2020

To: Texas Juvenile Justice Department Board of Directors
Judge Wes Ritchey
Chairman

Chief Edeska Barnes
Chief Pama Hencerling
Ms. Melissa Martin
Ms. Allison Palmer

Mr. James Castro
Judge Lisa Jarrett
Chief Scott Matthew
Mr. James Smith

Ms. Mona Lisa Chambers
Ms. Ann Lattimore
Comm. Vincent Morales, Jr

From: Edward J. Cockrell, Sr
Chair, Advisory Council on Juvenile Services
Chief Juvenile Probation Officer Jefferson County

RE: Advisory Council on Juvenile Services Update

Meeting Update

The Advisory Council last met on January 17, 2020 in Austin at the Texas Juvenile Justice Department. A copy of the meeting agenda is attached for your review. The following is a summary of our meeting.

TJJD Updates:

Lou Serrano, Deputy Executive Director of Probation Services, provided a TJJD update. He reported that since September 1, 2019, only ten females have been admitted to TJJD. That has become a target of the RDA program. TJJD are still having some issues with staff training but are moving in the right direction. TJJD are participating in Job Fairs. This has created positive results. Staff on FMLA is on a decline. TJJD is planning to move the Mental Health Program from Mart facility to Giddings State School. Mr. Serrano provided a brief report on EPICS – Effective Practices for Community Supervision. Several Juvenile Probation Departments have begun training in EPICS. This process allow staff to make better connections with youth.

Sub Committee Reports:

Kaci Singer provided an update on the TAC Chapter 344 Employment, Certification and Training for Juvenile Officers Workgroup. Changes were made to the Criminal history due to statutory changes in the law. The committee, which is comprised of Mrs. Singer and AC members Lynn Hadnot, Ron Quiros and Sy Tabor reported on the changes to the standard that will allow departments to possibly hire staff with a criminal record that fall within the five years for misdemeanors or ten years for some felonies. The changes also addressed the process for current staff that are arrested or convicted of misdemeanors or felonies. The AC will send the suggested changes to the field and will discuss with the President's Council at the Chief's Summit in February. If approved, the changes to Chapter 344 will be presented to the TJJ Board at the March Board Meeting.

Lou Serrano provided an update on the 353 workgroup. The sub-committee continue to work on the changes to the standard. The primary focus at this point is determining how many hours will be enough to qualify as substance abuse treatment. The next meeting is scheduled for January 29, 2020 in Austin.

Mr. Serrano reported on the Suicide Prevention Workgroup. The workgroup has completed its work on this committee. The Advisory Council have approved moving forward with presenting its work to the TJJ Board. This will be done at the next board meeting.

New Business:

Ashley Kintzer , reported on the Facility Handbook. The facility handbook is a template that includes all of the facilities that are available for youth placed in Texas. These facilities are placed on a map to show their locations. The booklet will provide information from each placement providing the type of services they provide as well as what level youth will be accept including moderate, specialized and intensive. Placements have been categorized by gender, mental health, sexual behavior treatment, substance abuse treatment and violent behavior. The handbook will be available to departments soon. The handbook will be updated regularly.

Advisory Council Member Updates and Announcements:

Lou Serrano reported that the following persons were nominated for the Advisory Council: Chairman Cockrell – Southeast Region, Chief Teri Trull from West Texas Region, Judge Mark Allen from Southeast Texas Region and Judge Natalia Oakes from Southeast Texas Region. The nominations will be presented to the TJJ Board at the next Board Meeting.

Next Meeting:

The next scheduled meeting of the TJJ Advisory Council on Juvenile Services is scheduled to be held on Friday, April 3, 2020 at 10:00 a.m. in Austin at the Travis County Juvenile Probation Department.

Meeting Adjourned.

TEXAS JUVENILE JUSTICE DEPARTMENT FINANCIAL REPORT

FISCAL YEAR 2020 THROUGH FEBRUARY





Texas Juvenile Justice Department

Financial Status and Performance Measure Highlights

Fiscal Year (FY) 2020 through February 2020

Agency-wide Highlights

- ◆ **Total Expenditures and Disbursements:** TJJD expenditures and grant disbursements through the end of February total \$166 million, including \$157.5 million in General Revenue. The following table shows how year-to-date expenditures compare to the agency’s amended budget.

Expenditures as a Percentage of Amended Budget	All Goals	Goals B-F
General Revenue Only	51.7%	45.7%
All Methods of Finance	50.0%	44.2%

If monthly expenditures were even throughout the fiscal year we would expect the figures above to be 50 percent. However, some expenditure areas are loaded more toward the early part of the year, such as probation grant disbursements and State Office of Risk Management payments. Others see a lag in their payment cycle, such as contract residential placement and medical and psychiatric care expenses.

- ◆ **Staffing Strength:** The total of TJJD’s internal position cap including the Office of Independent Ombudsman is 2,335.2 which is 369.1 below the FTE allocation established in the General Appropriations Act. The below table highlights position allocations specific to TJJD, filled positions, and FTE usage as of the end of February 2020.

Program Area	Authorized	Filled	%
Inst. Supervision & Meals	945.5	874.5	92.5%
Treatment Programing	226	164	72.6%
All other agency positions	1,163.7	968.9	83.3%
Agency Total	2,335.2	2,007.4	86.0%

Probation Highlights

- ◆ **Regional Diversions:** The Regionalization Diversion Alternatives (RDA) grant has been busy in FY20. Through the end of March, the RDA team has reviewed 277 applications and approved 218, with 172 juveniles entering a placement and successfully diverted from commitment with TJJD. Currently there were 179 youth actively in an RDA placement.
- ◆ **Sex Trafficking Screening Instrument:** Progress continues to be made on the implementation of a statewide child sex trafficking screening instrument for the Texas juvenile justice system to have a more effective early identification of child sex trafficking victims. The “CSE-IT” (screening instrument) was initially released to counties for use in the Fall of 2018. All but about 10 probation

departments have been trained and have access to the “CSE-IT” tool. The Probation Services Division is working with the remaining departments to help them be trained in the coming months.

- ◆ **Independent Audit Waivers:** The independent audit waiver process is completed for FY20. There were 86 departments eligible for the waiver this year, and 28 of them took advantage of the waiver. The remaining 28 opted to submit an independent audit report. We will complete a new risk assessment early in FY21 to begin the waiver process for next year. The waiver allows probation departments with low risk to the agency to save some of their grant money for services to youth instead of paying for an independent audit every year. Departments eligible for the waiver received \$750,000 or less in state grant funds, had no cited issues on their latest grant monitoring review and completed required reporting timely. Those granted a waiver last year were not eligible again this year.
- ◆ **Single Grant Application:** TJJJ is in the process of implementing the single grant application process required by the new rider 35 included in the general appropriations act from the last legislative session. Implementation of this rider will include the following substantive changes to the grant process:
 - All grant requests will be submitted on a single application. Competitive grants that are not reimbursement grants will be funded from any available applicable funds.
 - All grants will be rebid more regularly than they have in the past (at least every 6 years).
 - Grants will be evaluated based performance measures identified by TJJJ to make determinations of when to renew or rebid grant funds.

The probation division has implemented the grant application. The rebid of grants was set to begin this year, but is now being placed on hold in an attempt to keep funding more stable for probation departments as they respond to the COVID-19 pandemic.

State Programs Highlights

- ◆ **Population:** The following table compares key ADP figures in the month of February and through the end of February to internal budgeted targets:

	February 2020				Fiscal Year-to-Date		
	Budg. Target	Actual	Over (Under)	Percent	Actual	Over (Under)	Percent
Secure Facilities	818.0	792.1	(25.9)	-3.2%	786.1	(31.9)	-3.9%
Halfway Houses	112.0	87.5	(24.5)	-21.9%	79.9	(32.1)	-28.7%
Contract Care	127.0	79.6	(47.5)	-37.4%	87.8	(39.2)	-30.9%
	1,057.0	959.1	(97.9)	-9.3%	953.8	(103.2)	-9.8%

Figures are for reference only and should not be interpreted to represent officially reported performance measures. Comparisons are relative to internal targets, not population projections.

Through parallel efforts of regionalization and TJJJ management’s active steps to reduce the size of the state residential population, the agency has realigned internal budgeted population targets for state facilities below the projections in the General Appropriations Act (GAA). The total projection for all state residential programs was 1,209 in the GAA, compared to TJJJ’s operational target of

1,057. The actual population in secure facilities during the month of February FY 2020 was below TJJJ's internal budgeted population target, and below to a greater degree on a year-to-date basis.

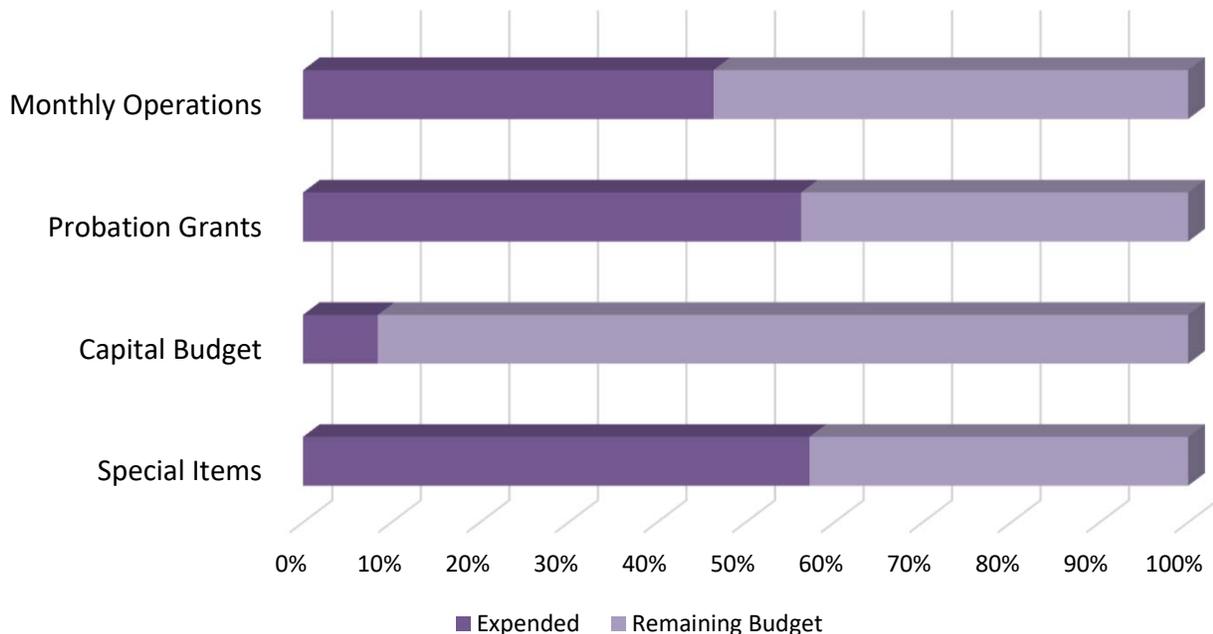
- ◆ **Overtime:** The State Programs staff continues active management of overtime expenditures. However, due to the high number of Youth Development Coach "Coach" vacancies, the impact of these efforts will be limited. Overtime expenditures in fiscal year (FY) 2019 were approximately \$8.8 million. TJJJ began FY 2020 with about \$5.8 million budgeted for this purpose. Through the second quarter, TJJJ expended \$5.2 million on overtime. Additional funds to support overtime costs this fiscal year have been transferred to this budget item. There is ongoing collaboration between the Human Resource Division and facility leadership to monitor overtime hours worked and overtime expenditures.

- ◆ **Construction Projects:** Projects utilizing funding provided by the 85th Legislature have been identified and placed under contract. Work on these projects will continue through the current biennium. Projects utilizing funds provided by the 86th legislature have been identified and are in the process of being approved by the construction committee and executive panel. Plan and specification development for these projects will begin soon.

Summary by Expense Type

Expense Type	Budgeted	Expended	%
Monthly Operations			
Salaries & Related	107,173,563	49,711,681	46.4%
Other Operating	36,230,915	16,768,078	46.3%
Subtotal - Monthly Operations	143,404,478	66,479,759	46.4%
Probation Grant Disbursements	159,839,852	89,913,479	56.3%
Capital Budget			
Repairs and Rehabilitation	5,000,000	14,729	0.3%
IR Technologies	7,495,224	529,516	7.1%
Transportation	118,414	33,435	28.2%
DCS	1,498,198	615,493	41.1%
Subtotal - Capital Budget	14,111,836	1,193,172	8.5%
Special Items			
JCMS	1,256,501	608,912	48.5%
Overtime	9,364,632	5,192,432	55.4%
SORM and Unemployment	3,283,081	2,627,907	80.0%
Contingency	830,593	-	0.0%
Subtotal - Special Items	14,734,808	8,429,250	57.2%
Grand Total	332,090,974	166,015,659	50.0%

Percent Expended by Expense Type

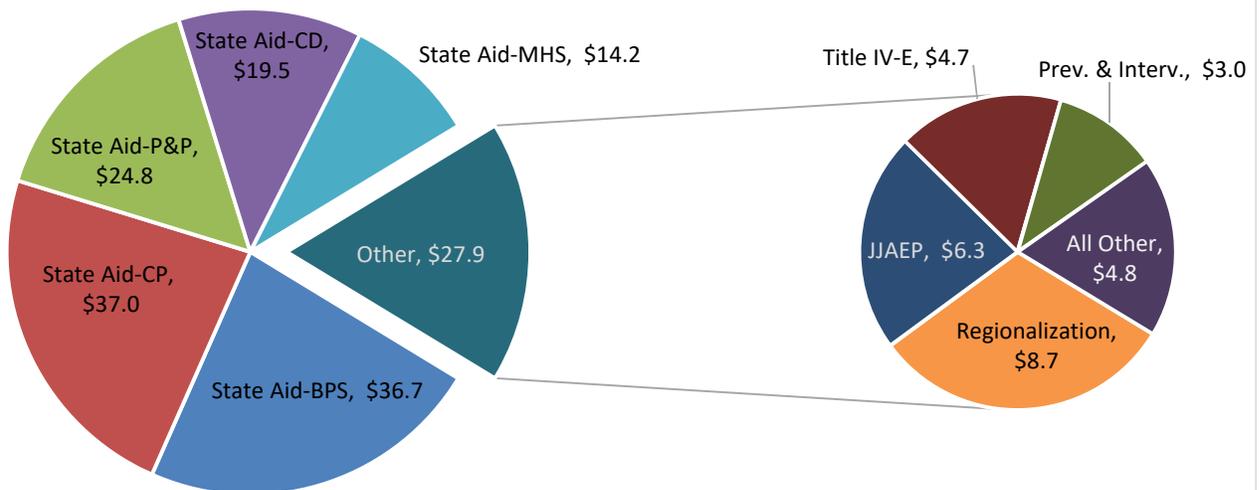


Summary by Program: Funding View

Probation Grants

Program	Budgeted	Expended	%
State Aid			
Basic Probation Supervision	36,651,788	21,314,074	58.2%
Community Programs	36,951,391	20,750,833	56.2%
Pre & Post Adjudication	24,782,157	14,096,627	56.9%
Commitment Diversion	19,492,500	10,658,030	54.7%
Mental Health Services	14,178,353	8,893,240	62.7%
Subtotal - State Aid	132,056,189	75,712,804	57.3%
Targeted Grants			
Special Needs Diversionary Program	1,895,175	1,263,450	66.7%
Reg. Div. Alt. - Regional Projects	732,670	495,302	67.6%
Reg. Div. Alt. - Individual Diversion	7,935,313	4,501,561	56.7%
Prevention & Intervention, "Family"	2,594,432	1,496,619	57.7%
Prevention & Intervention, "School"	417,745	243,685	58.3%
Juvenile Justice Alternative Education	6,250,000	3,591,552	57.5%
Discretionary State Aid	2,124,999	1,416,663	66.7%
Legislatively Mandated & Other Grants	1,100,000	733,333	66.7%
Subtotal - Targeted Grants	23,050,334	13,742,165	59.6%
Other Grant Activity			
Title IVE Pass Through Funding	4,733,329	458,508	9.7%
Subtotal - Other Grant Activity	4,733,329	458,508	9.7%
Subtotal - Probation Grants	159,839,852	89,913,478	56.3%

Probation Grants by Program (Budgeted, in \$ mil)



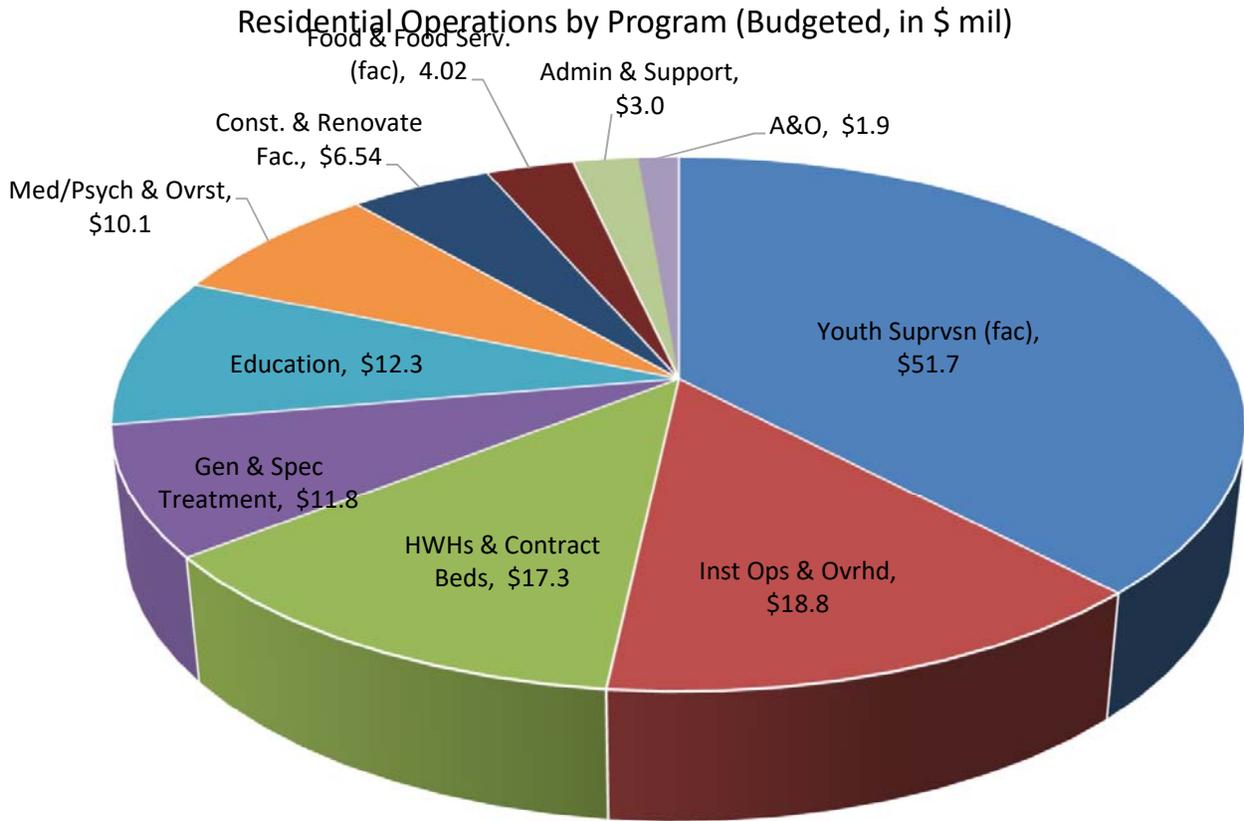
Summary by Program: Funding View (cont.)

Agency Operations

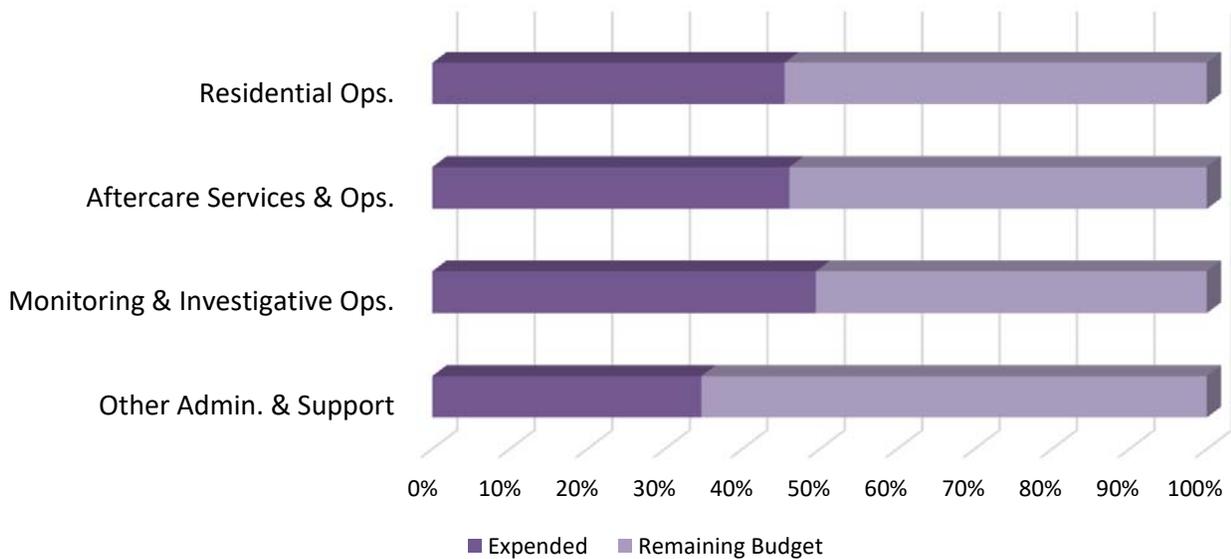
Program	Budgeted	Expended	%
Residential Operations			
System Administration & Support	2,985,787	1,455,774	48.8%
Assessment & Orientation	1,859,319	941,628	50.6%
Youth Supervision (facilities)	51,694,728	25,445,795	49.2%
Food and Food Service (facilities)	4,021,416	1,995,144	49.6%
Facility Operations	18,782,203	8,706,342	46.4%
Halfway House Operations	8,966,170	3,831,003	42.7%
Contract Placements & Oversight	8,292,729	2,906,772	35.1%
Education Programs	12,303,618	7,194,668	58.5%
General Rehabilitative Treatment	8,551,607	3,746,930	43.8%
Specialized Treatment	2,190,352	1,329,189	60.7%
Medical/Psychiatric Care & Oversight	10,083,637	4,256,526	42.2%
Construct & Renovate Facilities	6,540,667	140,742	2.2%
<i>Subtotal - Residential Ops.</i>	<i>136,272,232</i>	<i>61,950,512</i>	<i>45.5%</i>
Aftercare Services & Operations			
Parole Supervision, Programs & Services	3,660,829	1,659,518	45.3%
Interstate Agreement	220,858	129,553	58.7%
<i>Subtotal - Aftercare Services & Ops.</i>	<i>3,881,687</i>	<i>1,789,071</i>	<i>46.1%</i>
Monitoring & Investigative Operations			
Monitoring & Inspections	1,925,241	855,683	44.4%
Office of Inspector General	5,361,954	2,827,882	52.7%
Office of Independent Ombudsman	970,877	404,067	41.6%
<i>Subtotal - Monitoring & Investigative Ops.</i>	<i>8,258,072</i>	<i>4,087,633</i>	<i>49.5%</i>
Other Operations & Support			
Training & Certification	1,954,819	645,673	33.0%
Probation System Support	3,221,005	1,332,420	41.4%
Indirect Administration	18,663,307	6,296,874	33.7%
<i>Subtotal - Other Operations & Support</i>	<i>23,839,131</i>	<i>8,274,967</i>	<i>34.7%</i>
Subtotal - Agency Operations	172,251,122	76,102,182	44.2%
Grand Total	332,090,974	166,015,660	50.0%

Summary by Program: Funding View (cont.)

Residential Operations by Program (Budgeted, in \$ mil)



Percent Expended by Program Area

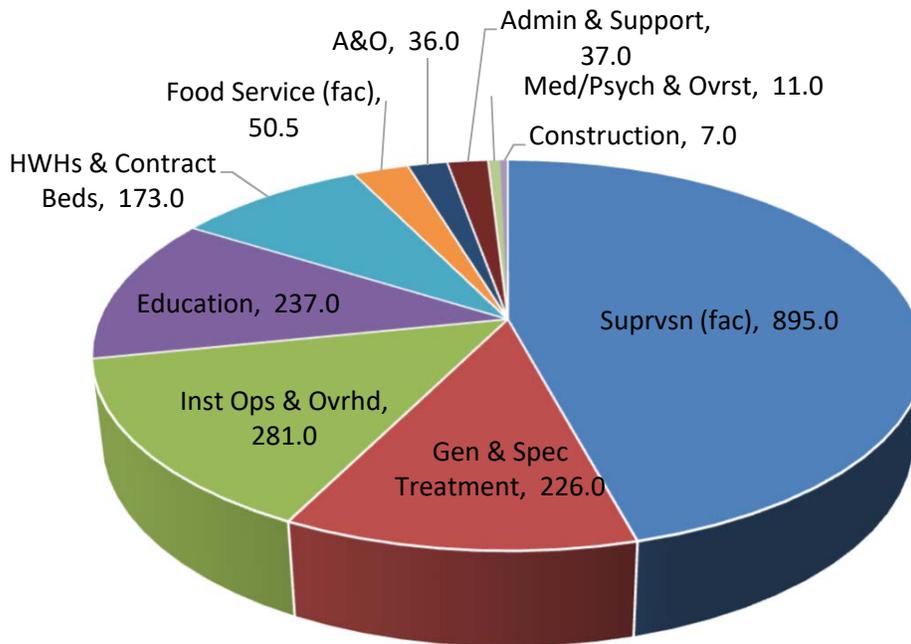


Summary by Program: FTE View

Program	Authorized	Filled	%
Residential Operations			
Administration & Support	37.0	31.0	83.8%
Assessment & Orientation	36.0	30.0	83.3%
Youth Supervision (facilities)	895.0	828.0	92.5%
Food & Food Service (facilities)	50.5	46.5	92.1%
Institutional Operations & Overhead	281.0	245.0	87.2%
Halfway House Operations	167.0	124.0	74.3%
Contract Placements & Oversight	6.0	5.0	83.3%
Education Programs	237.0	194.0	81.9%
General Rehabilitative Treatment	161.0	128.0	79.5%
Specialized Treatment	65.0	36.0	55.4%
Medical/Psychiatric Care & Oversight	11.0	10.0	90.9%
Construction & Renovate Facilities	7.0	3.0	42.9%
<i>Subtotal - Residential Ops.</i>	<i>1,953.5</i>	<i>1,680.5</i>	<i>86.0%</i>
Aftercare Services & Operations			
Parole Supervision, Programs & Services	58.0	56.0	96.6%
Interstate Agreement	3.0	3.0	100.0%
<i>Subtotal - Aftercare Services & Ops.</i>	<i>61.0</i>	<i>59.0</i>	<i>96.7%</i>
Monitoring & Investigative Operations			
Monitoring & Inspections	26.0	25.0	96.2%
Office of Inspector General	119.9	98.4	82.1%
Office of Independent Ombudsman	14.0	12.0	85.7%
<i>Subtotal - Monitoring & Investigative Ops.</i>	<i>159.9</i>	<i>135.4</i>	<i>84.7%</i>
Other Operations & Support			
Training & Certification	27.0	21.0	77.8%
Probation System Support	19.0	15.0	78.9%
Indirect Administration	114.8	96.5	84.1%
<i>Subtotal - Other Operations & Support</i>	<i>160.8</i>	<i>132.5</i>	<i>82.4%</i>
Grand Total	2,335.2	2,007.4	86.0%

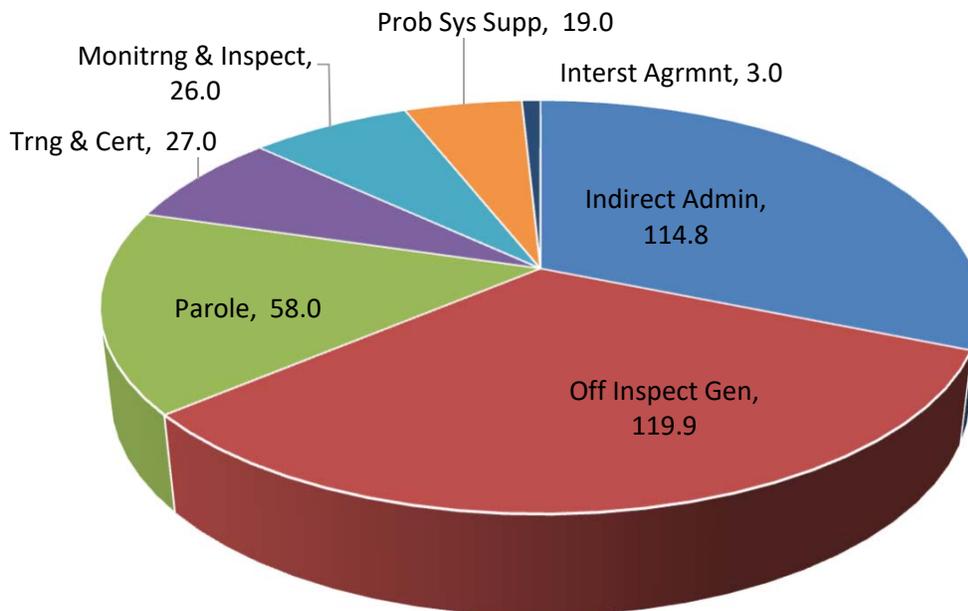
Summary by Program: FTE View (cont.)

Residential Operations Authorized FTEs by Program



All Other TJJD* Authorized FTEs by Program

**Excludes Indep. Ombudsman*

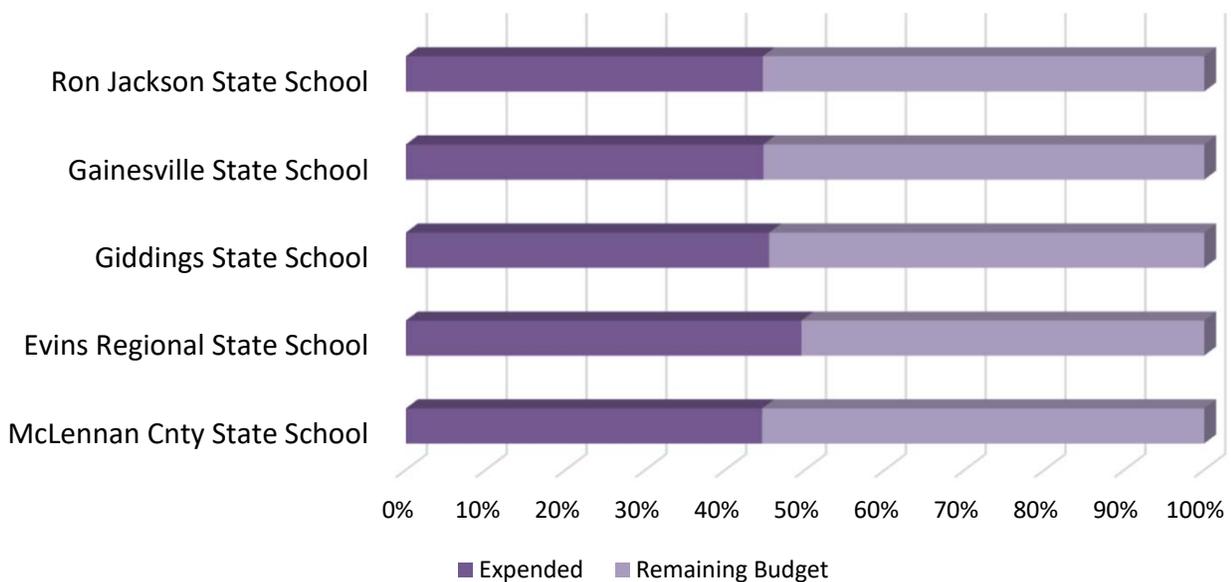


Summary by Location: Funding View

Location	Budgeted	Expended	%
State Residential Locations			
Ron Jackson State School	19,638,921	8,781,754	44.7%
Gainesville State School	17,893,630	8,015,298	44.8%
Giddings State School	22,632,166	10,301,947	45.5%
Evins Regional State School	16,939,580	8,396,451	49.6%
McLennan Cnty State School	28,394,059	12,673,838	44.6%
Halfway Houses	10,042,854	4,080,053	40.6%
Contract Placements & Oversight	8,292,729	2,906,853	35.1%
Subtotal - State Residential Locations	123,833,939	55,156,194	44.5%
Probation Grant Disbursements	159,839,852	89,913,478	56.3%
Other Locations / Multi-Location*	48,417,183	20,945,988	43.3%
Grand Total	332,090,974	166,015,660	50.0%

*Includes district offices, Central Office, and departments split across more than one location.

Percent Expended by Location - Secure Facilities

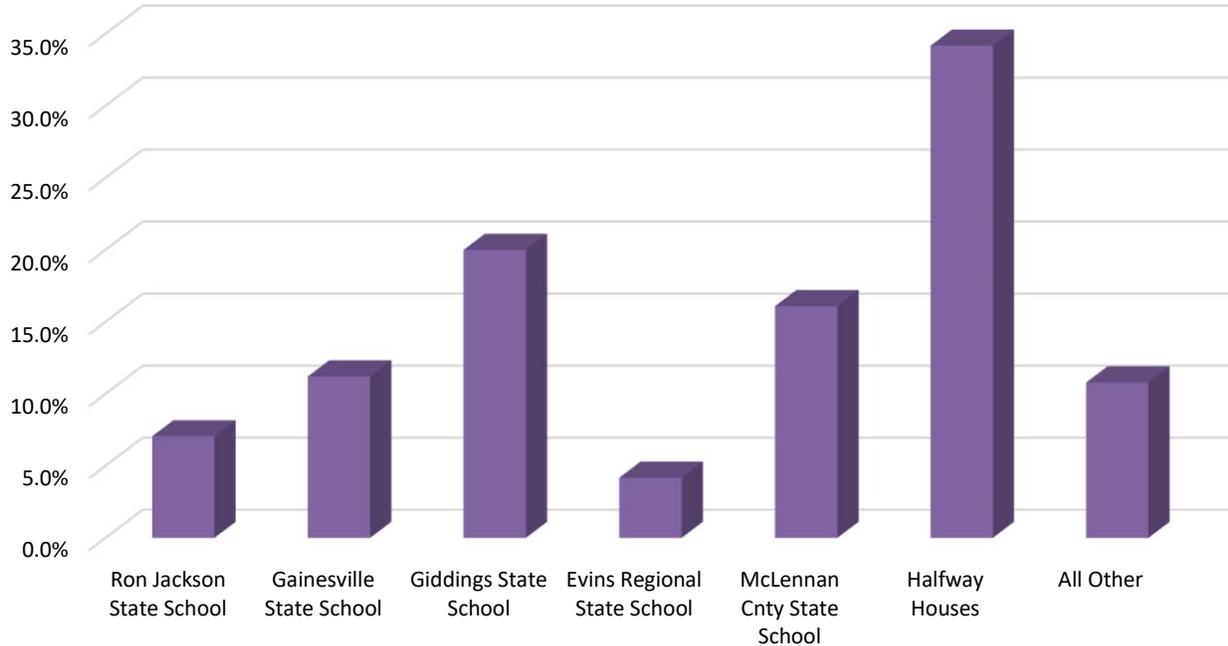


Summary by Location: FTE View

Location	Authorized	Filled	%
State Residential Locations			
Ron Jackson State School	312.0	290.0	92.9%
Gainesville State School	272.0	241.5	88.8%
Giddings State School	395.0	316.0	80.0%
Evins Regional State School	287.0	275.0	95.8%
McLennan Cnty State School	435.0	365.0	83.9%
Halfway Houses	196.0	129.0	65.8%
Contract Placements & Oversight	6.0	6.0	100.0%
Subtotal - State Residential Locations	1,903.0	1,622.5	85.3%
Probation Grant Disbursements	-	-	0.0%
Other Locations / Multi-Location*	432.2	384.9	89.1%
Grand Total	2,335.2	2,007.4	86.0%

*Includes district offices, Central Office, and departments split across more than one location.

Vacancy Rates by Location



Summary by Strategy and Method of Finance

General Revenue

Strategy	Budgeted	Expended	%
Goal A (Comm Juv Just)			
A.1.1 Prevention and Intervention	3,012,177	1,740,305	57.8%
A.1.2 Basic Supervision	36,651,788	21,314,074	58.2%
A.1.3 Community Programs	38,796,566	24,164,279	62.3%
A.1.4 Pre and Post Adjudication Facilities	24,782,157	14,096,627	56.9%
A.1.5 Commitment Diversion Programs	19,492,500	10,658,030	54.7%
A.1.7 Mental Health Services	14,178,353	8,893,240	46.3%
A.1.8. Regional Diversion Alternatives	10,792,982	4,996,863	41.7%
A.1.9. Probation System Support	3,100,256	1,291,913	57.8%
Subtotal - Goal A (Comm Juv Just)	150,806,779	87,155,332	57.8%
Goal B (State Svcs & Fac)			
B.1.1 Assessment & Orientation	1,859,319	941,628	50.6%
B.1.2 Institutional Operations and Overhead	16,788,436	8,706,342	51.9%
B.1.3 Institutional Supervision and Food Service	54,099,021	26,470,212	48.9%
B.1.4 Education	8,171,487	4,518,257	55.3%
B.1.5 Halfway House Operations	8,966,170	3,731,525	41.6%
B.1.6 Health Care	8,131,026	3,569,816	43.9%
B.1.7 Mental Health (Psychiatric) Care	942,670	213,375	22.6%
B.1.8 Integrated Rehabilitation Treatment	11,429,191	4,631,018	40.5%
B.1.9. Contract Residential Placements	8,092,729	2,906,772	35.9%
B.1.10. Residential System Support	2,985,787	1,455,774	48.8%
B.2.1 Office of the Inspector General	5,361,954	2,861,317	53.4%
B.2.2 Health Care Oversight	1,009,941	473,334	46.9%
B.3.1 Construct & Renovate Facilities	6,540,667	140,742	2.2%
Subtotal - Goal B (State Svcs & Fac)	134,378,398	60,620,112	45.1%
Goal C (Parole Svcs)			
C.1.1 Parole Direct Supervision	2,301,655	1,102,631	47.9%
C.1.2. Parole Programs and Services	1,359,174	556,888	41.0%
Subtotal - Goal C (Parole Svcs)	3,660,829	1,659,518	45.3%
Goal D (Indep Ombudsman)			
	958,716	209,897	21.9%
Goal E (Juv Just System)			
E.1.1. Training and Certification	1,954,819	645,673	33.0%
E.1.2 Monitoring and Inspections	1,878,344	854,627	45.5%
E.1.3 Interstate Agreement	220,858	129,553	58.7%
Subtotal - Goal E (Juv Just System)	4,054,021	1,629,852	40.2%
Goal F (Indirect Admin)			
F.1.1 Central Administration	8,445,682	3,998,072	47.3%
F.1.2 Information Resources	2,626,699	2,256,663	85.9%
Subtotal - Goal F (Indirect Admin)	11,072,381	6,254,735	56.5%
Subtotal - General Revenue	304,931,123	157,529,446	51.7%

Summary by Strategy and Method of Finance (cont.)

Other State Funds

Strategy	Budgeted	Expended	%
Goal A (Comm Juv Just)			
A.1.3 Community Programs	1,150,000	-	0.0%
A.1.6 Juv Just Alt Educ Prog	6,250,000	3,591,552	57.5%
Subtotal - Goal A (Comm Juv Just)	7,400,000	3,591,552	48.5%
Goal B (State Svcs & Fac)			
B.1.3 Institutional Supervision and Food Service	24,625	11,146	45.3%
B.1.4 Education	3,181,149	1,773,046	55.7%
B.1.8 Integrated Rehabilitation Treatment	710,256	276,980	39.0%
Subtotal - Goal B (State Svcs & Fac)	3,916,030	2,061,172	52.6%
Goal E (Juv Just System)			
E.1.1. Training and Certification	118,632	753	0.6%
Subtotal - Goal E (Juv Just System)	118,632	753	0.6%
F.1.1 Central Administration	8,212	4,575	55.7%
F.1.2 Information Resources	7,547,000	-	0.0%
Subtotal - Goal F (Indirect Admin)	7,555,212	4,575	0.1%
Subtotal - Other State Funds	18,989,874	5,658,052	29.8%

Federal Funds

Strategy	Budgeted	Expended	%
Goal A (Comm Juv Just)			
A.1.3 Community Programs	4,733,329	458,508	9.7%
A.1.9. Probation System Support	120,749	40,507	33.5%
Subtotal - Goal A (Comm Juv Just)	4,854,078	499,015	10.3%
Goal B (State Svcs & Fac)			
B.1.3 Institutional Supervision and Food Service	1,592,498	1,160,373	72.9%
B.1.4 Education	950,982	903,364	95.0%
B.1.5 Halfway House Operations	-	96,231	100.0%
B.1.8 Integrated Rehabilitation Treatment	525,520	168,122	32.0%
B.1.9. Contract Residential Placements	200,000	-	0.0%
Subtotal - Goal B (State Svcs & Fac)	3,269,001	2,328,090	71.2%
E.1.2 Monitoring and Inspections	46,897	1,056	2.3%
Subtotal - Goal E (Juv Just System)	46,897	1,056	2.3%
Subtotal - Federal Funds	8,169,976	2,828,161	34.6%

Summary by Strategy and Method of Finance (cont.)

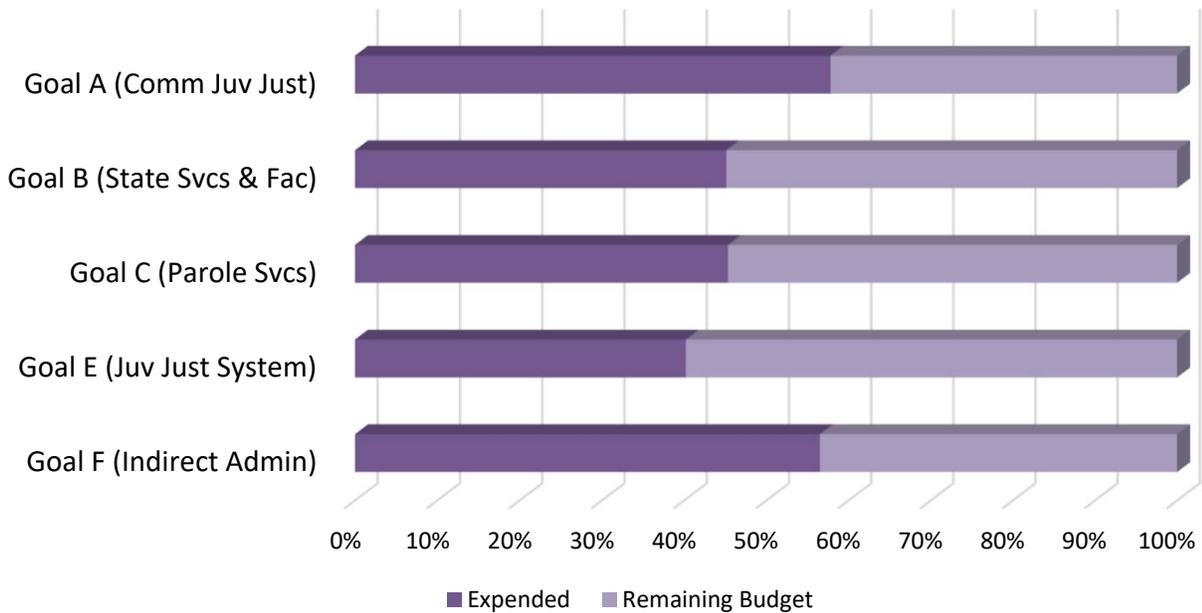
All Methods of Finance

Strategy	Budgeted	Expended	%
Goal A (Comm Juv Just)			
A.1.1 Prevention and Intervention	3,012,177	1,740,305	57.8%
A.1.2 Basic Supervision	36,651,788	21,314,074	58.2%
A.1.3 Community Programs	44,679,895	24,622,787	55.1%
A.1.4 Pre and Post Adjudication Facilities	24,782,157	14,096,627	56.9%
A.1.5 Commitment Diversion Programs	19,492,500	10,658,030	54.7%
A.1.6 Juv Just Alt Educ Prog	6,250,000	3,591,552	57.5%
A.1.7 Mental Health Services	14,178,353	8,893,240	62.7%
A.1.8. Regional Diversion Alternatives	10,792,982	4,996,863	46.3%
A.1.9. Probation System Support	3,221,005	1,332,420	41.4%
Subtotal - Goal A (Comm Juv Just)	163,060,857	91,245,899	56.0%
Goal B (State Svcs & Fac)			
B.1.1 Assessment & Orientation	1,859,319	941,628	50.6%
B.1.2 Institutional Operations and Overhead	16,788,436	8,706,342	51.9%
B.1.3 Institutional Supervision and Food Service	55,716,144	27,641,731	49.6%
B.1.4 Education	12,303,618	7,194,668	58.5%
B.1.5 Halfway House Operations	8,966,170	3,827,756	42.7%
B.1.6 Health Care	8,131,026	3,569,816	43.9%
B.1.7 Mental Health (Psychiatric) Care	942,670	213,375	22.6%
B.1.8 Integrated Rehabilitation Treatment	12,664,968	5,076,119	40.1%
B.1.9. Contract Residential Placements	8,292,729	2,906,772	35.1%
B.1.10. Residential System Support	2,985,787	1,455,774	48.8%
B.2.1 Office of the Inspector General	5,361,954	2,861,317	53.4%
B.2.2 Health Care Oversight	1,009,941	473,334	46.9%
B.3.1 Construct & Renovate Facilities	6,540,667	140,742	2.2%
Subtotal - Goal B (State Svcs & Fac)	141,563,429	65,009,374	45.9%
Goal C (Parole Svcs)			
C.1.1 Parole Direct Supervision	2,301,655	1,102,631	47.9%
C.1.2. Parole Programs and Services	1,359,174	556,888	41.0%
Subtotal - Goal C (Parole Svcs)	3,660,829	1,659,518	45.3%
Goal D (Indep Ombudsman)	958,716	209,897	21.9%
Goal E (Juv Just System)			
E.1.1. Training and Certification	2,073,451	646,426	31.2%
E.1.2 Monitoring and Inspections	1,925,241	855,683	44.4%
E.1.3 Interstate Agreement	220,858	129,553	58.7%
Subtotal - Goal E (Juv Just System)	4,219,550	1,631,661	38.7%
Goal F (Indirect Admin)			
F.1.1 Central Administration	8,453,893	4,002,647	47.3%
F.1.2 Information Resources	10,173,699	2,256,663	22.2%
Subtotal - Goal F (Indirect Admin)	18,627,593	6,259,310	33.6%
Subtotal - All Methods of Finance	332,090,973	166,015,659	50.0%

Summary by Strategy and Method of Finance (cont.)

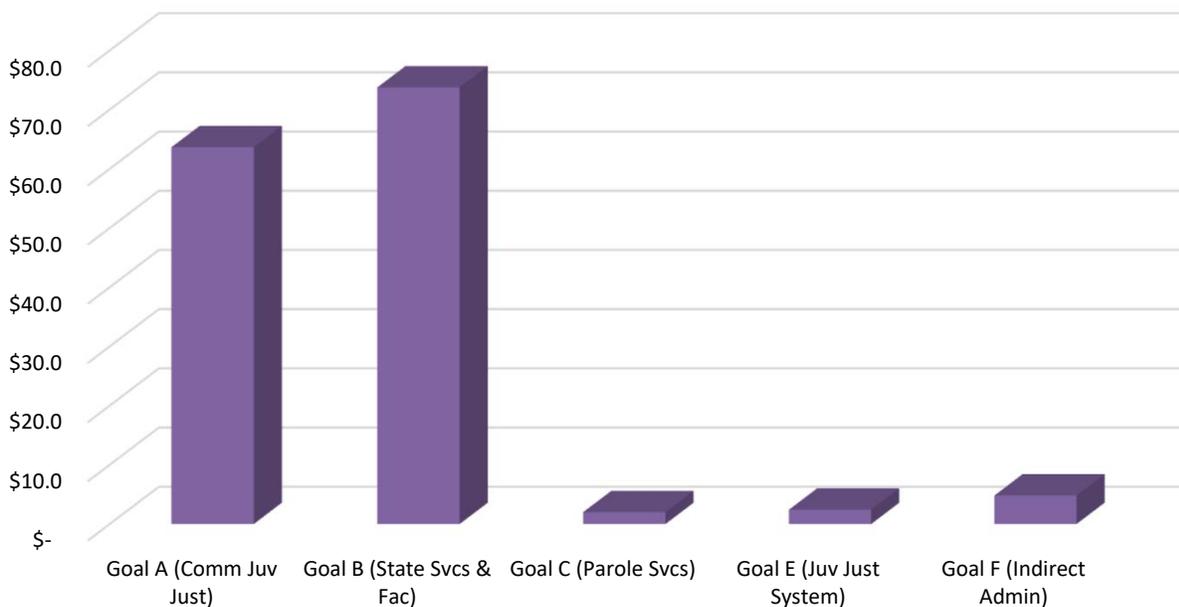
Percent General Revenue Expended by Budget Goal*

**Excludes Independent Ombudsman*



Remaining General Revenue by Budget Goal (\$ mil)*

**Excludes Independent Ombudsman*



FY 2020 Quarter Two Performance Measure Highlights

Within 5% of GAA target:	Target	Actual	%
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Probation

ADP: Court Ordered Probation	10,432.00	10,119.68	97.01%
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State Programs

CPD: Contracts Program	\$ 162.02	\$ 163.35	100.82%
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Outside 5% of GAA target:	Target	Actual	%
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Probation

ADP: Conditional Release	3,149.00	3,480.69	110.53% ^a
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ADP: Deferred Prosecution	6,249.00	5,655.06	90.50% ^b
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ADP: Residential Placement	1,991.00	1,462.91	73.48% ^c
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ADP: Commitment Diversion Initiatives	1,131.00	750.70	66.37% ^d
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Mandatory Students JJAEP	1,550.00	1,111.00	71.68% ^e
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Mandatory Student Attendance Days JJAEP	64,000.00	65,021.00	101.60% ^f
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Number of Regional Diversions	245.00	150.00	61.22% ^g
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CPD: Basic Supervision	\$ 5.05	\$ 3.72	73.66% ^h
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CPD: Residential Placement	\$ 34.01	\$ 25.34	74.51% ⁱ
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CPD: Commitment Diversion Initiatives	\$ 47.09	\$ 34.22	72.67% ^j
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State Programs

ADP: Assessment/Orientation	83.00	60.06	72.36% ^k
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ADP: State-Operated Correctional Facility	928.00	786.10	84.71% ^l
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ADA: JJD Operated Schools	905.00	740.89	81.87% ^m
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ADP: Halfway House Programs	146.00	79.93	54.75% ⁿ
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ADP: General Rehabilitation Treatment	957.00	756.36	79.03% ^o
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ADP: Specialized Treatment	745.00	561.21	75.33% ^p
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ADP: Contract Programs	135.00	97.81	72.45% ^q
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ADP: Parole	435.00	327.69	75.33% ^r
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CPD: State-Operated Correctional Facility	\$ 173.27	\$ 186.31	107.53% ^s
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CPD: Halfway House	\$ 164.03	\$ 302.62	184.49% ^t
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CPD: Health Care Services	\$ 20.21	\$ 22.65	112.07% ^u
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CPD: Psychiatric Services	\$ 2.34	\$ 1.35	57.69% ^v
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CPD: General Rehabilitation Treatment	\$ 19.85	\$ 25.14	126.65% ^w
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CPD: Specialized Treatment	\$ 17.61	\$ 19.67	111.70% ^x
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CPD: Parole	\$ 15.13	\$ 18.49	122.21% ^y
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^a Several factors contributed to probation departments placing more juveniles on conditional pre-disposition supervision during the reporting period. Some of these contributing factors include law enforcement philosophy, judicial philosophy, limited bed space in pre-adjudication detention facilities, and good case practices regarding whether or not to admit a juvenile into a detention facility.

^b There was a decrease in the number of juveniles starting deferred prosecution supervision in the first half of fiscal year 2020. Some contributing factors include a decrease in referrals for misdemeanor drug offenses and a change in the disposition decisions for these referrals. Of referrals for misdemeanor drug offenses, 29% were disposed to deferred prosecution supervision and 35% were disposed to supervisory caution in the first half of fiscal year 2020. Compared to the first half of fiscal year 2019, in which 41% were disposed to deferred prosecution supervision and 25% were disposed to supervisory caution.

^c The availability of community programs and the increasing cost of residential placement resulted in a lower number of juveniles placed in residential placement facilities during the reporting period. Compared to the first half of fiscal year 2019, there was a 7% decrease in admissions to residential placement facilities in the first half of fiscal year 2020.

^d In FY 2019, the average daily population of juveniles served in commitment diversion funded programs and placements was 910, which was also lower than the 1,348 target. The budget structure implemented in FY 2016 offers juvenile probation departments with additional state aid categories to use and greater flexibility in spending their funds. With the availability of regional diversion funds, more departments are using these funds resulting in a reduction of commitment diversion funded placements and programs. Additionally, the rising costs of residential placements and specialized treatment services contributes to the decline in the number of juveniles served through this strategy.

^e This is a cumulative measure. By the second quarter, it is expected that at least 50% of the target would be served. Starting in fiscal year 2019, for some JJAEPs, there has been a large increase in expulsions for Felony Drugs, 37.007A3, centered around vaping Tetrahydrocannabinol (THC) oil at school, an offense that has been so prevalent that many more students than expected have been caught on campus, charged, and expelled to JJAEPs. The students' length of expulsion ranges from 30 to 180 days. Therefore both this measure and MANDATORY STUDENT ATTENDANCE DAYS are impacted and result in higher percentages per quarter for both measures.

^f This is a cumulative measure. By the second quarter, it is expected that mandatory attendance days in JJAEP would be at least 50% of the target. Starting in fiscal year 2019, for some JJAEPs, there has been a large increase in expulsions for Felony Drugs, 37.007A3, centered around vaping Tetrahydrocannabinol (THC) oil at school, an offense that has been so prevalent that many more students than expected have been caught on campus, charged, and expelled to JJAEPs. The students' length of expulsion ranges from 30 to 180 days. Therefore both this measure and MANDATORY STUDENTS JJAEPs are impacted and result in higher totals and reported percentages per quarter for both measures.

^g This is a cumulative measure. By the second quarter, it is expected that at least 50% of the target would be served. For the first two quarters of fiscal year 2020, the number of regional diversions was 150, which is 61.22% of the target. However, a higher than targeted number of regional diversions is preferable and indicates the juvenile probation departments are diverting more juveniles from commitment to JJD facilities.

For the current biennium, the reported number of regional diversions reflects the number of juveniles placed using regional diversion funds. For the previous biennium, this measure reflected the number of applications approved by the agency. This official change in definition was not updated for this measure in the 2020-2021 General Appropriations Act.

^h The state cost per day varies based on the expenditure data reporting practices of the juvenile probation departments. Due to the delayed nature of reporting by juvenile probation departments, the expenditure information is incomplete. The deadline for second quarter expenditure data reporting occurs after the deadline for second quarter performance measure reporting.

ⁱ The state cost per day varies based on the expenditure data reporting practices of the juvenile probation departments. Due to the delayed nature of reporting by juvenile probation departments, the expenditure information is incomplete. The deadline for second quarter expenditure data reporting occurs after the deadline for second quarter performance measure reporting.

^j The state cost per day varies based on the expenditure data reporting practices of the juvenile probation departments. Due to the delayed nature of reporting by juvenile probation departments, the expenditure information is incomplete. The deadline for second quarter expenditure data reporting occurs after the deadline for second quarter performance measure reporting.

^k The ADP of Orientation & Assessment (O&A) is driven by the number of new youth received and the length of time they stay. The ADP of O&A is under target partially because of lower than expected intakes. The target is based on 65 new admissions a month (785/12), but the average for the second quarter of FY 2020 was 50. Part of that comes from a 51 percent decline in new admissions from Harris County. The length of stay during the second quarter of FY 2020 for new admissions was 32.4 days which was more than 5 days (14 percent) shorter than the length of stay in the second quarter of FY 2019 (37.9 days).

^l TJJD has focused on reducing the number of youth in state-operated correctional facilities by supporting regional diversion programs and alternative placements outside of TJJD with the lowest structure consistent with youths' needs. Additionally, the agency has closely monitored youth progress through state-operated secure facilities to promote movement to lessor restriction settings as appropriate. As a result, the ADP in state-operated facilities was lower than the target.

^m State-operated secure facility ADP was lower than the target resulting in lower average daily attendance (ADA). Every student assigned to a state-operated facility is required to attend school.

ⁿ For the first half of fiscal year 2020, the average daily population of the halfway houses was below target for several reasons. First, the regional diversion efforts have reduced the number of youth committed to TJJD in general and those youth who would be eligible to go to medium secure halfway houses right after orientation in particular. Second, there continues to be an increased emphasis on placing youth in contract care placements to better meet youths' needs with a full array of services. To most efficiently use TJJD resources given the numbers of youth eligible for halfway house placement, Cottrell House was shuttered resulting in the reduction of 19 beds, the budgeted beds for McFadden Ranch was temporarily reduced from 48 to 24, Ayres House was temporarily capped at 16, and Schaeffer House was reduced from 20 to 16.

^o The ADP for general rehabilitative treatment is largely a function of the average daily populations of the state-operated correctional facilities and the halfway houses. Both of these ADP's are below target for fiscal year 2020, resulting in an ADP for general rehabilitative treatment below target.

^p The ADP for specialized treatment is largely a function of the average daily populations of the state-operated correctional facilities and the halfway houses. Both of these ADP's are below target for fiscal year 2020, resulting in an ADP for specialized rehabilitative treatment below target. Although a youth can only be counted once per day for the ADP, it is possible for a juvenile to be enrolled in more than one program.

^q TJJD has a continued focus on growing alternative placement options that can provide specialized rehabilitative services able to meet the individual needs of the TJJD youth population. Additionally, TJJD was unable to send youth to one of the contract facilities, Gulf Coast Trade Center, due to a fire in September.

^r The target parole ADP for fiscal year 2020 was based on anticipated increases in the overall residential population; many youth in residential programs will eventually be released on parole. However, the anticipated growth in the residential population did not occur, resulting in a parole ADP that was below target.

^s The ADP for state-operated correctional facilities was 141 under target; that is 15 percent below target. Because many of the costs associated with correctional facilities are fixed, this shortage causes the cost per day to rise above the target.

^t The ADP for halfway houses was 66 under target; that is 45 percent below target. Because many of the costs associated with running halfway houses are fixed, this shortage causes the cost per day to rise above the target.

^u A number of youth in TJJD custody have substantial medical needs. TJJD pays UTMB a monthly prepayment and then a payment for the difference between the actual expense and the prepayment amount. As of the time of submission, prepayments for five of the six months so far in the fiscal year and the payment of differences for four of the months had been paid. In the first quarter, only three of the six potential payments had been made by the time of submission; TJJD has gone from accounting for half of the expected payments to 3/4th of the expected payments. Contracted health care includes both fixed and variable costs (such as staff salaries) usually accounting for a significant majority of the cost. The average daily populations for both institutions and halfway houses are under target, so the cost per juvenile is increasing.

^v TJJJ pays UTMB a monthly prepayment and then a payment for the difference between the actual expense and the prepayment amount. As of the time of submission, prepayments for five of the six months so far in the fiscal year and the payment of differences for four of the months had been paid. The cost per day for psychiatric services is below target because the calculation includes expenditure data for only part of the reporting period.

^w During the first quarter of the FY 2020, several vacant positions were filled and some positions received a salary increase. Additional staff were hired to assist in the implementation of the Texas Model, a trauma-informed care system being implemented across TJJJ. These expenses continue to contribute to the above-target cost per day in the second quarter.

^x During the first quarter of the FY 2020, several vacant positions were filled and some positions received a salary increase. These expenses continue to contribute to the above-target cost per day in the second quarter.

^y Most parole service costs are fixed. The higher cost per juvenile service day reflects the parole ADP being 75 percent of the target population. Parole also raised the contract parole cost per day from \$12.50 to \$13.00.

To: TJJJ Board Members

From: Louis Serrano, Deputy Executive Director for Probation Services

Subject: Update on Probation Services Division

Date: May 1, 2020

Following is a brief update concerning each of the five departments within the Probation Division.

Regionalization

The regionalization team supports the activities of the agency's regionalization plan and administers the regional diversion alternatives and regional service enhancement grants.

- At the beginning of FY20, there were 171 youth in diversion placement. As of February 29, 2020, 153 youth have been placed during FY20, and 134 have been released from placement. There have been 257 applications submitted by 88 juvenile probation departments. As of April 17, 2020, there are 29 youth who have been approved and are pending placement, and 193 youth are in diversion placement.
- New admissions to TJJJ in FY20 through the first quarter have seen a slight decrease of 2% (6 actual youth), as compared to this same period in FY19.

Grants

The grants team administers the TJJJ grants to juvenile probation departments, including contractual, financial, and programmatic elements of the grants, and completes monitoring and technical assistance activities related to grants.

- We continue to work toward implementation of our new grant management software (FLUXX).

- TJJD personnel from Probation Services has begun working on the FY22-23 grant contract. We will soon convene the larger group to include Finance, Research, and Office of General Counsel as soon as we have completed our proposed revisions.
- We are presenting the grant funding details for the FY21 at today's meeting. We will have them out to the field as soon as they are approved by the board.
- The Internal Audit Office has been working with the County Grants Team on an audit of the county grants process. The process has gone well, and we appreciate the efforts of the Internal Audit and County Grants staff to help us improve our processes.
- The deadline for the independent audits has past (March 1, 2020). We have received 161 Independent Audits and still waiting receipt of five. Paul has been reviewing each of those reports. He has suspended his monitoring in the field, but he will resume his visits at a later date to allow departments to focus on other pressing issues

Juvenile Justice Alternative Education Program

This department provides guidance and technical assistance to juvenile probation departments in all matters related to Juvenile Justice Alternative Education Programs (JJAEP).

- Ms. Alawan Thomas has accepted the position of JJAEP Accountability Specialist, and started with the agency on April 1, 2020. Ms. Thomas brings excellent counseling skills and a background in working with discipline alternative education programs to her position..
- Dr. Welsch and Ms. Thomas completed the statutorily required legislative report, due May 1, 2020, and forwarded it for approval and submission to the LBB.
- Dr. Welsch completed all JJAEP site visits for the school year, providing technical assistance to support the implementation of the latest revision of chapter 348 standards that were effective August 1, 2018.

- JJAEP staff is monitoring monthly attendance closely as the number attendance days and students have continued to increase during this school year.
 - All JJAEP programs have completed the transition and are providing remote education services to students assigned to their JJAEPs.
 - As of the end of March, JJAEPs have reported over 77,800 attendance days, with three more reporting cycles to complete the year still to come. The total attendance days will far exceed last school year's total of just over 80,000 eligible attendance days.
 - JJAEPs reported 1949 students this year already compared to 1772 students all last year, which is an increase of 10% above last year's total. The number of new students sent to JJAEPs during this COVID-19 situation will be far fewer than expected since they are not currently on campus.

- The JJAEP staff will be preparing webinars to replace the cancelled in-person JJAEP Summer Conference.

Title IV-E/Medicaid

This department administers the Title IV-E federal foster care reimbursement program, provides technical assistance and compliance monitoring on matters related to Title IV-E programs and funding, and assists juvenile justice youth and families with Medicaid services.

- Currently, there are 13 juvenile probation departments with 23 active Title IV-E placements and 3 youth pending approval. TJJD has 2 active youth, with 3 pending approval.

- We continue to work with DFPS to make the reimbursement process as smooth as possible and are seeing improvements on the turnaround time for payment.

- We have a new employee beginning work in this department on May 4th, which will make us fully staffed.

Interstate Compact

This department administers a contract between the states that regulates interstate movement of juveniles under court supervision or who have run away from home and left their home state, provides support to juvenile probation departments and TJJJ in all matters related to the Interstate Compact, and represents Texas on the Interstate Commission for Juveniles.

- ICJ began FY20 with 400 opened supervision cases. Through the 2nd quarter of FY20, ICJ opened 184 supervision cases, closed 234 cases, extraditions included 50 cases, and provided 4 airport supervisions.

Other Projects/Updates

- Guidance continues to be provided to our probation departments and facilities in response to COVID-19. The juvenile probation departments have done a tremendous job implementing local policies, and adhering to agency directives related to COVID-19.
- The Data Coordinators Conference had been scheduled for May 4-6, 2020 at Horseshoe Bay Resort. This conference has been rescheduled for the Fall 2020. Over 150 participants had registered for this conference. That will be a partnership with the Correctional Management Institute of Texas.
- The Regional Collaboration Summits that were scheduled to help build Community Resource Coordination Groups will be rescheduled in FY21.