



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

Second Quarter Report FY 11

December 1, 2010 to February 28, 2011

I. Introduction

This report is the second 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 December 2010 through February 2011, 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

During the second quarter of this year, the OIO facilitated monthly briefings with the TYC Executive Management Team (EMT). The purpose of these meetings was to establish open communication between the OIO and the EMT regarding issues that have been identified in the individual site visits. The meetings have been productive and solutions have come about for all issues. These monthly briefings will continue, as long as they are productive to both TYC and the OIO. Additional TYC staff has requested copies of the monthly briefing report so that they might be better educated on issues the OIO has identified.

OIO staff attended numerous Legislative hearings and has been available to answer questions for the House, the Senate and related committees. The office will continue to participate when needed throughout the 82nd session.

*6400 FM 969 · Austin, Texas 78724
(512) 919-5603 · (512) 927-8185 fax*

The office successfully visited and inspected all secure TYC facilities at least once during the quarter, using the newly developed site visit inspection form created by the OIO. A copy of the form is included with this report.

Accounting of Site Visits, Youth Contact and Individual Cases

Site Visits	Youth Contacts	Resolved Cases	Pending Cases
32	248	145	92

Public Awareness

During this quarter, the toll-free phone line was installed on phones in all secure TYC facilities. The toll free number is advertised at all facilities and is also listed on the OIO web site. The office has been averaging 19 calls a week. All calls are assigned to OIO staff for investigation and resolution or they are forwarded to the TYC grievance system. All calls forwarded to the TYC grievance system are tracked by OIO staff to ensure an acceptable resolution is provided.

The office continues to educate the public on the role of the OIO. The OIO participated in a career expo this quarter, making presentations to 93 individuals.

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

Education: It has been reported that a few facilities are dismissing school one afternoon a week to conduct Multidisciplinary Team Meetings (MDT's). The CoNextions program stresses family involvement; however, if MDT's are only conducted in the afternoon, it is often not possible for working parents to participate. It should be noted that some parents participate via telephone, but several have said they would attend the meetings in person if they were held at different times.

Re-entry: Traditionally, halfway houses have been utilized as a transition facility to prepare youth for their return home. However, it has been reported that TYC halfway houses are also being used to house some youth directly out of TYC orientation. Youth and staff have expressed frustration with the integration of these youth into halfway houses. Staff must spend a greater amount of time dealing with misbehavior from the orientation youth, who are often not familiar with TYC rules and procedures. This means that privileges earned by the other youth working to transition home are not provided. If staff must address behavioral issues, there is not enough available staff to take the other youth on earned outings, or to work or school. Additionally, the CoNextions program encourages a group discussion, called a "check-in" to address negative behavior. Youth preparing to transition home complain that negative behavior from the orientation youth has caused a rise in the number of check-ins, further interrupting their schedules.

OIO staff understands that not every youth needs to go directly from orientation to a secure TYC facility. There is a need for medium security facilities to house these youth. However, housing youth directly out of TYC orientation with youth preparing to transition home does not benefit the transitioning youth.

*6400 FM 969 · Austin, Texas 78724
(512) 919-5603 · (512) 927-8185 fax*

Programs: During this quarter, TYC staff was provided additional training for CoNextions; however, TYC staff and youth still express concerns regarding how it is administered and its effectiveness. The OIO sees a need for continued training.

Safety: There have been reports of increased gang activity at two of the facilities and some youth voiced concerns that they will be forced to participate in the gangs to avoid harm. It is important for all staff to be well trained in gang activity and to intervene at the earliest warning signs.

Minimum Length of Stay (MLOS): If a youth has not reached stage YES before his or her MLOS is up, the youth's release packet will go before the Release Review Panel (RRP) to decide whether to release the youth or extend his or her stay. Case Management Standards direct a superintendent to ensure that a release packet is sent to the RRP no later than 30 days prior to the youth's MLOS date. It has been reported to our office that many release packets are not started and/or completed timely, which results in a delay in the youth's release. In some cases when the paperwork is not properly completed it is returned by central office staff in Austin to the facility for correction. This may add additional time before the youth's release. It has been reported that errors in paperwork completion have resulted in delays of up to 90 days. This issue will be a focus of the OIO during the next quarter.

IV. Recommendation

Consider alternative scheduling of MDT's to maximize parent participation.

Continue to look for ways to provide medium security housing without punishing the youth who are transitioning home.

Continue training on CoNextions.

Take a more aggressive approach to training in gang activity identification and deterrence.

Retrain staff on policy and procedures regarding the completion of release packets. Implement a time line for the packets to be moved from one area to the next and hold each division accountable for completeness and accuracy.

V. Conclusion

With looming budget cuts and facility closures, the working environment has grown more stressful at all TYC facilities. During this time, it is important that administration and supervisors work harder to ensure the safety and security of the youth in their care. This includes ensuring treatment continues, education progresses, and that the reform that has taken place does not go by the way-side.