



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

---

**Office of the Independent Ombudsman  
Third Quarterly Report FY 09  
March 1, 2009 thru May 31, 2009**

**I. Introduction**

This report is the third Quarterly Report of FY 2009 to be submitted by this office under statute and is intended for the Executive Commissioner 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 of the Independent Ombudsman during the third quarter of FY 09 spanning March to May 2009, 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.

This report is submitted by Deputy Chief Ombudsman Susan Moynahan with information provided by former Chief Ombudsman Will Harrell. Mr. Harrell resigned his position with the OIO effective June 1, 2009.

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

**Accounting of Site Visits, Youth Contacts, and Individual Cases**

<b>Site Visits</b>	<b>Youth Contacts</b>	<b>Resolved Cases</b>	<b>Pending Cases</b>
15	335	78	49

6400 East Highway 290, Suite 202 · Austin, Texas 78723  
(512)533-2770 · (512)533-2702 fax

---

---

## **OIO Staff Training**

OIO staff participated in the following trainings:

- Practical Skills for Personnel Supervision
- Suicide Prevention
- Handle with Care
- Treatment Services for the Female Offender

## **Working Groups**

- Parole Re-Entry
- Suicide Prevention
- Juvenile Detention Alternatives Initiative (JDAI), Harris County and Dallas County
- Medical Services Committee
- Education/Special Education Services Committee

## **Public Education**

SB103 requires the OIO to educate the public about the rights of youth committed to the TYC. The Chief Ombudsman is regularly invited to make public presentations to advocacy groups, professional associations, and parent groups. The OIO is also invited to speak in academic forums and within TYC. Following are the public education events at which OIO staff has presented:

**Dallas Parole Re-Entry Orientation Program:** The Dallas District Office Re-Entry Team has implemented a Re-Entry Orientation for the youth recently released to the community and their families. The Re-Entry Team meets with the youth and their families bi-weekly. The OIO began participating in these meetings at the request of the Re-Entry Team for the purpose of meeting with the youth and families and educating them on the role and function of the OIO.

**Parole Services Family Palooza:** The OIO and the Texas Youth Commission's Family Liaisons have held a series of collaborative projects called "Family Palooza". The OIO/TYC Community Family Focus Forum project was designed to place an emphasis on parents and surrogate parents with children released into the community under parole supervision of the Texas Youth Commission. The OIO/TYC objective for this project was to establish a partnership with parents to assist them with accessing community resources in order to improve services for their children. The Family Palooza events have allowed for an exchange of information about the expectations of parole and the barriers youth face when released to the community.

## **Special Projects**

The OIO evaluates services provided to youth and other systemic issues in addition to resolving individual complaints and undertaking periodic, routine site visits. Once a special project has been completed, the agency is provided with the information obtained.

We have focused on the following areas during this quarter:

- Re-Entry Initiatives
- Suicide Alert
- 1550 Mental Illness Discharge
- Medical Services

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

**Education:** The OIO provided technical resources to Senator Florence Shapiro in the development of SB 1362, which was amended to HB 3689 by Representative Ruth McClendon. That bill enhances educational services and mandates behavioral supports for youth at TYC.

**Suicide Prevention:** The OIO has raised concerns regarding the TYC process of handling youth self-harm and suicidal ideation. We have submitted a memorandum and have continued to collaborate with TYC to revised policies and procedures in this regard.

**Mental Illness:** The OIO has raised concerns regarding the statutory requirement that mandates youth to serve a minimum length of confinement before she or he is eligible for a mental illness discharge and the ineligibility of discharged youth for TCOOMI resources. We developed a multi-media presentation for interested legislators to inform them of this problem. We provided technical resource assistance to Chairman Jim McReynolds in the development of HB 4451, which addresses these concerns.

**Re-Entry:** The OIO has previously reported concerns regarding barriers youth face during transition from TYC facilities to the community. OIO is actively participating in the parole Re-Entry Workgroup. Additionally, OIO Consultant Courtney Robinson is currently conducting and evaluating obstacles these youth face and is developing recommendations. OIO anticipates receipt of her report by August 31, 2009.

---

---

**Excessive Lengths of Stay in Security on Self Referral:** The OIO has raised concerns regarding the TYC process for evaluating and addressing issues with youth who remain in security for an excessive number of days because they refuse to return to the dorm. The reason youth often give for not wanting to leave security is fear of being assaulted by other youth, fear of getting in trouble for fighting, and/or that they believe they can not make positive progress on the dorm. OIO will continue to monitor this issue through the next quarter and will report findings to the TYC.

#### **IV. Recommendations to Improve the Effectiveness of TYC and the OIO**

The effectiveness of both TYC and the OIO will improve as the collaborative efforts and open communication between these two agencies continues to strengthen. Executive Commissioner Cherie Townsend has fully supported these efforts by incorporating OIO observations, concerns and reports as discussion topics in upper management meetings. In addition, the Chief Ombudsman has standing invitations to attend the monthly meetings with the Executive Management Team and the Superintendents.

The OIO is currently working Professor Michele Deitch who has completed her evaluation of OIO and is in the process of finalizing her report. Some of the areas that Professor Deitch's report will include an overview of the roles and responsibilities of the OIO, recommendations for procedural changes, and necessary qualifications of OIO staff. In addition, Professor Deitch will assist with the development of a Memorandum of Understanding between OIO and TYC. Once this report is finalized, OIO plans to evaluate the findings and recommendations and implement the changes necessary to improve the OIO's effectiveness with TYC.

#### **V. Conclusion**

Chief Ombudsman Will Harrell resigned his position with the OIO effective June 1, 2009. Deputy Chief Ombudsman Susan Moynahan will serve in his capacity until a new Chief Ombudsman is appointed.