



*Office of the Independent Ombudsman  
of the Texas Youth Commission*

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## **First Quarter Report FY 11**

**September 1, 2010-November 30, 2010**

### **I. Introduction**

This report is the first Quarterly Report of FY 2011 to be submitted by this office under statute and is intended for the Executive Director of the Texas Youth Commission, 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 first quarter of FY 11 spanning September to November, 2010, and will address the following areas as specified by Senate Bill 103 (SB103):

- the general scope of work of the Office of the Independent Ombudsman (OIO);
- trends observed as the result of reviews and investigations of facilities and contract care programs that have been undertaken by this office;
- recommendations to improve the efficiency of the operations of the Texas Youth Commission and the OIO.

### **II. Overview of the Work of the Office of the Independent Ombudsman**

The newly appointed Chief Ombudsman, Debbie Unruh, took office November 1, 2010. Since taking office, she has visited and participated in site visits at 6 of the 10 secured facilities, 5 of the 9 halfway houses, 2 of the 9 contracted facilities, and 3 of the 13 district offices.

A Memorandum of Understanding has been signed between the OIO and TYC on reporting procedures, as required by Senate Bill 103.

The office has registered with the Texas Registry and has new policy being reviewed for pending publication.

New procedures have been implemented for the handling of complaints from intake to resolution.

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The OIO has new requirements for the unannounced regular site visits to all secure facilities, halfway houses, contract facilities, and district offices.

The OIO database has been expanded to provide more accurate information on numbers of complaints, number of site visits, number of contacts, and number of inquiries. This new data will assist in tracking resolved and outstanding cases.

### Accounting of Site Visits, Youth Contact and Individual Cases

Site Visits	Youth Contacts	Resolved Cases	Pending Cases
22	249	80	69

### Public Awareness

The current phone number to reach the OIO is long distance for anyone outside the Austin area. The OIO has secured a toll free phone number with a 24-hour answering service to handle calls 24-hours a day. A newly designed poster with the number will be posted in all facilities. All youth handbooks, family handbooks, and brochures are in the process of being updated with the new number. These steps should assist in increased awareness and simplified access to the Office.

## III. Trends Observed as a Result of Site Visits and Research Conducted by the Office of the Independent Ombudsman

**Education:** Due to teacher vacancies and absenteeism, several facilities are holding classes without certified teachers. These classes are being conducted by teacher aides, who are not equipped to control the students and do not have lesson plans to continue regular instruction. To address teacher shortages, students have occasionally been combined in one classroom with one teacher. Additionally, youth with GED's are not being accommodated with other services. They are either required to attend classes they no longer need if they are not preparing for college, or they are required to entertain themselves for long periods of time. This is particularly true of youth in halfway houses.

**Re-entry:** Halfway houses are the intended means for assisting youth in their transition home. Youth face many obstacles once released from TYC. The halfway house can and should be an opportunity for youth to overcome many of these obstacles. Programs and support are minimal, and staffing is at times not sufficient to accomplish this goal. This is an area where TYC can have a big impact on preparing youth for re-entry into society.

**Programs:** More time will be spent next quarter evaluating and understanding the CoNEXTions program. If this program is to be successful, more training is needed. Many staff report not feeling adequately trained or do not fully understand the concept of this program and how it benefits them or the youth.

**Staffing Issues:** Many facilities are experiencing staffing issues due to staff call-ins, staff on FMLA, and position vacancies. These shortages often require existing staff to work double shifts and to work on their scheduled days off. Some staff report becoming tired and frustrated, leading to more absenteeism. This also increases the potential for staff injury and employee turnover.

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**Safety:** Youth in most facilities are reporting feeling safe. Increased camera and remodeled housing have given most youth a safety barrier. Some youth report safety concerns regarding other youth, particularly related to bullying and gang-related issues. OIO will continue to monitor this issue through the next quarter and will report to TYC on their findings.

**Reporting:** Consistent documentation and paperwork is needed in many areas. Often signatures are missing, plans are not documented, activities are not recorded, and/or schedules are not within the time frames specified by TYC policies and/or procedures.

#### **IV. Recommendation**

Schedule a monthly meeting between the OIO, the executive director of TYC, and the executive management team, to keep them informed of all site visit and investigative findings.

Schedule and meet with the new re-entry director to get a better understanding of the direction they are taking with regard to halfway houses.

The OIO would like there to be a consideration for placement of Stage I and II youth in contract facilities rather than halfway houses. This could eliminate the problems developing at the halfway houses and return the houses to their intended purpose. This would also give the Stage I and II youth the opportunity to progress in the treatment program prior to transfer to the halfway house.

Continue monitoring the staffing issues and the educational services to insure that resolutions are in progress.

OIO advocates a thorough review of the recommendation from the Moss Group study with implementation on a priority basis.

During these tough economic times, it is easy to look at the easiest ways to cut budgets, which many times includes eliminating staff positions and services to youth. The OIO strongly suggests that every effort be made to consider making cuts in hard-to-find places rather than in areas that will effect the progress that has been made at the TYC facilities. Two steps forward and one back will only lengthen the time for change.

#### **V. Conclusion**

This OIO report points out several concerns; however, we have seen many positives at each of the facilities. The OIO will spend much of its time in the next quarter performing follow up on the issues raised in this report, in addition to reviewing areas not yet observed or evaluated.

The new Chief Ombudsman will continue meeting with advocacy groups, youth rights groups, and legislators to keep them informed of the progress at TYC.

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