

**Independent Ombudsman
for the
Texas Juvenile Justice Department**



Third Quarter Report FY 13
March 1, 2013 to May 31, 2013

Introduction:

This report is the third Quarterly Report of FY 2013 to be submitted by this office under statute and is intended for the Executive Director of the Texas Juvenile Justice Department (TJJD), the Governor, Lt. Governor, Speaker of the House, members of the Texas Legislature, and the Auditor for the State of Texas. This report will serve to provide a description of the activities of the office during the third quarter of FY 13 spanning March 1, 2013 to May 31, 2013.

Overview of the Work of the Independent Ombudsman

The Independent Ombudsman (IO) was established for the purpose of investigating, evaluating, and securing the rights of the children committed to the Juvenile Justice Department, including a child released under supervision before final discharge. To fulfill the duties of the office, IO staff regularly visit all TJJD secure facilities, halfway houses, parole offices, all contract care programs as well as tracks Abuse, Neglect and Exploitation (ANE) incidents from all pre/post adjudication county facilities. Currently, TJJD operates 6 secure facilities, 9 halfway houses, and parole district locations. Additionally, TJJD contracts with several additional facilities to provide services to TJJD youth. While the IO seeks to address systemic problems with TJJD service delivery, the office has resolved numerous individual complaints, as well.

The office successfully visited and inspected secure TJJD facilities, as well as halfway houses, contract care facilities and parole offices to monitor for compliance with best practices for the safety and security of the youth. In addition all ANE incident reports, from county facilities, have been reviewed and tracked for trends.

Special Report

Last year advocacy groups requested that the IO conduct an in-depth analysis of violence in the state juvenile justice system. The IO undertook this project in collaboration with the LBJ School of Public Affairs at the University of Texas.

The report, "Understanding and Addressing Youth Violence in the Texas Juvenile Justice Department," emphasizes strategies for reducing violence in juvenile settings rather than assessing blame. The IO recognizes that reforms within the agency are well underway. Nevertheless, there are a number of issues in the report that raise significant concerns for the IO.

--Youth violence and disruptive behavior are ongoing and increasing problems, as are non-violent major rule violations. TJJD appears to have a problem with managing youth behavior generally, not just a problem with violence.

--To date, youth violence has been treated as a short-term crisis to be solved, rather than as a long-term, chronic issue to be managed through comprehensive and proactive approaches to behavior management.

--Different types of behavioral problems predominate at each TJJD facility, suggesting a lack of consistency in the way programs and procedures are implemented across the agency.

--The Corsicana facility for youth with serious mental illness has by far the highest levels of youth violence and disruptive behavior in TJJD, calling into question the effectiveness of this setting for a treatment purpose.

--Security units are vastly overused as a behavior management tool, and the data suggest that the placement of youth in these punitive settings may in fact be contributing to misbehavior rather than deterring it.

Despite the large numbers of violent and other serious incidents, youth generally report feeling safe in the facilities. Most incidents do not result in serious bodily injury and do not involve weapons. And of particular importance given the agency's history, youth do not report sexual assault to be a significant problem.

The report finds that the incidence of violence is unrelated to the presence of older youth in the facility, and indeed that younger youth (age 14 and 15) are disproportionately likely to commit serious and violent incidents.

The IO recommends that TJJD develop a multi-tiered behavior management plan that incorporates preventive elements, intervention elements, and a graduated system of discipline that includes both intensified interventions and immediate consequences. The report details what an effective behavior management plan should look like. The model is based on best practices in juvenile justice systems around the country that have been successful in reducing youth violence. Other specific recommendations are directed to TJJD administrators and to legislators.

The IO will continue to monitor the levels of youth violence in TJJD and the agency's progress in implementing an effective behavioral management plan for all youth in the agency.

A full copy of the report will be available on the Ombudsman's web site.

Accounting of Site Visits, Youth Contact and Individual Cases

	FY 2012	3rd Quarter FY13	FY13 Total
Site Visits	247	63	180
Number of Youth Interviewed	1430	622	1160
Number of Youth Interviews Conducted	2382	822	2064
Closed Cases	216	93	191

Facilities visited by IO staff during the third quarter

Secure Facilities

Corsicana Residential Treatment Center (*Corsicana TX*)
Evins Regional Juvenile Center (*Edinburg TX*)
Gainesville State School (*Gainesville TX*)
Giddings State School (*Giddings TX*)
McLennan County State Juvenile Correctional Facility (*Mart TX*)
Ron Jackson State Juvenile Correctional Complex (*Brownwood TX*)

TJJD Halfway Houses

Ayres House-*San Antonio TX*
Beto House-*McAllen TX*
Cottrell House-*Dallas TX*
Edna Tamayo House-*Harlingen TX*
McFadden Ranch-*Roanoke TX*
Schaeffer House-*El Paso TX*
Turman House-*Austin TX*
Willoughby House-*Fort Worth TX*
York House-*Corpus Christi TX*

TJJD District Offices

Austin District Office
Dallas District Office
El Paso District Office
Fort Worth District Office
Houston District Office
San Antonio District Office

Parole Areas (Parole officers not working out of a district office)

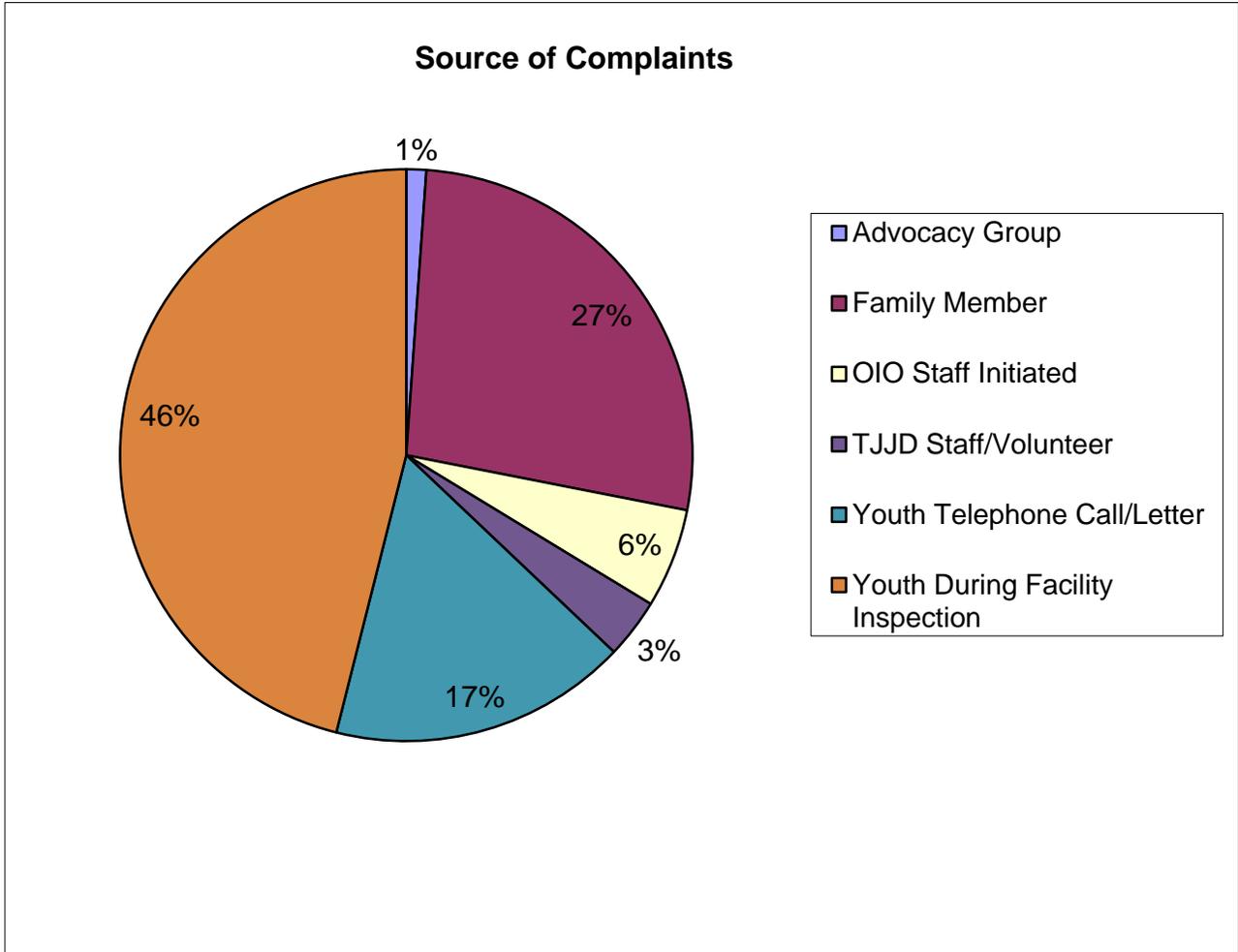
Amarillo Area Parole
Bell County Area Parole
Harlingen Area Parole
Lubbock Area Parole
Midland Area Parole
Tyler Area Parole

Contract Care Facilities

Abraxas Youth and Family Services-*San Antonio TX*
Associated Marine Institutes, Inc. (RGMI)-*Los Fresnos TX*
Austin State Hospital-*Austin TX*
Byrds Therapeutic Group Home-*Houston TX*
Garza County Regional Juvenile Center-*Post TX*
Gulf Coast Trades Center-*New Waverly TX*
National Mentor Healthcare LLC, East Intermediate-*Houston TX*
New Day Achievement Center-*Huntsville TX*
Specialized Alternatives for Youth (SAFY)-*Arlington TX*
Terrell State Hospital
Unity Children's Home-*Houston TX (two locations)*
Vernon State Hospital-*Vernon TX*

Anyone may file a complaint with the IO. Complaints can be made via telephone, mail, fax, email, or in person during a facility inspection. The IO received 89 complaints during the third quarter. The majority of these cases were received directly from the youth during facility inspections.

Third Quarter-FY 13



Complaints Received by Facility-Third Quarter FY 13*

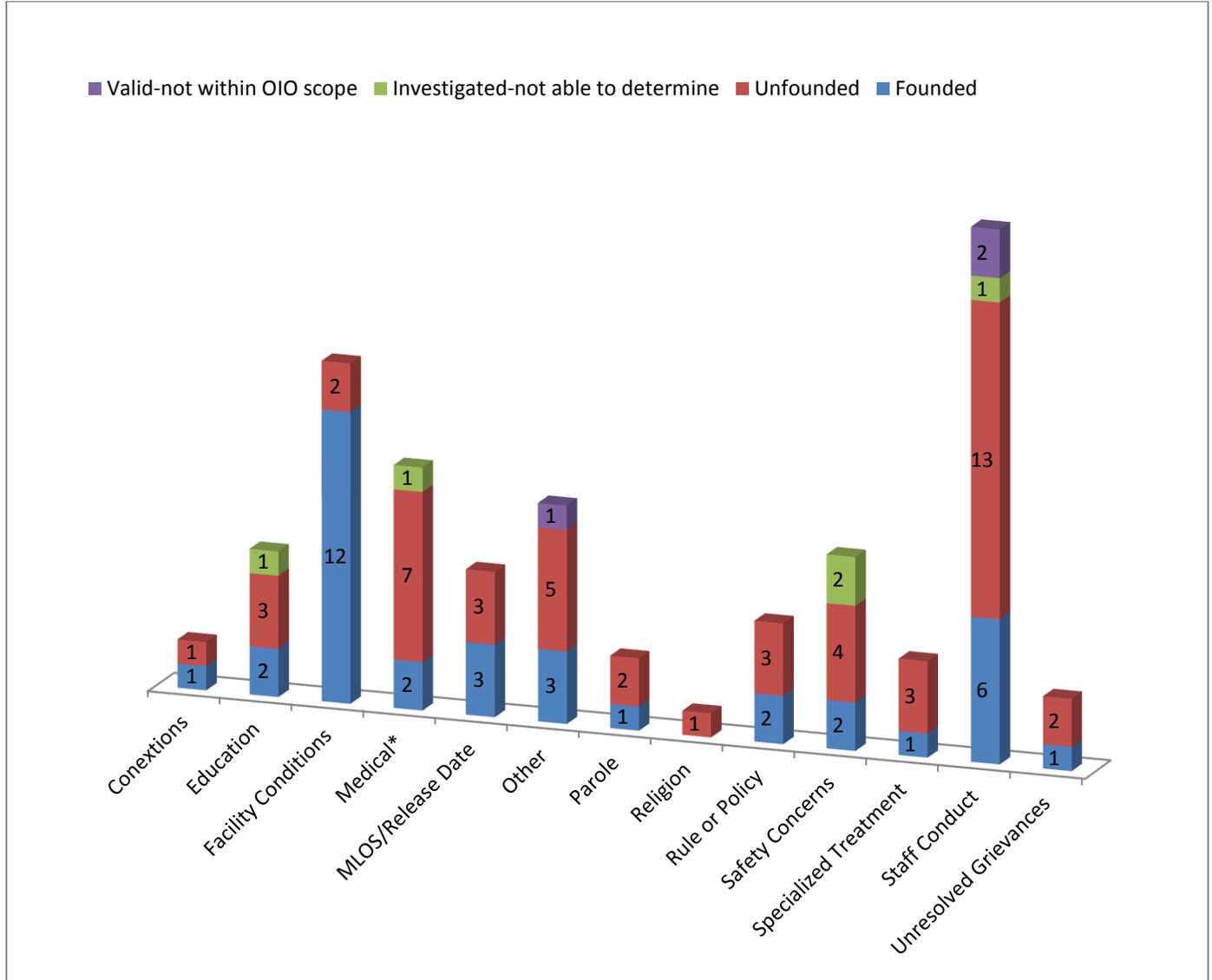
Facility	Total for Facility	Conexctions	Education	Facility Conditions	MLOS/Release Date	Medical	Other	Parole	Religion	Rule or Policy	Safety Concerns	Specialized Treatment	Unresolved Grievances	Staff Conduct
ASSOCIATED MARINE INSTITUTES, INC. DBA RGMI	1													1
CORSICANA RTC	8		2		3		1		1			1		
COTTRELL HOUSE	2				1				1					
EVINS REG JUV CNTR	16	2			1			1			1			9
GAINESVILLE STATE SCHOOL	7						2	2			1	2		
GIDDINGS STATE SCHOOL	21				7	1	2		1			1		7
MCFADDEN RANCH	1				1									
MCLENNAN COUNTY SJCF	9				1	2	1					3		2
RON JACKSON SJCC	10		3	1	4		1							
SAN ANTONIO PAROLE	1										1			
TURMAN HOUSE	2									1	1			
WILLOUGHBY HOUSE	2		1		1									
YORK HOUSE	9				1			1	1		1			3

* Facilities without complaints are not listed

The IO closed 93 cases in the third quarter. Cases are closed in one of four ways: Founded, Unfounded, Investigated-unable to determine, and Valid-not within IO scope.

Closed Cases

Third Quarter FY 13

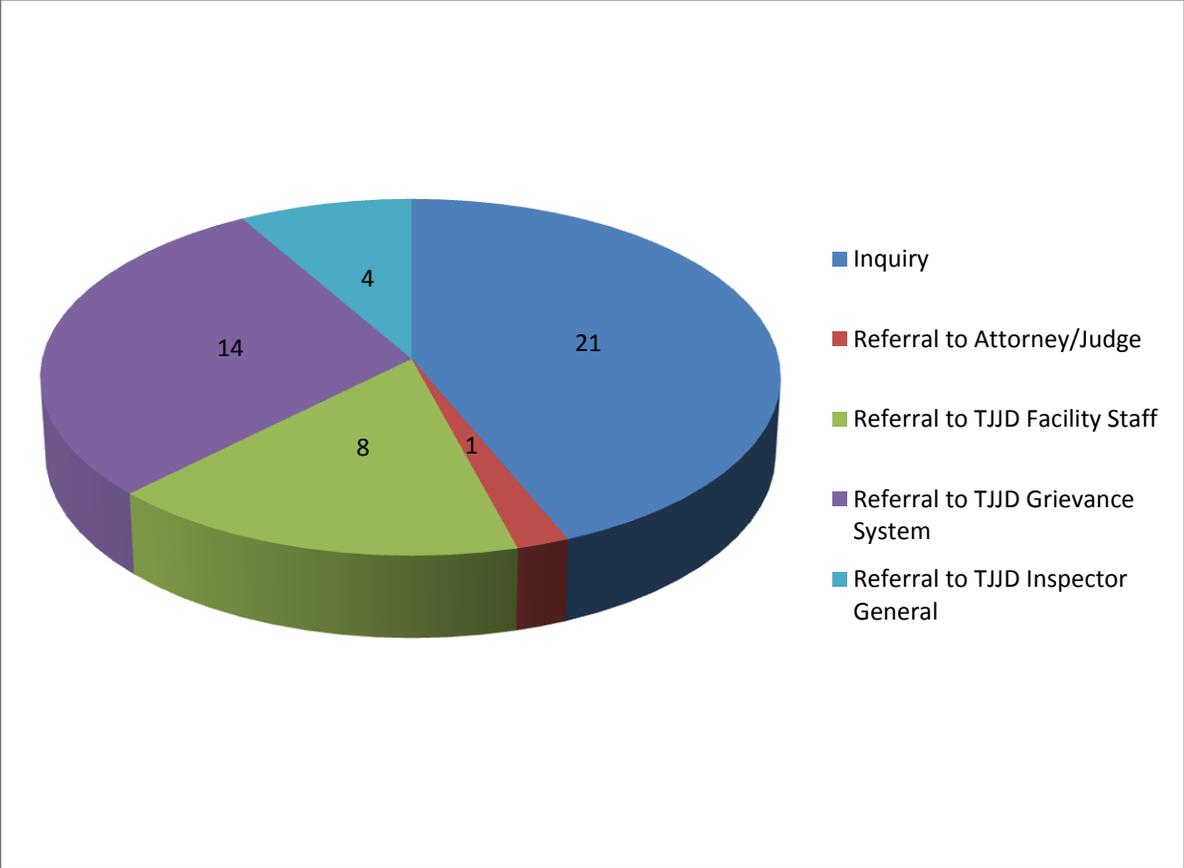


* Note: The Independent Ombudsman generally does not make findings regarding the quality or appropriateness of the care delivered. Unless otherwise noted, the medical cases in this report involve only issues of access to health care services.

In addition to the cases that are investigated by IO staff, the office also receives numerous inquiries and complaints that are referred to the appropriate authority. The IO received 223 inquiries and referrals during the third quarter.

Inquiries and Referrals

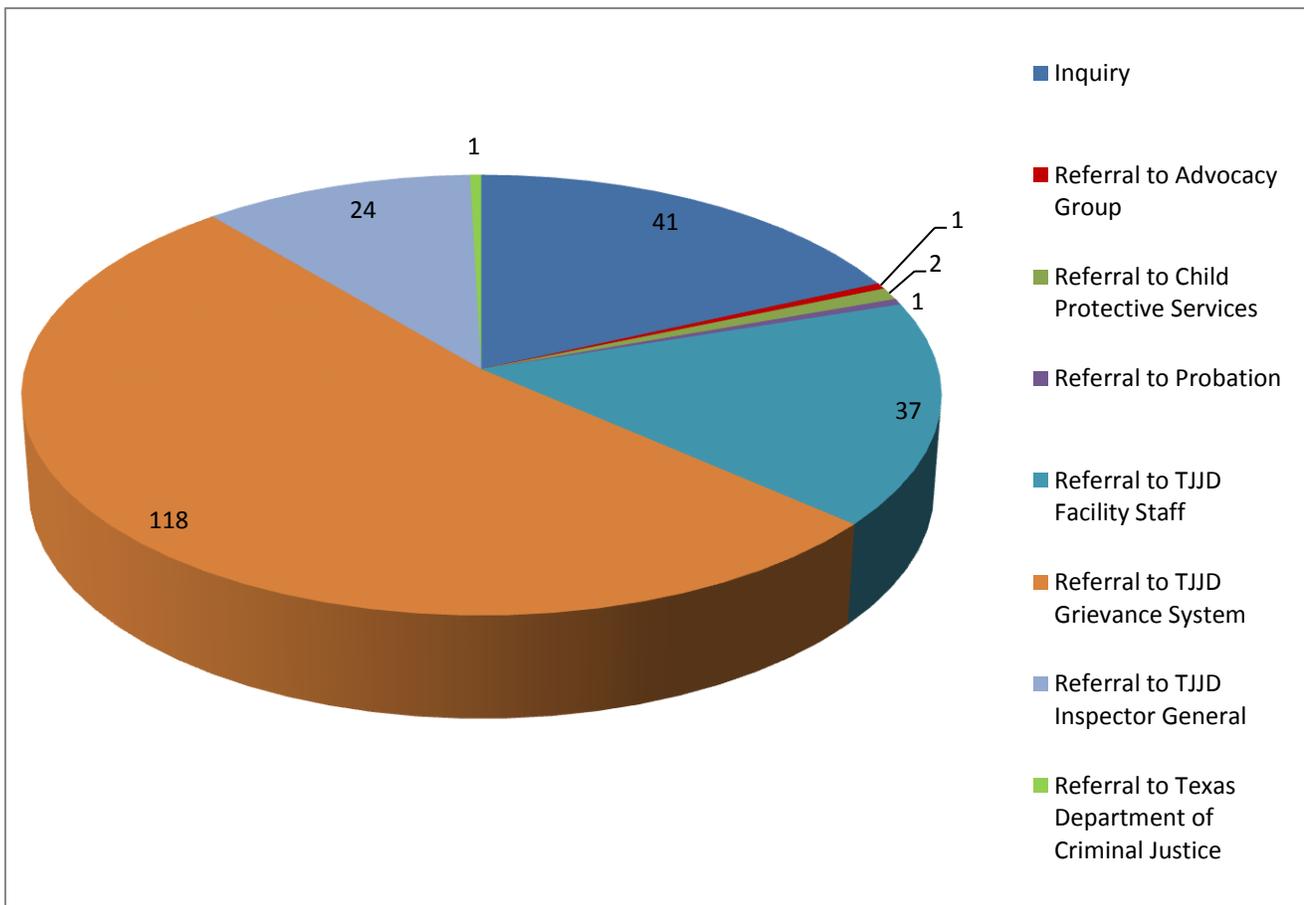
Third Quarter FY13



The IO reviewed 49 ANE reports in the third quarter.

Reports of Abuse, Neglect and Exploitation from County Operated Facilities*

Third Quarter FY 13



*These reports are reviewed by the IO, but there is no investigation or determination of findings made by the office. The IO tracks these incidents for indications of systemic issues and trends.