

BOARD MEETINGS

JUNE 23, 2016

Austin, Texas



TEXAS
JUVENILE  JUSTICE
DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES



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TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

Board Meeting

11209 Metric Boulevard, Building H, Ste. A
Lone Star Conference Room
Austin, TX 78758
Thursday, June 23, 2016 – 11:00 a.m.

1. Call to order
Chairman Fisher
2. Prayer
3. **Chairman Fisher**
4. Pledge
Chairman Fisher
5. Discussion, consideration, and possible approval regarding excused absences (Action)
Chairman Fisher
6. Public comments
Chairman Fisher
7. Discussion, consideration, and possible approval regarding the request to exceed appropriation transfer limitations for Parole Programs and Services
Mike Meyer | Page 5
8. Discussion and consideration of potential exceptional item appropriations requests for the 2018-2019 biennium
Mike Meyer | Page 9
9. Closed Session – Executive Session
Chairman Fisher
 - a. §551.071 Consultation with attorney
 - b. §551.072 Deliberation regarding real property
 - c. §551.074 Discussion regarding personnel matters
10. Reconvene in open session, discussion, consideration, and possible approval regarding matters deliberated in closed executive session, if applicable (Action)
Chairman Fisher
11. Adjourn
Chairman Fisher

- The Texas Juvenile Justice Department Board reserves the right to limit the time and scope of public comments as deemed appropriate by the Board.
- The Board of the Texas Juvenile Justice Department 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 Board of the Texas Juvenile Justice Department may go into closed session as authorized by the Texas Open Meetings Act as codified in Texas Government Code Section 551.071 with respect to any item.
- This meeting will be held by video conference call and presided over at the above location.
- If ADA accommodations are needed, please contact Jeannette Cantu at 512.490.7004 or Jeannette.Cantu@tjjd.texas.gov



Memorandum

To: TJJJ Board Members

From: David Reilly, Executive Director
 Mike Meyer, Chief Financial Officer

Subject: Discussion, consideration, and possible approval regarding the request to exceed appropriation transfer limitations for Parole Programs and Services

Date: June 14, 2016

Article IX, Section 14.01 of the General Appropriations Act (GAA) limits appropriation transfers in a fiscal year to 20 percent of the appropriation item from which the transfer is made. That same section provides agencies with the opportunity to request approval from the Governor and Legislative Budget Board to exceed that limitation. Pursuant to Section 14.01(c), such a request must be submitted by the agency’s governing board and include the following:

- (1) The date on which the governing board approved the request;
- (2) A statement justifying the need to exceed the transfer limitation;
- (3) The source of funds to be used to make the transfer; and
- (4) An explanation as to why such transfer cannot be deferred.

The attached letter is submitted for TJJJ Board consideration and will be provided to the Governor’s Office and Legislative Budget Board staff immediately following Board approval.

As shown in the table below, TJJJ’s fiscal year-to-date (YTD) total residential population through June 14 was above projections in the GAA by 5.3 percent.

	GAA Target	Population on June 14			FYTD as of June 14		
		Actual	Over (Under)	Percent	Actual	Over (Under)	Percent
Secure Facilities	998	1,062	64	6.4%	1,074	76	7.6%
Halfway Houses	146	166	20	13.7%	139	(7)	(4.8%)
Contract Care	120	110	(10)	(8.3%)	118	(2)	(1.7%)
	1,264	1,338	74	5.9%	1,331	67	5.3%

The elevated population in state programs and facilities creates significant budgetary pressures, which the agency has successfully managed for fiscal year (FY) 2016 primarily through access to “MAP” funds (approximately \$2.5 million from FY 2015 brought forward to FY 2016), cost cutting measures such as a hiring freeze, and transfers between appropriation items (excluding probation grant strategies). Staff has identified that planned transfers would exceed GAA limitations in Strategy C.1.2, Parole Programs and Services. The Article IX limit is \$290,857¹ (20%), while staff proposes to transfer an estimated \$375,000 (25.8%). Of note, the total Parole population on June 13 was 413 (exactly equal to the GAA target), and the YTD average population was 395 (4.4% below the target).

Deferral of this transfer would impact the agency’s ability to address challenges associated with the elevated residential population in FY 2016, as well as hamper efforts to lessen a projected operating budget shortfall in FY 2017. Staff is currently exploring and implementing options to decrease that shortfall in order to minimize a likely supplemental appropriations request during the upcoming legislative session.

¹ Calculation is relative to total appropriations, which include addition of \$11,167 for legislative statewide salary increases.



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TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

June 23, 2016

Mr. Drew DeBerry, Director
Governor's Statewide Budget and Policy Offices
P.O. Box 12666
Austin, TX 78711

Ms. Ursula Parks, Director
Legislative Budget Board
P.O. Box 12666
Austin, TX 78711

Dear Mr. DeBerry and Ms. Parks:

In accordance with Article IX, Section 14.01(c) of the General Appropriations Act, 84th Legislature, the Texas Juvenile Justice Department (TJJD) hereby requests approval to exceed its 20 percent discretionary transfer authority in Strategy C.1.2, Parole Programs and Services. This request was approved by TJJD's governing board on June 23, 2016.

Last calendar year, TJJD saw a significant increase in total residential population to a level that has held relatively steady since November. Through mid-June, the fiscal 2016 year-to-date average daily total residential population was more than 5 percent above projections. The elevated population creates safety and security challenges along with budgetary pressures. TJJD has successfully managed within available resources for the current fiscal year in part through cost-cutting measures and reallocating funds between items of appropriation (excluding probation grant strategies).

TJJD is requesting approval to shift General Revenue funding from C.1.2, Parole Programs and Services, to B.1.3, Institutional Supervision and Food Service, in excess of the limit set by Article IX, Section 14.01. The total transfer is estimated to be \$375,000 or approximately 25.8 percent of the total appropriation in Strategy C.1.2. Deferral of this transfer would significantly impact the agency's ability to address the challenges of the increased population size while maintaining safe and secure facilities and hamper its ongoing efforts to minimize a likely supplemental appropriations request.

Thank you for your consideration. If you have any questions or require additional information, please contact Mr. Mike Meyer, CFO, by email at Mike.Meyer@TJJD.texas.gov or by phone at (512) 490-7657.

Sincerely,

Scott W. Fisher
Chairman



**Texas Juvenile Justice Department
RESOLUTION**

**A RESOLUTION FOR APPROVAL TO SUBMIT A REQUEST TO EXCEED APPROPRIATION TRANSFER LIMITATIONS
PURSUANT TO THE GENERAL APPROPRIATIONS ACT, ARTICLE IX, SECTION 14.01(C)**

On this **23rd day of June 2016**, 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
Scott W. Fisher					
John Brieden III					
Carol Bush					
Becky Gregory					
Jane King					
Scott Matthew					
MaryLou Mendoza					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
Rene Olvera					
Laura Parker					
Riley Shaw					
Jimmy Smith					
Calvin Stephens					
Motion:		Second:			

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

WHEREAS, the *General Appropriations Act for the 2016-17 Biennium*, Article IX, Section 14.01(c) requires that a request to exceed agency discretionary appropriation transfer limitations must be submitted by the agency’s governing board; and

WHEREAS, staff has provided specific average daily population and other information demonstrating the need and justification to exceed said transfer limitations; the estimated amount, source, and destination of the transfer; and other pertinent information;

NOW, THEREFORE BE IT RESOLVED THAT the Board approves the Board chairman to submit a request to exceed agency discretionary transfer appropriation limitations to the Office of the Governor and the Legislative Budget Board.

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

Signed this 23rd day of June 2016.
Texas Juvenile Justice Board

Scott W. Fisher, Chairman

Texas Juvenile Justice Department Potential FY 2018-2019 Budgetary Exceptional Items

The following items have been discussed by the Executive Management Team for potential inclusion in the agency's fiscal years (FY) 2018-2019 *Legislative Appropriations Request* (LAR) as budgetary exceptional items. Appearance in this document should not be understood to imply that the item will be included in TJJJ's LAR; this list is for informational purposes only, and to provide members of the TJJJ Board with an opportunity to offer feedback and strategic guidance. Item categories roughly follow TJJJ's budget structure but components are in no particular order.

- I. Probation Programs and Services
 - a. "Biennialize" and expand Regional Diversion Alternatives program
 - b. Provide new funding for Discretionary State Aid (rather than set aside of existing funds)
 - c. Expand authority to retain and recycle probation grant refunds
 - d. Support transition to one risk and needs assessment tool statewide
 - e. Restructure grant appropriations to include fewer strategies, thereby simplifying the structure of formula-based State Aid
 - f. Create a probation grant "matching fund" for new initiatives
 - g. Consolidate legacy software applications into a unified Probation Services System
- II. State Programs and Facilities
 - a. Adjust baseline funding to match projected residential population
 - b. Augment positive youth programming: workforce reentry, vocational education, PAWS, skills building/behavior management, youth mentoring, and intramurals
 - c. Grow capacity of targeted programs such as Youthful Offenders, a Phoenix program for girls, and a violent offender program at Gainesville
 - d. Address compensation issues for JCO positions, add a pay differential for PM shifts, and create a dedicated STAR team with an expanded role
 - e. Decrease caseloads through additional case management positions
 - f. Create career ladder opportunities for food service and facility administrative support personnel
 - g. Replace outdated case management system and create youth case management dashboard
 - h. Implement automated youth welfare system
 - i. Add targeted mental health professionals and halfway house mental health/independent living coordination
 - j. Make capital repairs and rehabilitation of state facilities
 - k. Shift to comprehensive aftercare/reentry planning and boost parole officer ratios, family engagement, and youth development activities
- III. Monitoring and Investigative Activities
 - a. Create a consolidated incident reporting and tracking system
 - b. Add staff resources for TAC 341/344 compliance, regional facility monitoring, and administrative investigations
 - c. Increase use of force monitoring and investigative capabilities through the Office of the Inspector General
- IV. Information Technology
 - a. Refresh end-of-life core network infrastructure, video surveillance, radio communication, and computing equipment
 - b. Expand cybersecurity initiatives, disaster recovery, and business continuity efforts
 - c. Modernize other IT hardware and legacy software applications
 - d. Enhance staff resources with a focus on governance and application development
- V. General / Cross-Divisional
 - a. Augment fleet vehicle replacement funding
 - b. Address agency-wide compensation issues
 - c. Support cost of expanded operations at the Office of the Independent Ombudsman