



TEXAS  
JUVENILE  JUSTICE  
DEPARTMENT

**INFORMATIONAL PACKET**

***DRAFT Audit Reports not included***

March 27-28, 2014  
Austin, Texas

**THIS PAGE LEFT BLANK INTENTIONALLY**

Texas Juvenile Justice Department  
**Board Meeting**  
 11209 Metric Boulevard, Building H – Lone Star Conference Room  
 Austin, TX 78758  
 Friday, March 28, 2014 – 9:00 a.m.

## TABLE OF CONTENTS

Agenda Item	Presenter	Page Number
1. Call to order	Chairman Fisher	
2. Prayer	Chaplain Kennedy	
3. Pledge	Chairman Fisher	
4. Discussion, consideration, and possible approval regarding excused absences	Chairman Fisher	15
5. Public comments	Chairman Fisher	
6. Discussion, consideration, and possible approval regarding the January 31, 2014 Board meeting minutes	Chairman Fisher	17
7. Report from the Chairman	Chairman Fisher	
8. Report from the Executive Director	Mike Griffiths	Handout
9. Report from the Inspector General	Roland Luna	37
10. Report from the Advisory Council	Estela Medina	Handout
11. Review of draft of Agency Strategic Plan 2015-2019	Lisa Capers	39
12. Report from the Finance and Audit Committee	Calvin Stevens	
13. Discussion, consideration, and possible approval regarding contract items requiring Board approval: amounts exceeding \$500,000.00, material changes, and/or other matters deemed appropriate for Board review and action <ul style="list-style-type: none"> <li>a. Delegation of authority to the Executive Director to negotiate and award one or more contracts received from Request for Qualifications (RFQ) for professional engineering services for FY 2014-15 construction projects</li> <li>b. Purchase of DVR equipment for the state operated facilities DVR Project, \$165,000.00</li> </ul>	Mike Meyer & Ken Ming	229  231
14. Discussion, consideration, and possible approval regarding the request for general obligation bond financing for new repair and rehabilitation projects at state operated facilities	Mike Meyer	233
15. Discussion, consideration, and possible approval regarding the CY 2014 Juvenile Case Management System (JCMS) Resource Sharing Addendum	Jim Southwell & Lisa Capers	249
16. Discussion, consideration, and possible approval regarding the FY 2015 funding allocation recommendations: state financial assistance, commitment diversion, and mental health	Mike Meyer	265

17. Discussion, consideration, and possible approval regarding the Medical Services Audit	<b>Eleazar Garcia</b>	<b>277</b>
18. Discussion, consideration, and possible approval regarding the Student Transportation Audit	<b>Eleazar Garcia</b>	<b>291</b>
19. Discussion, consideration, and possible approval regarding the McLennan County State Juvenile Correctional Facility (Long Term) Audit	<b>Eleazar Garcia</b>	<b>305</b>
20. Report from the Trust Committee	<b>Jimmy Smith</b>	
21. Discussion, consideration, and possible approval regarding subleases between the C-5 Youth Foundation of Texas and sublessees related to the Parrie Haynes Trust	<b>Brett Bray Chelsea Buchholtz &amp; Vanessa Burgess</b>	<b>323</b>
22. Discussion, consideration, and possible approval regarding the expenditure of funds received from Bell County (for compensation for the use of land on the Parrie Haynes Ranch for the paving and extension of Gann Branch Road) and from Oncor (for the mitigation of damages caused during the construction of a power line on the Ranch)	<b>Brett Bray Chelsea Buchholtz &amp; Vanessa Burgess</b>	<b>333</b>
23. Report from the Safety & Security Committee	<b>Judge Bush</b>	
24. Discussion, consideration, and possible approval regarding the Collin County Juvenile Board application for permanent variance for Title 37 Texas Administrative Code Section 343.226 related to requirements for natural light within a housing unit	<b>Scott Friedman</b>	<b>337</b>
25. Discussion, consideration, and possible approval to publish proposed revisions to 37 TAC §380.8723, relating to Subsidized Independent Living, and the repeal of 37 TAC §380.8721, relating to Independent Living Preparation, and 37 TAC §380.9109, relating to Youth Personal Property: Independent Living, in the <i>Texas Register</i> for a 30-day public comment period	<b>Teresa Stroud</b>	<b>347</b>
26. Discussion, consideration, and possible approval to publish proposed revisions to 37 TAC §380.9161, relating to Youth Employment and Work, in the <i>Texas Register</i> for a 30-day public comment period	<b>Connie Simon</b>	<b>359</b>
27. Discussion, consideration, and possible approval regarding the proposed repeal of 37 TAC §380.9337, relating to Alleged Sexual Abuse, and possible adoption of the proposed new 37 TAC §380.9337, relating to Zero-Tolerance for Sexual Abuse, Sexual Activity, and Sexual Harassment	<b>Teresa Stroud &amp; Jerome Williams</b>	<b>363</b>
28. Discussion, consideration, and possible approval regarding the discipline of certified officers – default judgment order a. Disheka Westbrook, 14-26271-130253, 130258 b. Robert Robinson, 13-20096-120354	<b>Brett Bray</b>	<b>381</b>
29. Report from the Programs Committee	<b>Dr. Olvera</b>	
30. Closed Session- Executive Session a. §551.071 consultation with legal counsel (see footnote) b. §551.072 deliberation regarding real property c. §551.074 discussion of personnel matters	<b>Chairman Fisher</b>	

31. Reconvene in open session, discussion, consideration, and possible approval regarding matters deliberated in closed Executive Session	<b>Chairman Fisher</b>	
32. Adjourn	<b>Chairman Fisher</b>	

- 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.
- If ADA accommodations are needed, please contact Jeannette Cantu at 512.490.7004 or [jeannette.Cantu@tjjd.texas.gov](mailto:jeannette.Cantu@tjjd.texas.gov)

**THIS PAGE LEFT BLANK INTENTIONALLY**

Texas Juvenile Justice Department  
**Trust Committee Meeting**  
 11209 Metric Boulevard, Building H – Lone Star Conference Room  
 Austin, TX 78758  
 Thursday, March 27, 2014 – 9:00 a.m

## TABLE OF CONTENTS

Agenda Item	Presenter	Page Number
1. Call to order	Jimmy Smith	
2. Discussion, consideration, and possible approval regarding excused absences	Jimmy Smith	
3. Discussion, consideration, and possible approval regarding the January 30, 2014 meeting minutes	Jimmy Smith	403
4. Public Comment	Jimmy Smith	
5. Discussion, consideration, and possible approval regarding subleases between the C-5 Youth Foundation of Texas and sublessees related to the Parrie Haynes Trust	Brett Bray, Chelsea Buchholtz & Vanessa Burgess	323
6. Discussion, consideration, and possible approval regarding the expenditure of funds received from Bell County (for compensation for the use of land on the Parrie Haynes Ranch for the paving and extension of Gann Branch Road) and from Oncor (for the mitigation of damages caused during the construction of a power line on the Ranch)	Brett Bray, Chelsea Buchholtz & Vanessa Burgess	333
7. Report on research progress on obtaining trustee liability insurance	Brett Bray, Chelsea Buchholtz & Vanessa Burgess	NA
8. Report on Trusts and Bequests	Brett Bray, Chelsea Buchholtz & Vanessa Burgess	NA
9. Closed Session – Executive Session <ul style="list-style-type: none"> <li>a. §551.071 consultation with legal counsel (see footnote)</li> <li>b. §551.072 deliberation regarding real property</li> </ul>		
10. Adjourn		

- Items may not necessarily be considered in the order in which they appear on the agenda.
- Committee meeting may include a quorum of the Board in attendance.
- 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.
- If ADA accommodations are needed, please contact Jeannette Cantu at 512.490.7004 or Jeannette.Cantu@tjjd.texas.gov

**THIS PAGE LEFT BLANK INTENTIONALLY**

Texas Juvenile Justice Department  
**Finance and Audit Committee Meeting**  
 11209 Metric Boulevard, Building H – Lone Star Conference Room  
 Austin, TX 78758  
 Thursday, March 27, 2014 – 11:00 a.m.

## TABLE OF CONTENTS

Agenda Item	Presenter	Page Number
1. Call to order	Calvin Stephens	
2. Discussion, consideration, and possible approval regarding excused absences	Calvin Stephens	
3. Discussion, consideration, and possible approval regarding the January 30, 2014 meeting minutes	Calvin Stephens	411
4. Updates from the Chief Information and Technology Officer	Elaine Mays	421
5. Updates regarding HB 3648 related to material changes to contracts requiring Board approval	Chelsea Buchholtz & Ken Ming	429
6. Updates from the Chief Financial Officer	Mike Meyer	433
7. Discussion, consideration, and possible approval regarding the FY 2015 funding allocation recommendations: state financial assistance, commitment diversion, and mental health	Mike Meyer	265
8. Review of other probation funded programs: <ul style="list-style-type: none"> <li>a. Prevention and Intervention Demonstration Projects</li> <li>b. Juvenile Justice Alternative Education Program (JJAEP)</li> <li>c. Special Need Diversion Program</li> <li>d. Border Projects and</li> <li>e. Harris County Leadership Academy Grants</li> </ul>	Mike Meyer	439
9. Discussion, consideration, and possible approval regarding contract items requiring Board approval: amounts exceeding \$500,000.00, material changes, and/or other matters deemed appropriate for Board review and action <ul style="list-style-type: none"> <li>a. Delegation of authority to the Executive Director to negotiate and award one or more contracts received from Request for Qualifications (RFQ) for professional engineering services for FY 2014-15 construction projects</li> <li>b. Purchase of DVR equipment for the state operated facilities DVR Project, \$165,000.00</li> </ul>	Mike Meyer & Ken Ming	229  231
10. Discussion, consideration, and possible approval regarding the request for general obligation bond financing for new repair and rehabilitation projects at state operated facilities	Mike Meyer	233
11. Discussion, consideration, and possible approval regarding the CY 2014	Jim Southwell & Lisa Capers	249

Juvenile Case Management System (JCMS) Resource Sharing Addendum		
12. Updates regarding the status of Internal Audit projects and performance measures	<b>Eleazar Garcia</b>	<b>445</b>
13. Discussion, consideration, and possible approval regarding the Medical Services Audit	<b>Eleazar Garcia</b>	<b>277</b>
14. Discussion, consideration, and possible approval regarding the Student Transportation Audit	<b>Eleazar Garcia</b>	<b>291</b>
15. Discussion, consideration, and possible approval regarding the McLennan County State Juvenile Correctional Facility (Long Term) Audit	<b>Eleazar Garcia</b>	<b>305</b>
16. Adjourn		

- Items may not necessarily be considered in the order in which they appear on the agenda.
- Committee meeting may include a quorum of the Board in attendance
- If ADA accommodations are needed, please contact Jeannette Cantu at 512.490.7004 or [Jeannette.Cantu@tjcd.texas.gov](mailto:Jeannette.Cantu@tjcd.texas.gov)

Texas Juvenile Justice Department  
**Safety & Security Committee Meeting**  
 11209 Metric Boulevard, Building H – Lone Star Conference Room  
 Austin, TX 78758  
 Thursday, March 27, 2014 – 2:00 p.m.

## TABLE OF CONTENTS

Agenda Item	Presenter	Page Number
1. Call to order	Judge Bush	
2. Discussion, consideration, and possible approval regarding excused absences	Judge Bush	
3. Discussion, consideration, and possible approval regarding the July 25, 2013 meeting minutes	Judge Bush	447
4. Discussion, consideration, and possible approval regarding the October 17, 2013 meeting minutes	Judge Bush	453
5. Updates from the Office of the Inspector General	Roland Luna	37
6. Updates from the Administrative Investigations Division	Kevin Dubose	463
7. Updates from the State Programs and Facilities Division	Teresa Stroud	Handout
8. Discussion, consideration, and possible approval regarding the Collin County Juvenile Board application for permanent variance for Title 37 Texas Administrative Code Section 343.226 related to requirements for natural light within a housing unit	Scott Friedman	337
9. Discussion, consideration, and possible approval to publish proposed revisions to 37 TAC §380.9161, relating to Youth Employment and Work, in the <i>Texas Register</i> for a 30-day public comment period	Amy Lopez	359
10. Discussion, consideration, and possible approval regarding the proposed repeal of 37 TAC §380.9337, relating to Alleged Sexual Abuse, and possible adoption of the proposed new 37 TAC §380.9337, relating to Zero-Tolerance for Sexual Abuse, Sexual Activity, and Sexual Harassment	Teresa Stroud & Jerome Williams	363
11. Discussion, consideration, and possible approval regarding the discipline of certified officers – default judgment order <ul style="list-style-type: none"> <li>a. Disheka Westrbrook, 14-26271-130253, 130258</li> <li>b. Robert Robinson, 13-20096-120354</li> </ul>	Brett Bray	381
12. Adjourn		

- Items may not necessarily be considered in the order in which they appear on the agenda.
- Committee meeting may include a quorum of the Board in attendance.
- If ADA accommodations are needed, please contact Jeannette Cantu at 512.490.7004 or [Jeannette.Cantu@tjjd.texas.gov](mailto:Jeannette.Cantu@tjjd.texas.gov)

**THIS PAGE LEFT BLANK INTENTIONALLY**

Texas Juvenile Justice Department  
**Programs Committee Meeting**  
 11209 Metric Boulevard, Building H – Lone Star Conference Room  
 Austin, TX 78758  
 Thursday, March 27, 2014 – 3:30 p.m.

## TABLE OF CONTENTS

Agenda Item	Presenter	Page Number
1. Call to order	Dr. Olvera	
2. Discussion, consideration, and possible approval regarding excused absences	Dr. Olvera	
3. Discussion, consideration, and possible approval regarding the January 30, 2014 meeting minutes	Dr. Olvera	475
4. Update on TJJD Ethics Policy	Brett Bray	479
5. Update on state facilities performance tracking	Teresa Stroud	Handout
6. Update on the Phoenix Program	Teresa Stroud	Handout
7. Discussion, consideration, and possible approval to publish proposed revisions to 37 TAC §380.8723, relating to Subsidized Independent Living, and the repeal of 37 TAC §380.8721, relating to Independent Living Preparation, and 37 TAC §380.9109, relating to Youth Personal Property: Independent Living, in the <i>Texas Register</i> for a 30-day public comment period	Teresa Stroud	347
8. Overview of health care delivery, trends and cost analysis	Dr. Parikh	485
9. Overview of education leadership development	Amy Lopez	517
10. Overview of academic accountability	Amy Lopez	529
11. Adjourn		

- Items may not necessarily be considered in the order in which they appear on the agenda.
- Committee meetings may include a quorum of the Board in attendance.
- If ADA accommodations are needed, please contact Jeannette Cantu at 512.490.7004 or [Jeannette.Cantu@tjjd.texas.gov](mailto:Jeannette.Cantu@tjjd.texas.gov)

**THIS PAGE LEFT BLANK INTENTIONALLY**



**Texas Juvenile Justice Department**

**APPROVAL OF EXCUSED ABSENCES FROM THE  
MARCH 28, 2014 TEXAS JUVENILE JUSTICE DEPARTMENT  
BOARD MEETING**

On this 28th day of March, 2014, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

The Texas Juvenile Justice Department Board excuses the absences of the board members noted above as absent from the March 28, 2014 TJJD Board meeting.

Signed this 28th day of March, 2014.

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman

**THIS PAGE LEFT BLANK INTENTIONALLY**



**Texas Juvenile Justice Department**

**Board Meeting**

11209 Metric Blvd., Building H – Lone Star Conference Room

Austin, Texas 78757

Friday, January 31, 2014 – 9:00 a.m.

**BOARD MEMBERS PRESENT:**

Scott W. Fisher, Board Chairman  
Scott Matthew  
The Honorable John Brieden III  
Dr. Rene Olvera  
The Honorable Laura Parker  
Melissa Weiss  
The Honorable Jimmy Smith  
MaryLou Mendoza  
Joseph Brown

**BOARD MEMBERS ABSENT:**

The Honorable Carol Bush  
Jane Anderson King  
Becky Gregory

**EXECUTIVE STAFF PRESENT:**

Mike Griffiths, Executive Director  
Linda Brooke, Chief of Staff  
Brett Bray, General Counsel  
Elaine Mays, Chief Information & Technology Officer  
Amy Lopez, Sr. Director, Education Services  
Lisa Capers, Sr. Director, Administration & Training  
Teresa Stroud, Sr. Director, State Programs & Facilities  
James Williams, Sr. Director, Probation & Community Services

Eleazar Garcia, Chief Internal Auditor  
Dr. Rajendra Parikh, Medical Director  
Roland Luna, Chief Inspector General  
Jim Hurley, Communications Manager  
Mike Meyer, Chief Financial Officer  
Jeannette Cantu, Executive Assistant

**OTHER GUESTS PRESENT:**

Lucy Rodriguez, TJJJ	Ed Cockrell, Jefferson Co. JPD	Forest Hanna, Midland Co. JPD
Vanessa Burgess, TJJJ	Dorothy Roberts, TJJJ	Darryl Beatty, Travis Co. JPD
Joseph Baucum, UT	Lesly Jacobs, TJJJ	Sal Lopez, Williamson Co. JPD
Rebecca Thomas, TJJJ	Lesley French, Office of Representative Tan Parker	Duncan Cormie, TNOYS
Jerome Williams, TJJJ	Bobby Campos, McLennan Co.	Bradley Ware, PHR
Doug Vance, Advisory Council	Susan Humphrey, Bell Co.	Kenneth Ming, TJJJ
John Isle, TJJJ	Kevin Dubose, TJJJ	Pete Heller, TJJJ
Jeff North, C5 Texas	Kevin Neimeyer, LBB	Dr. Terry Smith, Dallas Co.
Jose Torrez, Cameron Co.	Jeannette Lepe, TJJJ	Estella P. Medina, Travis Co.
Jim Vines, McLennan Co.	Fred Morse, Friends of Parrie Haynes	Fred Meinke, TJJJ
Chelsea Buchholtz, TJJJ	Luther Taliaferro, TJJJ	Steve Roman, TJJJ
Terri Dollar, TJJJ	Ashley Kintzer, TJJJ	Ron Quiros, Guadalupe Co.
Karol Davidson, TJJJ	Tracy Levins, TJJJ	Laura Torres, Cameron Co.
Kavita Gupta, TJJJ	Camilla Cannon, TJJJ	Rob Ries, Office of the Lt. Governor
Edeske Barnes, Jasper Co.	Kati Kieffer, TJJJ	Tammy Holland, TJJJ

### **Call to Order**

Chairman Fisher called the meeting to order at 9:00 a.m. A quorum was present.

### **Prayer**

Mr. Abraham Lopez, TJJJ employee, opened the meeting with a prayer.

### **Pledge**

The Pledge of Allegiance was recited.

### **Excuse Absences**

Mr. Joseph Brown moved to excuse the absences of Judge Carol Bush, Ms. Jane King and Ms. Becky Gregory. Judge John Brieden seconded. The motion passed unanimously.

### **Public Comments**

There were no public comments.

### **October 18, 2013 Board Meeting Minutes**

Judge Parker moved to approve the October 18, 2013 meeting minutes. Ms. MaryLou Mendoza seconded. The motion passed.

### **Report from the Chairman**

Chairman Scott W. Fisher reported his visit to the Evins facility with Mr. Griffiths last month. He was impressed with the facility and operational direction the facility is leading toward.

### **Report from the Executive Director**

Mike Griffiths, Executive Director, provided a written report to the board. He reported the agency is closer in getting direction from the Legislative Budget Board (LBB) regarding their decision for the Corsicana facility. The agency wants to be ready when that decision is made. He praised the budget team and executive team who have worked tirelessly on weekends and holidays in the last two months responding to many requests for information from the LBB leadership to assist them in making their decision.

Mr. Griffiths acknowledged the agency's Grant Coordinator, Kati Kieffer, who is currently working with the Governor's office to secure almost \$1 million in grant funding for TJJJ. Also working with Ms. Kieffer, is the Office of the General Counsel, Office of the Inspector General, Administrative Investigations Division, Finance Division and the Chief Information & Technology office.

The grants come in two forms, both from the same funding source of the Department of Justice. The first part is to provide law enforcement equipment to the Office of the Inspector General and the Administrative Investigations Division. The second part is to support the technology needs for the Information Technology (IT) division.

The agency anticipates future grants for Indigent Defense funds, Positive Behavioral Interventions and Supports (PBIS) enhancements and Prison Rape Elimination Act (PREA).

Mr. Griffiths informed the Board that the Board agenda included many items related to Rule Review and that this process is required by statute.

Mr. Griffiths highlighted the statistical graphs in his written report, which show the continued growth of the juvenile age population in the state. The percent of crime youth is declining. Juvenile commitments to state facilities have increased and this is something the agency will continue to monitor.

Mr. Griffiths highlighted the section in the ED report containing agency FY 14 goals and FY 13 accomplishments. He credited agency personnel for their work on working so diligently under difficult circumstances.

Judge John Brieden emphasized that during the last legislative session and discussions about agency appropriations, it was continually said that the juvenile population was declining and would continue to decline; therefore the LBB further reduced the agency's funding. Now we're seeing that in the first quarter of 2014, that trend has turned around and increased, leaving the agency to react to the increasing trend with decreased funding. Judge Brieden felt he needed to emphasize that for the record, Chairman Fisher agreed.

#### **Report from the Inspector General**

Chief Inspector General Roland Luna provided 1<sup>st</sup> quarter FY 2014 summary indicators for OIG Investigative Analysis. Of the 3,038 reports to the Incident Reporting Center (IRC): 163 were referred to the Administrative Investigations Division (AID) – AID State, 372 referred to Probation – AID County, 346 referred to OIG Criminal, 1,464 referred to Youth Rights, 397 referred to State Programs, 296 cases closed. There were 84 OIG Criminal investigations submitted to prosecution: 75 assaultive, 5 sexual offense, 0 property damage, 2 contraband and 2 reported as other. There were 148 TJJD active directives to apprehend issued, 16 OIG apprehensions and 78 apprehensions by other agencies. The OIG continues to partner with federal, state and local law enforcement agencies by sharing intelligence as authorized by law to assist with apprehensions.

Inspector General Luna reported the OIG continues to work on significant policy developments with the Office of the General Counsel, including the PREA policy in partnership with State Programs and Facilities and the Administrative Investigations Division. OIG has completed its portion of the Business Continuity Plan, participated in redefining the Directive to Apprehend (DTA) process with Probation and Community Services Division and the Manager of Halfway Houses and Re-entry Services, and all OIG staff have completed their training for both federal and state mandates. OIG recently held its semi-annual firearms qualifications training. As of December 15, 2013, the OIG is now leading the Canine Program to enhance security at state facilities and is also implementing a Contraband Interception Team (CIT) to enhance security measures in both secure and non-secure facilities.

The OIG has been involved in many committees and workgroups including the Seclusion Standards workgroup, Strategic Planning workgroup, Consolidated Incident Reporting System workgroup, assisting with the movement of the youth from the Corsicana Residential Treatment Center (CRTC) to the McLennan Residential Treatment Center (MRTC) and enhancing the visitation background check process.

In response to questions by Chairman Fisher, Inspector General Luna reported the OIG and AID will receive public safety equipment as part of the grant funded by the Governor's office, including body armor and replacement vehicles. Regarding the Canine Team, Inspector General Luna reported the OIG has 5 Canine handlers who are being as vigilant as possible at each secure facility.

#### **Report from the Advisory Council & recognition of the Standards Committee Members**

Ms. Estela Medina, Advisory Council Chairman, provided updates on ongoing initiatives and priorities of the Advisory Council on Juvenile Services: funding and appropriations, standards sub-committee and committee on chapter 343, chemical restraints. Ms. Medina introduced Ms. Debra Emerson, representing the Department of Family and Protective Services (DFPS), as a new member to the Advisory Council. Ms. Emerson replaces Audrey Deckinga, who has since retired from DFPS. Ms. Medina reported the council's last meeting was held November 22, 2013 and was scheduled to meet again on January 28, 2014, but due to inclement weather, that meeting was cancelled.

Mr. Doug Vance, Advisory Council Vice-Chairman, acknowledged the members of the Standards Committee noted below representing their counties, regional associations and state wide professional associations. Mr. Griffiths joined Mr. Vance in thanking each of them for their hard work and dedication and presented them with a certificate signed the he and Chairman Fisher.

Beatty, Darryl – Deputy Chief, Travis County  
Brooke, Linda – Chief of Staff, TJJJ  
Cockrell, Ed – Chief, Jefferson County  
Davidson, Karol – Staff Attorney, TJJJ  
Dollar, Terri – Director of Monitoring & Inspections, TJJJ  
Eddins, Neil – Assistant Chief, Randall County  
Friedman, Scott – Manager of Monitoring & Inspections, TJJJ  
Garza, Richard – Facility Administrator, Hidalgo County  
Gonzales, Carlos – Compliance Officer, Webb County  
Gupta, Kavita – Staff Attorney, TJJJ  
Hayes, Philip – Chief, Cass County  
Hough, Tom – Supervisor Training & Quality Assurance, Harris County  
Humphrey, Susan K – Chief, Bell County  
Kelly, Monica – Chief, Hardin County  
Kintzer, Ashley – Policy Coordinator, TJJJ  
Lewis, Ronald – Deputy Assistant Director, Tarrant County  
Line, Vicki – Director of Personnel & Training, Randall County  
Lopez, Sal – Director of Detention, Williamson County  
Moore, Reba – Chief, Floyd County  
Murillo, Jesse – Division Manager, Travis County  
Probst, Leah – Quality Assurance Administrator, Dallas County  
Roman, Steve – Policy Coordinator, TJJJ  
Serrano, Louis – Chief, Ector County  
Torres, Laura – Program Administrator, Cameron County  
Vines, Jim – Facility Administrator, McLennan County  
Williams, James – Senior Director of Probation & Community Services, TJJJ  
Worley, Ross – Chief, Smith County

#### **New appointments to the TJJJ Advisory Council**

Mr. Griffiths reported several Advisory Council members are scheduled to end their terms February 1, 2014 and respectfully requested to fill the vacancies for the Juvenile Judge, Commissioner Court, Texas Department of Family and Protective Services and three Chief Juvenile Probation Officer vacancies from the effected regional association categories: Juvenile Court Judge: The Honorable Mario Ramirez, 332nd District Court, Edinburg, Texas (current member); County Commissioner Court: The Honorable Mark Allen, Jasper County Judge, Jasper, Texas; Texas Department of Family & Protective Services: Debra Emerson, LMSW-AP, Director of Permanency (appointment by TDFPS Commissioner); Chief Juvenile Probation Officers: Estela Medina, Travis County, Central Texas Juvenile Chiefs Association; Doug Vance, Brazos County, Southeast Texas Juvenile Chiefs; Mark Williams, Tom Green County, West Texas Juvenile Chiefs Association. Ms. Melissa Weiss moved to approve the new appointments to the TJJJ Advisory Council. Ms. Mendoza seconded. The motion passed.

### **Overview of the strategic planning process**

Ms. Lisa Capers, Senior Director of Administration & Training, reported strategic planning efforts for TJJD have begun and will continue through the month of June 2014. Documents provided in the board materials provide an overview of the 2 year cycle for strategic planning, performance budget and performance monitoring system process for Texas state agencies as well as specific materials related to TJJD stakeholders for juvenile justice and the agency's plan to seek their input into the agency's strategic plan, fundamental components, foundational concepts and project plan of the strategic plan. Ms. Capers reported the Board will receive a draft strategic plan for review and initial input into the plan at the March Board meeting and the final draft will be provided at the May Board meeting for review and approval. The final approved agency plan will be submitted to the LBB at the end of June and posted to our agency website.

### **Report from the Programs Committee**

Dr. Rene Olvera reported Ms. Stroud presented an improved data set to allow us to look at incidents and outcomes. There is a one week delay in inputting incidents. The hope is for future use of the report to look at trends and make adjustments where necessary to meet the needs of the youth. One thing to be aware of is that one incident may involve multiple youth. The data will appear that there were multiple incidents and that will need to be looked at closely so the data is not misinterpreted. Also discussed was the pilot program to focus on Gang Intervention. It's an evidence based-program that proved to be cost effective and used in multiple states. This program allows for pre and post testing before releasing youth back into the community.

### **TJJD Ethics Policy**

#### **a. Discussion of new policy**

#### **b. Discussion and possible approval of amendment to Board Governance Manual**

Mr. Brett Bray, General Counsel, reported as a result of an audit in August of 2013, two recommendations were made to the Office of General Counsel (OGC): 1) "to ensure oversight and annual reporting of the ethics programs, General Counsel should determine the need for the implementation of an Ethics Officer, and ethics program, and periodic reporting requirements.", 2) "to ensure Board members are kept abreast of ethics related requirements, General Counsel should work with the governing Board to determine the need for periodic ethics related training."

Since August, OGC has been working to effectuate a more formal ethics program, however, changes are being made to another internal policy reflecting the agency's current practice of requiring each

employee to complete an annual ethics and confidentiality e-course, as currently outlined in PRS.02.03 and is in the final stages of revision. There is also a formal designation of the General Counsel as the Ethics Officer. Chairman Fisher asked the Board for any objection to keeping the General Counsel as the Ethics Officer, there were none.

A change to the Board Governance Manual will be needed regarding the ethics-related continuing education as required by the Board Chairman and offered by the department. This is a flexible provision that allows the Chairman to determine additional ethics training that would be necessary in collaboration with the General Counsel. Staff recommends adopting this change to the Board Governance Manual. Discussion ensued regarding the flexible provision and if there is a real need to commit to periodic training. Mr. Stephens moved to approve the amendment to the Board Governance Manual. Commissioner Smith seconded. A vote was taken. Mr. Brown opposed. The motion passed by the majority vote.

Chairman Fisher called for a ten minute break at 10:06 a.m.

#### **Report from the Finance & Audit Committee**

Mr. Calvin Stephens first recognized the excellent job the staff continue to do managing the budget and responding to the many requests from leadership regarding the Corsicana facility. He acknowledged it has been a challenging situation with limited resources. The committee heard updates from the Chief Information Technology Officer and the Chief Financial Officer. There has been significant discussion on the cost implication and architectural engineering needs for reopening the Corsicana Facility if that's the direction we're told to go. There is a contract item and an audit that will be up for discussion on our agenda today. Judge Brieden added that the Internal Auditor also reviewed with the committee updates on prior audit recommendations.

#### **Naming of a Brownwood Halfway House**

Chairman Fisher tabled this agenda item at the request of staff.

**Contract items requiring Board approval: amounts exceeding \$500,000.00, material changes, and/or other matters deemed appropriate for Board review and action**

- a. **Ayres Halfway House**
- b. **University of Texas Medical Branch (UTMB)**

Kenneth Ming, Director of Business Operations and Contracts, reported TJJJ has submitted the FY 14/15 medical services contract to UTMB for final review. Upon approval of the new contract by UTMB and the TJJJ Board, an amendment will be processed for a new contract to supersede the current contract that was extended through February 28, 2014. The new two-year contract amount submitted for approval is \$21,671,444. Mr. Stephens moved to approve the resolution as presented for the UTMB contract. Judge Brieden seconded. The motion passed.

Mr. Ming reported Mr. Griffiths agreed to request TJJJ's Board approval to exercise the two five-year lease renewal options allowed for in the contract if the property owner, South New Braunfels 47, LTD, agreed to bear the entire replacement cost of the septic system at the Ayres Halfway House. The system has since been replaced. The original lease was for 10 years, from 11/1/2009 – 10/31/2029. The extension of the lease agreement does not affect the contract provision that makes continued leasing of the property contingent upon the availability of appropriated funds. Discussion ensued regarding the history of the Ayres Halfway House lease and previous issues related to the septic system and HVAC system. Mr. Stephens moved to approve the resolution as presented for the Ayres Halfway House contract extension. Mr. Scott Matthew seconded. The motion passed.

**Endowment Trust Funds Audit**

Mr. Eleazar Garcia, Chief Internal Auditor, reported this draft report presents the results of our audit of compliance with the Public Funds Investment Act in agency's administration of the Parrie Haynes and John C. Wende trust funds during fiscal year 2012 and 2013. The overall objective of this audit was to determine whether the agency's investment activities comply with the Act, and to determine whether management has implemented effective controls over trust fund activities. Audit findings include: controls over the processes to contract with external investment firms, IT security access controls and controls over bank reconciliations can be strengthened. Revenues are accurately accounted and recorded, expenditures of both trusts met the intent of the trust funds and the agency properly accounted for land values of the trusts. Management concurred with our findings and their responses can be found on the last page of the draft report. Commissioner Smith moved to approve the Endowment Trust Funds Audit as presented with the resolution being amended as suggested by Mr. Bray to strike the first "authorizes" in the fourth paragraph and replaced with "approves". Judge Brieden seconded. The motion passed.

### **Report from the Trust Committee**

Chairman Fisher announced this committee was previously named the Parrie Haynes Committee but has been renamed as Trust Committee to reflect all agency trusts. Commissioner Jimmy Smith reported the committee did meet yesterday and requested Chelsea Buchholtz and Vanessa Burgess come forward with their report on items related to trusts.

### **Discussion and possible authorization to execute a deed for Bell County to upgrade the entry road to the Parrie Haynes Ranch (Action)**

Ms. Vanessa Burgess, Staff Attorney, reported the Bell County Engineer's Office is seeking to upgrade the portion of Gann Branch Road that leads to the Parrie Haynes Ranch. Commissioner Smith was involved with negotiating terms and the county has offered the Parrie Haynes Trust \$15,022.00 for the right-of-way to upgrade the paved road. Judge Laura Parker moved to accept the offer from Bell County. Mr. Brown seconded. The motion passed unanimously.

In response to a question from Mr. Bray, Commissioner Smith confirmed the committee's intent is that the funds received from Bell County to upgrade the entry road to the Parrie Haynes Ranch be used for maintenance expenditures. Judge Brieden asked if we needed a formal motion. Ms. Buchholtz confirmed the committee previously approved up to \$5000 for maintenance expenses and offered that the agency would come back to the Board in March with a formal plan for use of these additional funds for board approval. Chairman Fisher agreed.

### **Discussion and consideration of a mineral rights lease within the boundaries of the Parrie Haynes Ranch with Scully Exploration (Action)**

Chairman Fisher reported the agency was approached by Scully Exploration, LLC., to lease the mineral rights of the Parrie Haynes Ranch. As a matter of due diligence, the agency met with executives at Scully, researched the company itself and its current and past ventures. As a result, OGC recommends the Board reject the offer to allow our staff more time to see what the market is for that size ranch and that area of the state. Judge Brieden moved to reject the offer. Ms. MaryLou Mendoza seconded. The motion passed unanimously.

### **Discussion and direction on the development of the Federal Habitat Conservation Plan for the Parrie Haynes Ranch**

Chairman Fisher reported that, prior to creation of the TJJJ Board, Oncor signed a required Environmental Assessment/Habitation Plan with the former TYC agreeing to pay 1.6 million dollars in mitigation fees, which would then be used to hire someone to manage wildlife on the Parrie Haynes Ranch. Oncor paid the mitigation funds to the Texas Parks and Wildlife Department (TWPD) because at the time, TWPD managed the property and was in the process of taking over as trustee of the estate. TWPD has held the mitigation funds in an account and a wildlife management plan was never put in place. A representative from the U.S. Fish and Wildlife Service recently contacted the agency to ask whether the Board would be interested in developing a wildlife management plan for utilizing the funds. Staff requests the Board to consider pursuing this option and allow staff time to negotiate and develop a wildlife management plan with the mitigation funds. With no objection being voiced, Mr. Bray stated staff will bring that final plan back to the Board for approval at a later date.

### **Report on a new grazing lease on the Milam County tract of the Parrie Haynes Ranch**

Ms. Buchholtz reported TJJJ staff published to the local newspaper an advertisement for a grazing lease on the Milam County Tract of the estate. The agency received one offer to lease to the 105 acre tract for \$2,000 per year from the current tenants. The previous lease was for the same amount; however, the current lease covers a three-year period of time. Chairman Fisher confirmed this was just a report that the lease has been executed, as previously authorized.

### **Report on financial settlement received from Oncor for damages at the Parrie Haynes Ranch**

Chairman Fisher said this item is a report that Oncor has offered to pay the Parrie Haynes Estate \$2,500.00 for damage to the grass caused during construction of the power line at the ranch. Chairman Fisher recognized Bradley Ware and Fred Morris, friends of the Parrie Haynes Ranch, and Jeff North of C5 Texas.

### **Report from the Safety & Security Committee**

Chairman Fisher reported the Safety & Security Committee did not meet yesterday as originally planned.

**Discussion and possible approval to publish proposed revisions to 37 TAC §380.9121, relating to Moral Values, Worship and Religious Education and 37 TAC §380.9317, relating to Access to Personal Minister, Pastor, or Religious Counselor, in the *Texas Register* for a 30-day public comment period**

Ms. Tammy Holland, Manager of Community, Family, and Chaplaincy Programs, reported a summary of the revisions to both policies. Revisions to rule 380.9121, establishes that the religious preference of the youth under the age of 18 years old is verified with the parent or guardian at the time of placement in TJJD. TJJD will honor the youth's preference if the parent or guardian cannot be contacted after due diligence.

Revisions to rule 380.9317 define a personal clergy member as someone from a recognized faith group who has an established, professional relationship with the youth and/or the youth's family prior to admission to TJJD. To reflect current practice staff must verify a clergy member's religious affiliation and relationship to a youth before approving visits. TJJD will no longer place limits on the length of time and frequency allowed for visits, provide adequate space for confidential visits but staff will maintain line-of-sight supervision for security purposes and if the youth is under 18 years of age, the youth's parent/guardian may prohibit a visit from the personal clergy member. The title of the rule will be changed to "Visitation with Personal Clergy".

In response to a question by Ms. MaryLou Mendoza regarding a description or definition of moral value used in the policy, Mr. Griffiths stated the agency policy does not currently list a definition; our intent is to work with the youth to establish their own moral values. He offered that staff will confer further with the OGC and by publishing the proposed revisions to this policy we will likely get feedback on this very issue from stakeholders.

Ms. Mendoza moved to approve the proposed revisions be published in the *Texas Register* for comment. Mr. Matthew seconded. The motion passed unanimously.

**Discussion and possible approval to publish proposed revisions to 37 TAC §380.9312, relating to Visitation, in the *Texas Register* for a 30-day public comment period**

Ms. Karol Davidson, Staff Attorney, presented a summary of proposed revisions to the rule. In addition to those with convictions in the last 10 years, persons with outstanding felony of misdemeanor warrants are not eligible to visit. TJJD will make a decision to allow or deny visitation for a person who is not an immediate family member and has a felony conviction in the past 10 years, it will no longer be automatic denial. A person with deferred or juvenile adjudication for a felony, current probation or parole, conviction, deferred adjudication, or juvenile adjudication for a jailable misdemeanor within the past five years may now be denied visitation. TJJD will take into consideration the nature and extent of the criminal record and the time elapsed since the criminal activity. Provisions have been added to prohibit TJJD from denying visitation for an immediate family member based solely on the criminal history, allowing only the division director over residential services or his/her designee to deny visitation to an immediate family member, allowing TJJD to retain criminal history information for a person who has been denied or restricted due to the criminal history, allowing the executive director to make exceptions to this rule on a case-by-case basis. Clarification has been added to show the rule does not apply to volunteers when they visit youth as part of their specific volunteer assignment. Mr. Stephens moved to approve the proposed revisions be published in the *Texas Register* for comment. Ms. Weiss seconded. The motion passed unanimously.

**Discussion and possible approval to publish proposed revisions to 37 TAC §380.9333, relating to Alleged Abuse, Neglect, and Exploitation, in the *Texas Register* for a 30-day public comment period**

Ms. Karol Davidson presented a summary of the substantive proposed revisions to the rule. The disposition for closed cases now only includes “confirmed,” “not confirmed” or “unable to determine.” The rule allows TJJD staff involved in determining appropriate corrective actions to have access to the investigation report and evidence. The rule allows the accused TJJD employee to have access to the investigation report and related evidence to appeal the finding or to defend against discipline resulting from the findings. The rule clarifies that if an allegation meets the definition of Abuse, Neglect, and Exploitation, there will always be an administrative investigation, in addition to any criminal investigation. The rule no longer says the allegation will be assigned for criminal and/or administrative investigation. The definition of “sexual conduct” has been revised to track the penal code definition.

Commissioner Smith moved to approve the proposed revisions be published in the *Texas Register* for comment. Judge Parker seconded. The motion passed unanimously.

**Discussion and possible approval to publish the proposed rule review and proposed revisions for 37 TAC Chapter 345, relating to Juvenile Justice Professional Code of Ethics for Certified Officers, in the *Texas Register* for a 30-day public comment period**

Ms. Karol Davidson presented a summary of the substantive proposed revisions to the rule. The Youth Activities Supervisor has been added to those individuals required to comply with the code of ethics. A provision was added to require juvenile probation departments, programs and facilities to have written policies and procedures for reporting violations of the code of ethics and to whom they must report. A provision was added to require juvenile justice professionals to adhere to the code of ethics. Mr. Stephens moved to approve the proposed revisions be published in the *Texas Register* for comment. Mr. Brown seconded. The motion passed unanimously.

**Discussion and possible approval to publish the proposed rule review and proposed revisions for 37 TAC Chapter 359, relating to Memorandums of Understanding, in the *Texas Register* for a 30-day public comment period**

Mr. Kenneth Ming, Director of Business Operations & Contracts, reported the proposed revisions include minor terminology updates and grammatical revisions throughout the chapter including updating the department name to the Texas Juvenile Justice Department and changing the partnering agency name from Texas Commission on Law Enforcement Officer Standards and Education to Texas Commission on Law Enforcement. Judge Parker moved to approve the proposed revisions be published in the *Texas Register* for comment. Mr. Matthew seconded. The motion passed unanimously.

**Discussion and possible approval to publish the proposed rule review and proposed revisions for 37 TAC Chapter 385, Subchapter A, relating to Contracts, in the *Texas Register* for a 30-day public comment period**

Mr. Kenneth Ming reported the proposed revisions include minor terminology updates and grammatical revisions throughout the chapter including updating the department name to the Texas Juvenile Justice Department. Updates were made to statutory references and minor clarifications were added to Contract Authority and Responsibilities. A revision was added to specify that the executive director may delegate authority to execute contracts to any member of the executive management team. The requirement that the Chief Financial Officer (CFO) must consult with the OGC before issuing a written response to a protest was removed. Mr. Brown moved to approve the proposed revisions be published in the *Texas Register* for comment. Judge Parker seconded. The motion passed unanimously.

**Discussion and possible final adoption of proposed revisions and rule review for 37 TAC Chapter 341, for the following rules: §341.1 - §341.4, §341.9, §341.10, §341.16, §341.35 - §341.41, §341.65 - §341.71, and §341.80 - §341.91**

Mr. James Williams, Senior Director of Probation & Community Services, reported the proposed revisions to these rules were published in the *Texas Register* for a 30 day comment period. There were no comments received however staff recommends two minor changes to proposed text to clarify in 341.3 that it is the juvenile board, not the juvenile probation department that is required to adopt and enforce a zero-tolerance policy and to correct a minor grammar error in 341.82. Staff requests final adoption of the proposed rules.

Discussion ensued regarding the appropriateness of having the Juvenile Board responsible for enforcing the zero-tolerance for sexual abuse. Mr. Brown recommended to strike the words “and enforce” from the rule. Mr. Bray agreed this minor change would not require republishing the rule for public comment. Judge Parker moved to adopt the proposed rules. Mr. Brown seconded. The motion passed unanimously.

**Discussion and possible final adoption of proposed revisions and rule review for 37 TAC Chapter 342 and Chapter 380, Subchapter A, for the following rules: §§342.1 - 342.3, §380.8571, and §380.8595**

Mr. James Williams, Senior Director of Probation & Community Services, reported the proposed revisions to these rules were published in the *Texas Register* for a 30 day comment period. There were no comments received and staff requests final adoption of the proposed rules. Ms. Mendoza moved to adopt the revised rules. Mr. Stephens seconded. The motion passed unanimously.

**Discussion and possible final adoption of proposed revisions for 37 TAC Chapter 341 and Chapter 344, and final adoption of the proposed rule review for 37 TAC Chapter 341, for the following rules: §341.28, §341.29, and §344.800**

Ms. Lisa Capers, Senior Director of Administration & Training, reported the proposed revisions to these rules were published in the *Texas Register* for a 30 day comment period. There were no comments received and staff requests final adoption of the proposed rules. Mr. Matthew moved to adopt the revised rules. Judge Brieden seconded. The motion passed unanimously.

**Discussion and possible final adoption of proposed revisions and rule review for 37 TAC Chapter 341, for the following rules: §341.20, §341.47 - §341.56, and §341.60**

Mr. Mike Meyer, CFO, reported the proposed revisions to these rules were published in the *Texas Register* for a 30 day comment period. There were no comments received. Staff requests a minor change in 341.49, clarifying that each probation department must send their Electronic Data Interchange extract to TJJJ no later than the tenth calendar day of each month instead of on the tenth calendar day. Staff requests final adoption of the proposed rules. Judge Parker moved to adopt the revised rules. Ms. Mendoza seconded. The motion passed unanimously.

**Discussion and possible final adoption of proposed revisions and rule review for 37 TAC Chapter 380, Subchapter A, for the following rules: §380.8501, §§380.8503 – 380.8555, §§380.8559 - 380.8569, and §380.8575**

Mr. Griffiths reported the proposed revisions to these rules were published in the *Texas Register* for a 30 day comment period. There were no comments received. Staff recommends changes noted in the board materials as discussed previously with Chairman Fisher. Staff request final adoption of the proposed rules. Commissioner Smith moved to adopt the revised rules. Mr. Stephens seconded. The motion passed unanimously.

**Discussion and possible final adoption of proposed revisions and rule review for 37 TAC Chapter 380, Subchapter A, for the following rules: §380.8502, §380.8557, and §380.8579**

Ms. Buchholtz and Ms. Davidson, summarized the proposed revisions and reported they were published in the *Texas Register* for a 30 day comment period. There were no comments received. Staff requests final adoption of the proposed rules. Mr. Brown moved to adopt the proposed rules. Judge Parker seconded. The motion passed unanimously.

Ms. Davidson requested the Chairman's permission to re-address agenda item 27 regarding proposed revisions to rule 380.9312 relating to visitation, for publication. She wanted to clarify the revision regarding visitation denial, stating only the division director over residential services or his/her designee may deny visitation. The request eliminates the denial limitation specific to an immediate family member. The approval to publish for 30 day comment includes this revision. In response to a question by Chairman Fisher, Mr. Bray confirmed this change does not require another vote for this item so long as there is no objection from the Board members. Chairman Fisher stated, with no objection, they would move on. There was no objection. Chairman Fisher thanked Ms. Davidson for the clarification.

**Discussion and possible final adoption of proposed revisions to 37 TAC §380.9198, relating to Four-Point Restraints for Medical and Mental Health Purposes**

Dr. Rajendra Parikh, Medical Director, summarized the proposed revisions to the rules regarding medical four-point and mental health four-point restraints. There are specific actions to be followed and documented by the nurse, medical provider, psychologist and psychiatrist. The revisions were published in the *Texas Register* for a 30 day comment period. There were no comments received. Staff requests final adoption of the proposed rules. Dr. Olvera requested consistency in who should provide the 15 minute checks for an assessment of circulation under the procedural requirements for medical (healthcare staff) and mental health (trained staff) four-point restraints. Dr. Olvera moved to amend the language in the rule to healthcare staff on both. Judge Parker seconded. The motion passed unanimously. Dr. Olvera moved to approve the amended language. Judge Brieden seconded. The motion passed unanimously.

**Discussion and possible final adoption of proposed revisions to 37 TAC §380.9723, relating to Use of Force**

Ms. Davidson summarized the proposed revisions to the rules relating to use of force. The revisions were published in the *Texas Register* for a 30 day comment period. There were no comments received. Staff requests final adoption of the proposed rules. Mr. Stephens moved to adopt the proposed rules. Ms. Mendoza seconded. The motion passed unanimously.

**Discipline of Certified Officers Default Judgment Order (Action)**

- a. **Tyrone McDonald, Docket #14-22560-130102 (Harris)**
- b. **Everett Green, Docket #14-25374-130125 (Dallas)**
- c. **Tiara Hodge: Docket # 14-27220130254 (Milam)**
- d. **Jessica Maupin: Docket # 13-25800 (Bexar)**
- e. **Emmanuel Munoz: Docket #13-25847 (Cameron)**
- f. **Russell Overly: Docket #13-28473-130079 (Lubbock)**
- g. **Juan Vera: Docket # 14-258628-130098 (Brownsville)**

Mr. Brown requested permission to address these orders with Mr. Bray. In response to questions by Mr. Brown, Mr. Bray confirmed these are default judgments where employees have failed to respond to legal action regarding their employment, all parties were provided proper certified notice as required by law and no responses were received by the officers. Mr. Brown moved to approve the default judgment

order for item d. Judge Parker and Dr. Olvera recused themselves from this vote as it relates to their county, Bexar County. Ms. Weiss seconded. The motion passed unanimously. Mr. Brown moved to approve the default judgment orders for items a, b, c, e, f and g. Commissioner Smith seconded. The vote passed unanimously.

Chairman Fisher recessed open session. The Board reconvened in closed session at 11:43 a.m.

**Reconvene in open session, discussion and possible action regarding matters deliberated in closed Executive Session (Action)**

Chairman Fisher reconvened in open session at 12:21 p.m.

Dr. Parikh requested to provide clarification regarding the 380.four point restraint rule and the requirement of healthcare staff to provide 15 minute checks for mental health four point restraints. This will require UTMB staff agreement to provide healthcare staff to be available every 15 minutes for what could go on for 8 to 12 hours during a mental health restraint. Discussion ensued regarding the potential problem for UTMB manpower coverage, what actions are taken in real time for the various possible scenarios, possible fiscal impact to the agency and the potential for liability to the agency.

Mr. Griffiths offered that we can implement the approved policy and work with UTMB for any necessary additional changes to bring back to the Board for further review. Mr. Bray concurred.

In response to a question by Ms. Mendoza, Dr. Parikh explained that he mistakenly stated that nursing staff provide training although in actuality licensed clinical psychologists and senior level supervisors go over basic training to other staff for observation during restraint.

Chairman Fisher stated, with no objection, we would leave it as approved with the amended language and let staff work with UTMB to make necessary changes. There was no objection.

**Discussion and approval of the Delegation of Authority to the Executive Director to complete transfer of certain property not utilized at time of transfer (Action)**

Mr. Bray explained, the agency is seeking board authorization to approve delegation of authority to the Executive Director to transfer the Gatesville parcel to the Texas Department of Criminal Justice. Commissioner Smith moved to approve the resolution as presented. Mr. Stephens seconded. The motion passed.

Judge Brieden moved that the board delegate their authority to the Executive Director of TJJJ to authorize the transfer of the Corsicana Residential Treatment Center to Navarro County or the City of Corsicana once:

1. The county or city agrees to all provisions contained in SB 653 relating to transfer of a facility and
2. The LBB allows TJJJ to stop operating the Corsicana facility.

Mr. Brown seconded. The motion passed.

**Adjourn**

There being no further business before the Board, Chairman Fisher adjourned the meeting at 12:39 p.m.



**Texas Juvenile Justice Department**

**CERTIFICATION OF THE JANUARY 31, 2014 BOARD MEETING MINUTES**

On this **28th day of March, 2014**, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

This certifies that the attached is a true and correct copy of the proceedings of the Texas Juvenile Justice Department Board Meeting held on January 31, 2014.

Signed this **28th day of March, 2014**.

**Texas Juvenile Justice Board**

\_\_\_\_\_  
 Scott W. Fisher, Chairman

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
 Jeannette M. Cantu

Notary in and for Travis County

**Office of Inspector General  
Investigative Analysis**

Summary Indicators	2nd Quarter FY13 9/1/12 - 2/28/13	2nd Quarter FY14 9/1/13 - 2/28/14
<b>Incident Reporting Center (IRC) Reports</b>	<b>3,282</b>	<b>3,256</b>
Referred to Administrative-AID State	186	234
Referred to Probation-AID County	295	315
Referred to OIG Criminal	310	448
Referred to Youth Rights	1,583	1,485
Referred to State Programs	677	549
Closed	231	225
<b>OIG Criminal Investigations Submitted to Prosecution</b>	<b>129</b>	<b>64</b>
<b>Submitted to Prosecution Assaultive</b> Assaultive Category includes: Assault on Public Servant, Harassment by person in Correctional Facility, Retaliation, Assault, Official Oppression, Aggravated Assault, and Unlawful Restraint	105	52
<b>Submitted to Prosecution Sexual Offense</b> Sexual Category includes: Indecent Exposure and Indecency with a child	5	4
<b>Submitted to Prosecution Property Damage</b> Property Category includes: Criminal Mischief and Arson	6	0
<b>Submitted to Prosecution Contraband</b> Contraband Category includes: Prohibited Substance in Correctional Facility (Marijuana and Cocaine), Contraband, in a Correctional Facility, Deadly Weapon in Penal Institution, Possession of Marijuana, Child Pornography	10	2
<b>Submitted to Prosecution Other</b> Other Category includes: Terroristic Threat, Escape Offenses, False Reports, Misuse of Official Information, Tamper with Government Record, Theft, and Violation Civil Rights of Person in Custody	3	6
<b>TJJD Active Directives to Apprehend Issued</b>	<b>147</b>	<b>96</b>
<b>OIG Apprehensions</b>	<b>21</b>	<b>11</b>
<b>Apprehensions Other Agencies</b>	<b>84</b>	<b>69</b>

Office of Inspector General  
Investigative Life Cycle

Date Range	REA Receive, Evaluate, Assign	Average # of Investigative Days	Average # of days for Intake Decision	Average # of Days for Final Disposition	Total Days
FY 14 2nd Quarter 9/1/13 - 2/28/14	1	76	16	80	173
FY 13 2nd Quarter 9/1/12 - 2/28/13	1	128	25	105	259
<b>Positive Change</b>	NA	52	9	25	86



P A T H  
FORWARD

TJJD STRATEGIC PLAN  
2015-2019



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

Please note that this is a draft of the **2015-2019 Strategic Plan**. Formal instructions for the strategic plan have not yet been received from the Legislative Budget Board and are expected sometime in March. TJJJ staff have followed the format from last year which is not expected to change significantly if at all. All gray highlighted text indicates information that has not yet been updated from last year's plan and is subject to change. Strategic plan surveys to stakeholders are in progress and all strategic initiatives will be completed once the survey data is received and analyzed. This draft is intended to allow board members to see the preliminary progress on this project. We will be updating remaining sections as current information becomes available.

# Table of Contents

---

## Table of Contents

### SECTION 1

#### Guiding Principles

I. Statewide Vision, Mission, and Philosophy

II. State-Level Priority Goals and Benchmarks

III. Agency Vision, Mission, and Philosophy

### SECTION 2

#### External Internal Assessment

I. Strategic Priorities

II. Overview and Scope

A. Statutory Basis

B. Historical Perspective

C. Key Population and Functions

III. Organizational Aspects

A. Size and Composition of Workforce

B. Organizational Structure

1. Integrated State-Operated Programs and Services

2. Probation and Community-Based Services

3. Education Services

4. Medical Services

5. Office of General Counsel

6. External Affairs, Communications, and Grants

7. Administration & Training

8. Administrative Investigations Division

9. Finance Division

10. Monitoring and Inspections

11. Research and Planning

12. Information Technology

13. Office of Inspector General

14. Internal Audit Department

15. Office of the Independent Ombudsman

C. Geographic Location and Locations of Service Populations

D. Human Resource Strengths and Challenges

E. Historically Underutilized Business (HUB) Program

F. Key Organizational Events and Impacts

G. Use and Anticipated Use of Consultants

IV. Fiscal Aspects

A. Appropriations and Expenditures

B. Method of Finance

C. Comparison to Other State Budgets

D. Budgetary Limitations

E. Current and Expected Budgetary Needs

F. Capital and Lease Needs

V. Population and Demographics

A. Population Characteristics and Demographics

B. Future Trends and Impacts

VI. Technologies Development

A. Impact of Technology on Current Agency Operations

B. Impact of Anticipated Technological Advances

C. Degree of Agency Automation

D. Anticipated Need for Automation

VII. Economic Variables

VIII. Impact of State and Federal Regulations

IX. Self-Evaluation

SECTION 3

Agency Goals, Objectives, and Strategies

SECTION 4

Technology Resource Planning

SECTION 5

Appendices and Attachments

A. Agency Planning Process

B. TJJJ Organizational Chart

C. Five Year Outcome Projections

- D. Performance Measure Definitions
  - E. Workforce Plan
  - F. Survey of Employee Engagement
  - G. Workforce Development System Strategic Planning
  - H. Customer Service Report
- 

DRAFT



## SECTION 1

# Guiding Principles

---

STATEWIDE VISION, MISSION, AND PHILOSOPHY

RELEVANT STATEWIDE GOALS AND BENCHMARKS

AGENCY MISSION

AGENCY PHILOSOPHY AND VISION

DRAFT

# I. Statewide Vision, Mission, and Philosophy

---

## Mission of Texas State Government

Texas state government must be limited, efficient, and completely accountable. It should foster opportunity and economic prosperity, focus on critical priorities, and support the creation of strong family environments for our children. The stewards of the public trust must be men and women who administer state government in a fair, just, and responsible manner. To honor the public trust, state officials must seek new and innovative ways to meet state government priorities in a fiscally responsible manner.

Aim high . . . we are not here to achieve inconsequential things!

## Philosophy of Texas State Government

The task before all state public servants is to govern in a manner worthy of this great state. We are a great enterprise, and as an enterprise, we will promote the following core principles:

- First and foremost, Texas matters most. This is the overarching, guiding principle by which we will make decisions. Our state, and its future, is more important than party, politics, or individual recognition.
- Government should be limited in size and mission, but it must be highly effective in performing the tasks it undertakes.
- Decisions affecting individual Texans, in most instances, are best made by those individuals, their families, and the local government closest to their communities.
- Competition is the greatest incentive for achievement and excellence. It inspires ingenuity and requires individuals to set their sights high. Just as competition inspires excellence, a sense of personal responsibility drives individual citizens to do more for their future and the future of those they love.
- Public administration must be open and honest, pursuing the high road rather than the expedient course. We must be accountable to taxpayers for our actions.
- State government has a responsibility to safeguard taxpayer dollars by eliminating waste and abuse and providing efficient and honest government.
- Finally, state government should be humble, recognizing that all its power and authority is granted to it by the people of Texas, and those who make decisions wielding the power of the state should exercise their authority cautiously and fairly.

# II. State-Level Priority Goals and Benchmarks

---

## Public Safety and Criminal Justice

### PRIORITY GOAL

To protect Texans by:

- Preventing and reducing terrorism and crime;
- Securing the Texas/Mexico border from all threats;
- Achieving an optimum level of state wide preparedness capable of responding and recovering from all hazards;
- Confining, supervising, and rehabilitating offenders.

### BENCHMARKS

- Number of statewide crime and terrorism threat assessments completed and disseminated
- Percentage of real-time crime mapping available statewide and by region
- Number of federal, state, and local agencies participating in the Texas Department of Public Safety Intelligence (Fusion) Center
- Number of new law enforcement entities providing data to the Texas Data Exchange and number of active users.
- Number of multi-agency, multi jurisdictional investigations that contribute to the dismantling of major transnational and state based gangs
- Percentage reduction of all crime in the unincorporated areas along the Texas/Mexico border
- Number of agencies reporting border incident information and intelligence to the Joint Operations Centers
- Percentage reduction in illegal aliens crossing the Texas/Mexico border
- Number of emergency incidents coordinated or supported
- Percentage of state's population whose local officials and emergency responders have completed a training/exercise program in the last year
- Number of workdays members of the Texas Military Forces spent in training and/or protecting and aiding Texans in times of need
- Juvenile violent crime arrest rate per 100,000 population
- Adult violent crime arrest rate per 100,000 population
- Rate of juvenile re-incarceration within three years of initial release
- Rate of adult re-incarceration within three years of initial release
- Number of correctional officer and correctional staff vacancies
- Number of juvenile correctional officer and juvenile correctional staff vacancies
- Number of GED, high school diplomas, and vocational certifications awarded to offenders
- Percentage increase in the number of faith-based prison beds
- Percentage reduction in felony probation revocations
- Percentage reduction in felony probation technical revocations

- Percentage reduction in recidivism attributable to alternatives to incarceration
- Average annual incarceration cost per offender
- Number of traffic deaths per 100,000 population
- Number of traffic deaths per 100,000 population involving alcohol
- Number of driver's licenses suspended for security reasons
- Total number of cameras in state correctional facilities
- Number of contraband items seized through the use of correctional security equipment
- Number of illegal aliens held in county jails

## Education—Public Schools

### PRIORITY GOAL

To ensure that all students in the public education system acquire the knowledge and skills to be responsible and independent Texans by:

- Ensuring students graduate from high school and have the skills necessary to pursue any option including attending a university, a two-year institution, or other post-secondary training, serving in the military, or entering the workforce;
- Ensuring students learn English, math, science and social studies skills at the appropriate grade level through graduation; and
- Demonstrating exemplary performance in foundation subjects.

### BENCHMARKS

- High school graduation rate
- Percentage of graduates earning recommended high school diploma
- Percentage of graduates earning distinguished achievement diploma
- Percentage of recent high school graduates enrolled at a Texas college or university
- Percentage of high school graduates receiving other post-secondary training
- Percentage of students who demonstrate college ready performance on the annual state assessments
- Percentage of students who demonstrate satisfactory performance on the annual state assessments
- Percentage of students earning commended performance on the annual state assessments (90 percentage of test items answered correctly)
- Percentage of students who attend schools or districts rated as recognized or exemplary
- Percentage of Texas high school students who need remediation
- Percentage of eligible juniors and seniors taking Advanced Placement/International Baccalaureate exams
- Percentage of students from third grade and above who are able to read at or above grade level
- Percentage of students from third grade and above who perform at or above grade level in math
- Number of students served under local governance or choice options (e.g., charter schools, open-enrollment charters, home-rule districts, intra-district transfers, etc.)
- Number of teachers certified through alternative programs
- Number of pre-kindergarten age students served through Texas Early Education Model
- Percentage of Texas high school students graduating with six hours or more of dual credit
- Percentage of adult education students who are awarded a technical certification

## Education—Higher Education

### PRIORITY GOAL

To prepare individuals for a changing economy and workforce by:

- Providing an affordable, accessible, and quality system of higher education; and
- Furthering the development and application of knowledge through teaching, research, and commercialization.

### BENCHMARKS

- Percentage of first-time, full-time freshmen who graduate within four years
- Percentage of first-time, full-time freshmen who graduate within six years
- Percentage of two-year college students who transfer to four-year institutions
- Percentage of two-year transfer students who graduate from four-year institutions
- Percentage of first-time, full-time freshmen who graduate with an associate degree within three years
- Percentage of population age 24 years and older with vocational/technical certificate as highest level of educational attainment
- Percentage of population age 24 years and older with two-year college degree as highest level of educational attainment
- Percentage of population age 24 years and older with four-year college degree as highest level of educational attainment
- Number of baccalaureate graduates in science, technology, engineering, and mathematics
- Percentage of M.D. graduates remaining in Texas for residency
- Percentage of nursing graduates employed or enrolled in nursing graduate programs in Texas
- Texas public colleges and universities cost per student as a percentage of the national average
- Percentage change in average tuition and fees over past biennium
- Percentage of TEXAS grants recipients who graduate within six years
- Percentage of total federal research and development expenditures received by Texas institutions of higher education
- Percentage increase in research and development expenditures in emerging technologies over previous biennium
- Number of patents obtained in emerging technologies
- Number of patents obtained by institutions of higher education that are commercialized
- Number of private sector companies created as a result of activities at public institutions of higher education
- Administrative cost as percentage of total expenditures

## Health and Human Services

### PRIORITY GOAL

- To promote the health, responsibility, and self-sufficiency of individuals and families by:
- Making public assistance available to those most in need through an efficient and effective system while reducing fraud;

- Restructuring Medicaid funding to optimize investments in health care and reduce the number of uninsured Texans through private insurance coverage;
- Enhancing the infrastructure necessary to improve the quality and value of health care through better care management and performance improvement incentives;
- Continuing to create partnerships with local communities, advocacy groups, and the private and not-for-profit sectors;
- Investing state funds in Texas research initiatives which develop cures for cancer;
- Addressing the root causes of social and human service needs to develop self-sufficiency of the client through contract standards with not-for-profit organizations; and
- Facilitative the seamless exchange for health information among state agencies to support the quality, continuity, and efficiency of healthcare delivered to clients in multiple state programs.

## BENCHMARKS

- Percentage of Texas population enrolled in Medicaid, Children's Health Insurance, and the Health Insurance Premium Payment programs
- Average amount recovered and saved per completed Medicaid provider investigation
- Percentage of long-term care clients served in the community
- Percentage of eligible children enrolled in CHIP
- Number of children served through the Texas Health Steps Program
- Percentage of population under age 3 years served by the Early Childhood Intervention Program
- Percentage of Texans receiving TANF cash assistance
- Percentage of adult welfare participants in job training who enter employment
- Percentage of Texas population receiving food stamps
- Number of Texans using call centers and the Internet to apply for Medicaid, food stamps, and other state services
- Percentage of Texas children in kindergarten who are completely immunized according to school immunization requirements
- Infant mortality rate
- Low birth-weight rate
- Teen pregnancy rate
- Percentage of births that are out-of-wedlock
- Number of women served through Title V prenatal care services
- Percentage of screened positive newborns who receive timely follow-up (Title V newborn screening)
- Average daily caseload for Child Protective Services
- Average daily caseload for Adult Protective Services
- Incidence of confirmed cases of abuse, neglect, or death of children, the elderly, or spouses per 1,000 population
- Percentage of children in foster care who are adopted or reunited with their families
- Percentage of children in substitute care living with kinship care providers
- Percentage of parents awarded child support payments who receive them
- Rate of substance abuse and alcoholism among Texans
- Percentage of people completing vocational rehabilitation services and remaining employed
- Number of women served through the Texas Breast and Cervical Cancer Program
- Readiness score by the CDC on the state Antiviral Allocation, Distribution and Storage Plan
- Number of Federally Qualified Health Centers (FQHCs) since the inception of the Texas FQHC Incubator Program
- Number of people who receive mental health crisis services at community mental health centers
- Number of state funded cancer research grant projects
- Amount of leveraged dollars invested in state funded research grant projects

- Number of Federally Qualified Health Centers since the inception of the Texas FQHC Incubator Program
- Number of Texans enrolled in Healthy Texas

## Economic Development

### PRIORITY GOAL

To provide an attractive economic climate for current and emerging industries and market Texas a premier business expansion and tourist destination that fosters economic opportunity, job creation, and capital investment by:

- Promoting a favorable business climate and a fair system to fund necessary state services;
- Addressing transportation needs;
- Maintaining economic competitiveness as a key priority in setting State policy; and
- Developing a well-trained, educated, and productive workforce.

### BENCHMARKS

- Number of new jobs announced as a result of the Texas Enterprise Fund
- Amount of capital investment made in Texas as a result of grants provided through the Texas Enterprise Fund
- Number of employees in targeted industry sectors
- Number of new small businesses created
- Number of new non-government, non-farm jobs created
- Number of emerging technology research commercialization investments awarded
- Number of nationally and internationally recognized researchers recruited to Texas public institutions of higher education as a result of emerging technology research superiority grants
- Per capita gross state product
- State and local taxes as a percentage of personal income
- Texas unemployment rate
- Median household income
- Percentage of state highway system rated good or better based on the Pavement Management Information System Condition Score
- Percentage reduction in traffic congestion using the Texas Transportation Institute's Travel Time Index.
- Number of Texans receiving job training services

## Natural Resources and Agriculture

### PRIORITY GOAL

To conserve and protect our state's natural resources (air, water, land, wildlife, and mineral resources) by:

- Providing leadership and policy guidance for state, federal, and local initiatives;
- Maintaining Texas' status as a leader in agriculture; and
- Encouraging responsible, sustainable economic development.

### BENCHMARKS

- Percentage of nitrogen oxide and criteria pollutants reduced in the air
- Acre-feet of desalinated brackish and ocean water produced for Texas
- Percentage of water conservation through decreased water usage, increased water reuse, and brush control
- Percentage of Texas waters that meet or exceed safe water quality standards
- Percentage of polluted site clean-ups to protect the environment and public health
- Percentage of regulatory permits processed while ensuring appropriate public input
- Percentage of environmental violations tracked and reported
- Percentage of land that is preserved and accessible through continuation of public and private natural and wildlife areas
- Percentage of renewable energy usage and production of domestic fuel sources
- Percentage of implemented new technologies that provide efficient, effective, and value-added solutions for a balanced Texas ecosystem
- Percentage increase of exported food and fiber from Texas
- Percentage increase of Texas food and fiber in Texas markets, including diversified and nontraditional agriculture products.
- Number of animal disease outbreaks
- Number of food safety incidents from farm to fork
- Number of family farms
- Number of farms using cutting edge conservation techniques
- Number of farms producing non-food grade feed stocks for biofuel production
- Average time required in responding to natural disasters such as wildfires and hurricanes
- Average time required for producers to recover and begin production after natural or man-made disasters
- Number of jobs created or retained in rural communities through state investment
- Percentage contribution of agricultural sector to the gross state product
- Total acreage farmed for diversified, nontraditional agriculture products

## Regulatory

### PRIORITY GOAL

To ensure Texans are effectively and efficiently served by high-quality professionals and businesses by:

- Implementing clear standards;
- Ensuring compliance;
- Establishing market-based solutions; and
- Reducing the regulatory burden on people and business.

### BENCHMARKS

- Average annual homeowners and automobile insurance premiums as a percentage of the national average
- Percentage of state professional licensee population with no documented violations
- Percentage of new professional licensees as compared to the existing population
- Percentage of documented complaints to professional licensing agencies resolved within six months
- Number of utilization reviews conducted for treatment of occupational injuries

- Percentage of individuals given a test for professional licensure who received a passing score
- Percentage of new and renewed professional licenses issued via Internet
- Ratio of supply of electricity generation capacity to demand
- Percentage of state financial institutions and credit providers rated “safe and sound” and/or in compliance with state requirements
- Number of new business permits issued online
- Percentage increase in utilization of the state business portal

## General Government

### PRIORITY GOAL

To provide citizens with greater access to government services while reducing service delivery costs and protecting the fiscal resources for current and future taxpayers by:

- Supporting effective, efficient, and accountable state government operations;
- Ensuring the state’s bonds attain the highest possible bond rating; and
- Conservatively managing the state’s debt.

### BENCHMARKS

- Total state taxes per capita
- Total state spending per capita
- Percentage change in state spending, adjusted for population and inflation
- State and local taxes per capita
- Ratio of federal dollars received to federal tax dollars paid
- Number of state employees per 10,000 population
- Number of state services accessible by Internet
- Total savings realized in state spending by making reports/documents/processes available on the Internet and accepting information in electronic format
- Funded ratio of statewide pension funds
- Texas general obligation bond ratings
- Issuance cost per \$1,000 in general obligation debt
- Affordability of homes as measured by the Texas Housing Affordability Index

# III. Agency Vision, Mission, and Philosophy

---

## Vision

The Texas Juvenile Justice Department has a vision of providing safety for citizens of the State of Texas through partnership with communities and the delivery of a continuum of services and programs to help youth enrich and value their lives and the community by focusing on accountability of their actions and planning for a successful future.

## Mission

The mission of the Texas Juvenile Justice Department is to create a safer Texas through the establishment of a continuum of services that promotes positive youth outcomes through:

- Organizational excellence and integrity that earns and promotes public trust;
- Evidence-based performance and accountability that produces results;
- Collaboration and teamwork that builds on partnerships with youth, families and local communities; and
- Innovation and technology that results in efficient systems and services.

## Philosophy

The Texas Juvenile Justice Department strives to set an example of excellence in public service within limited resources, providing quality services with innovation, vision, collaboration with partners and stakeholders, and accountability for agency impacts.

## SECTION 2

# External Internal Assessment

---

STRATEGIC PRIORITIES

OVERVIEW AND SCOPE

ORGANIZATIONAL ASPECTS

FISCAL ASPECTS

POPULATION AND DEMOGRAPHICS

TECHNOLOGICAL DEVELOPMENTS

ECONOMIC VARIABLES

IMPACT OF STATE AND FEDERAL REGULATIONS

SELF-EVALUATION

# I. Strategic Priorities

---

## Strategic Initiative One

**Strengthen and enhance the safety and security protocols, procedures, training, equipment and technology in all state-operated secure institutions and halfway houses to ensure the safety of youth, staff and the public.**

### DETAILED STRATEGIES

#### Security Protocols

- Implement the use of an additional validated screening instrument for prospective employees which is an employment screening method utilized to identify applicants that might be a sexual risk to the youth population.
- Increase staffing and enhance staff training on youth aggression and safety protocols.
- Develop youth aggression risk assessment instrument.
- Enhance youth accountability procedures and processes.
- Install x-ray security scanners at secure facility entry points to prevent dangerous contraband and weapons from entering the facility.
- Continue the development of options and programs to reduce youth aggression for the protection and safety of all staff and youth.
- Equipment and Technology
- Expand the use of video surveillance cameras in single cell rooms.

## Strategic Initiatives Two

**Strengthen and enhance the continuum of effective youth services provided by local juvenile probation departments and community-based juvenile justice partners to address core services and specialty population's needs (mental and behavioral health, prevention and intervention). Identify gaps in services along the continuum and focus efforts to address the needs of juveniles and their families in the community.**

According to Lawrence Sherman's 2002 book, Evidence-based Crime Prevention, 'prevention' and 'punishment' are not polar opposites on a continuum of soft versus tough approaches to crime. In fact, they are both tools for achieving the same result – the reduction of crime. To that end, a community-based continuum of effective youth services must include prevention, early intervention, diversion, treatment, intensive treatment, transition planning, and ongoing community services and supports.

There is considerable literature available as to which programs are most effective in reducing recidivism, however most has not been conducted on youth on probation in Texas. The TJJD Research Department has started working on an evaluation of Texas Juvenile Probation Community-Based Programs, which should be completed in the summer of 2012. Given the results of that evaluation and a review of the national literature, TJJD will be able to target the best initiatives to fund. It is envisioned that these programs would be funded

based on an RFP program similar to that used by TJJJ in the spring of 2012 for Prevention and Early Intervention Programs.

TJJJ's Strategic Initiative Two includes plans to focus on strategies which increase positive results provided through community-based prevention and early intervention efforts as well as targeted funding investments for effective programming that focuses on evidence-based, research-based or research-informed programs while allowing flexibility at the local level for creation of new and innovative pilot programs. A focus on the core responsibilities and functions of local probation departments must be of primary importance and the foundational funding must be adequate to ensure delivery of core probation supervision programs and services. Funding for Prevention and Early Intervention Programming, family engagement and aftercare and reentry initiatives should be allocated from new funding sources and should not cause a reduction in core grant resources.

## DETAILED STRATEGIES

- Prevention and Early Intervention funding for evidence-based, research-based or research-informed programs and services. Programs should be based on best practices, informed by relevant research and have a mechanism to track outcomes.

Section 203.0065 of the Texas Human Resources Code specifies that TJJJ will provide programs and services intended to prevent or intervene in at-risk behaviors that lead to delinquency, truancy, dropping out of school, or referral to the juvenile justice system. Consistent with those directions, the TJJJ Board approved the investment of \$1.5 million in prevention programming for the second half of Fiscal Year 2012. Data are being collected and will be analyzed for the programs' impacts on school attendance, disciplinary referrals, and juvenile justice referrals.

Consistent with the principles of data-driven decision making, the preliminary outcomes and results of the initial 24 prevention programs will inform the design and expansion of community-based prevention efforts and early intervention efforts. TJJJ will work towards increased investment in prevention, leveraging additional resources, meeting the needs of children, youth, families, and communities, and producing positive, measureable results. Prevention and Intervention (P&I) funding initiatives should:

- Be flexible in allowing local juvenile probation departments who have the infrastructure or desire to create the infrastructure the discretion to utilize P&I grants while building in creative/alternative options for funding community based provides and local non-profits in locals where juvenile probation does not have the resources to implement a P&I program.
  - Consider various funding mechanisms such as statewide RFPs, regional grants and other appropriate funding structures that will ensure P&I programs have statewide coverage (small, medium and large counties) to the extent possible.
- Targeted Funding. Targeted funding initiatives to make an investment in non-residential, evidence-based, research-based or research-informed programming for 1) urban to large size counties that make up the majority of youth commitments to the state; 2) regional areas which covers small and medium-size counties, where there are gaps in specific programs/services; and/or 3) special projects utilizing pilot programs or proven program models to address gaps in the continuum. Focus efforts on areas where gaps in services exist and where the absence of services impacts the long-term outcomes of probation supervision and/or commitment of juveniles to state facilities. Initiatives may include the following programming:
    - Strengthen investment in aftercare and reentry programming
    - Ensure placement resources are protected by investing in effective aftercare and reentry programming

- Strengthen investment in family engagement and participation
  - Examples: Parenting with Love and Limits (PLL), U-Turn Model, Models For Change, experiential programs, private provider programs,
  - Develop effective programs for probation violators and truants
  - Consider/research the Reclaim Ohio program model
- Standardized Program Evaluation Protocol (SPEP). TJJJ will seek to become a pilot site to utilize the Standardized Program Evaluation Protocol to assess Texas juvenile justice programs.
  - Training Initiative. Develop a statewide training initiative for the juvenile justice system that focuses on areas of critical need that will support the continuum of programs and services for youth. Work with statewide entities, organizations and higher education institutions to develop comprehensive training to address the gaps in training needs in local communities. Utilize technology to provide the most cost effective training methodologies.
  - Motivational Interviewing Training. Facilitate and support training initiative statewide in partnership with local and state trainers, educational institutions and other organizations to increase training for Motivational Interviewing. This initiative will include training for trainers, trainers for supervisors, advance training and other training necessary to ensure fidelity to the program model and sustainability.
  - Communities and Volunteers.
    - Develop training/materials promoting general community involvement in supporting juvenile justice programming and services in local communities

### Strategic Initiative Three

**Strengthen and enhance the provision of effective mental and behavioral health programs, services and treatment for youth being served in the community-based juvenile justice system through a collaborative project funded by TJJJ in cooperation with community partners including juvenile probation departments, mental health authorities, TCOOMI, schools and community based providers as appropriate.**

According to the Mental Health Association of America, approximately 22% of youth in the general population have a mental health disorder of some type. For youth in the juvenile justice system, the prevalence rate has been estimated to be as high as 70% (NCMHJJ, 2006), with about 27% of youth having a mental disorder severe enough to require significant and immediate treatment (Cocozza and Skowyra, 2000). Because youth who are involved with the juvenile justice system have substantially higher rates of mental health disorders than children in the general population, effective programming must include a full range of high quality mental health and addiction services.

#### DETAILED STRATEGIES

- Develop a continuum of mental and behavioral health services that include effective assessments and intervention strategies including crisis intervention and stabilization services, family services, and secure placements.

To make positive, meaningful, and lasting changes in the lives of the youth involved with the Texas juvenile justice system, TJJJ must work to design, develop, and implement a continuum of mental

health and addiction services that provides a full range of high quality services to meet the needs of children and youth involved in the juvenile justice system and their families. Consistent with the US Department of Health and Human Services, Substance Abuse and Mental Health Services Administration's draft of a "Good and Modern Addictions and Mental Health Service System," interventions should reflect the knowledge and technology available and include evidence-informed practice and the key role of community supports. A "good and modern" system should include prevention and wellness, access to needed assessments, engagement services, outpatient-type services, medication services, access to community supports, intensive support services, out-of-home residential services, acute intensive services, and a variety of recovery supports, all provided within a child-centered, family-driven, culturally-competent context.

(Short Term Strategies) - Work with the Health and Human Services Commission (HHSC) to extend Medicaid YES Waiver pilot program to all areas of the state.

- Provide funding for pilot programs in a regional area and an urban area to test the developed model for the continuum of services.
- Improve accessibility to assessments as well as treatment and services and improve overall quality of programs and services. Consider regional programs utilizing providers from urban areas to bring services to areas that otherwise have limited or no access. Consider the feasibility of statewide contracts with private providers.
- Establish regional networks to utilize tele-medicine strategies in areas where access to services and professionals is limited or non-existent. Fund regional service providers to address service gaps in rural or remote locations.

(Long Term Strategy) - Develop or contract for development of adequate short and long-term residential facilities for youth with serious mental health needs. Consider and analyze the feasibility of utilizing a portion of Corsicana State Residential Treatment Facility to place probation youth with serious treatment needs that cannot be addressed adequately or safely in the community for short term crisis stabilization and assessment.

- Facilitate training programs for Juvenile Probation and Supervision Officers, JPD Managers/Administrators, and State Institutions and Halfway Houses personnel.
  - Training and curriculum addressing Mental Health terminology, concepts and best practices for working with juvenile offenders. This training should include training on the most prevalent/current diagnoses, psychotropic medications used for the juvenile population, recognizing mental health needs, addressing mental health needs, etc. Training on behavioral health issues should be a focus (example: drugs and the adolescent brain).
  - Training and curriculum addressing special education students, legal processes, requirements and best practices for youth and families.
- General Medical Personnel Training. Work with state and local organizations and health care service organizations to facilitate needed training for juvenile justice medical providers.
  - Training on recognizing when youth may need assessment or treatment by higher-level professionals (e.g., psychologists, psychiatrists, pediatricians, adolescent specialists, etc.)
  - Specialized Training for family practice physicians, general practitioners and other medical professionals on juvenile mental and behavioral health needs.

## Strategic Initiative Four

**Strengthen and enhance the positive outcomes expected from the continuum of juvenile justice programs and services statewide through effective partnerships with local juvenile probation departments and community providers.**

## DETAILED STRATEGIES

- Define the full continuum of services required for effective aftercare and reentry programming for youth leaving residential treatment, secure institutions or half way houses at both the local and state level.
- Strengthen aftercare and reentry programs used by state and local institutions through collaboration and sharing of resources.
- Invest in aftercare and reentry programs.
- Expand the positive results produced by the GIT Ready Program to another area of the state.
- Expand the use of family-based services for effective re-entry.
- Explore partnerships with local community and neighborhood programs to support good positive linkages for re-entry.
- Expand the positive results from the C.A.R.E. model in Bexar County to other counties.

## Strategic Initiative Five

**Develop and implement a collaborative border counties initiative to effectively address the provision of programs and services in counties bordering Mexico that are facing unique problems and financial difficulties serving Mexican national youth engaged in drug trafficking, human trafficking and weapons offenses in border communities.**

### DETAILED STRATEGIES

#### Data Collection

- Collect and analyze data from Texas Counties bordering Mexico for past 3-5 years related to numbers of offenses for drug trafficking, human trafficking and weapons offenses for Mexican national youth, the number of TJJD commitments for these youth, the numbers of these youth certified as adults and all associated detention costs for these youth.

#### Federal, State, and Local Collaboration

- Meet with all border counties to develop strategies to deliver appropriate programming needs for Mexican national youth committing offenses in Texas, Texas youth committing offenses in Mexico, and youth whose parents or family members have undocumented status.
- Leverage existing border safety/security/enforcement funding in collaborative effort to provide programming.
- Collaborate with State/Federal Relations Office and key Texas legislators to encourage federal government to allocate appropriate funding/grants to Texas border communities to offset border county processing and detention costs for Mexican national youth committing drug trafficking, human trafficking or weapons offenses in border communities.
- Work collaboratively with state and federal human service agencies to reduce risk factors for vulnerable youth.

#### Funding Initiatives

- Determine if additional TJJD unexpended grant funds can be allocated to border communities this budget year (Fiscal Years 2012-2013) to assist in defraying the cost of detaining Mexican national youth committing drug trafficking, human trafficking or weapons offenses in border communities. Detention costs include costs of required psychological exams, medical costs, and transport costs for youth.

- Create an Exceptional Item Request in TJJD’s Legislative Appropriations Request (LAR) for Fiscal Years 2014-2015 that allocates funding to Texas border communities to assist in defraying the cost of detaining Mexican national youth committing drug trafficking, human trafficking or weapons offenses in border communities.
- Other non-border counties

### **TJJD Commitments**

- Propose new TJJD policy that a Mexican national youth committed to TJJD by a Texas border county for drug trafficking, human trafficking or weapons offenses does not count against the county’s target commitment number for the fiscal year in which the youth was committed.

## **Strategic Initiative Six**

**Develop a state/local formalized collaboration and communication plan that promotes effective collaboration and communication between local juvenile probation departments, juvenile justice practitioners and TJJD.**

### **DETAILED STRATEGIES**

- Collaborate on Wrap-Around Services Delivery Model
  - Consider opportunities to involve local probation departments in exit plans for youth in secure institutions and find opportunities to collaborate on the provision of wrap-around services to youth.
- Outreach Opportunities
  - Host opportunities for local county juvenile probation staff and county officials to visit state institutions and halfway houses in their region with a focus on learning and understanding the programs/services provided and common issues faced.
  - Host webinars and other training/outreach opportunities between state and local staff.
  - Orient local juvenile probation and supervision officers to role, functions and procedures in state institutions
  - Encourage collaboration on program development, program research and other areas of common interest between counties and TJJD.
- Resource Sharing.
  - Encourage the sharing of information, research, program effectiveness studies and other information between local juvenile probation departments and TJJD. Share training resources and initiatives.

## II. Overview and Scope

---

### A. Statutory Basis

The Texas Juvenile Justice Department (TJJD) was created in 2011 by the 82nd Legislature. The newly created agency commenced the exercise of its powers and duties on December 1, 2011 upon the abolishment and merger of the Texas Youth Commission and the Texas Juvenile Probation Commission. The statutory basis and enabling legislation for TJJD is contained in Title 12 of the Texas Human Resources Code

Sunset legislation provides for the new Texas Juvenile Justice Department (TJJD) to begin operations on December 1, 2011; however, many detailed activities to consolidate the operations of TYC and TJPC began before that date and continue. A seven-member Transition Team coordinated, oversaw, and assisted the transition of services and facilities from September 2011 through February 2012. A transition plan was created to guide the new agency after the transition period expired. The thirteen-member Governing Board was appointed by the Governor prior to the December 1. Additionally, the thirteen-member Advisory Council was appointed to advise the Governing Board on determining the needs and problems of county juvenile boards and probation departments; conducting long-range strategic planning; reviewing and proposing revisions to existing or newly proposed standards affecting juvenile probation programs, services, or facilities; and analyzing the potential cost impact on juvenile probation departments of new standards proposed by the board.

The stated public purposes of the new agency are:

- creating a unified state juvenile justice agency that works in partnership with local county governments, the courts, and communities to promote public safety by providing a full continuum of effective supports and services to youth from initial contact through termination of supervision; and
- creating a juvenile justice system that produces positive outcomes for youth, families, and communities by:
  - assuring accountability, quality, consistency, and transparency through effective monitoring and the use of system-wide performance measures;
  - promoting the use of program and service designs and interventions proven to be most effective in rehabilitating youth;
  - prioritizing the use of community-based or family-based programs and services for youth over the placement or commitment of youth to a secure facility;
  - operating the state facilities to effectively house and rehabilitate the youthful offenders that cannot be safely served in another setting; and
  - and enhancing the cooperative agreements between state and local county governments.

The goals of the department and all programs, facilities, and services that are operated, regulated, or funded by the department are to:

- support the development of a consistent county-based continuum of effective interventions, supports, and services for youth and families that reduce the need for out-of-home placement;
- increase reliance on alternatives to placement and commitment to secure state facilities, consistent with adequately addressing a youthful offender's treatment needs and protection of the public; locate the facilities as geographically close as possible to necessary workforce and other services while supporting the youths' connection to their families;
- encourage regional cooperation that enhances county collaboration;
- enhance the continuity of care throughout the juvenile justice system; and
- use secure facilities of a size that supports effective youth rehabilitation and public safety.

## B. Historical Perspective

### Former Texas Youth Commission

#### PRE-TYC YEARS

The roots of the juvenile justice system in Texas go back to the middle of the 19th century. In the 1850's the Texas Legislature passed laws to exempt children under age 13 from criminal prosecution in certain situations and authorized a separate facility to house them. Building the facility was delayed by the Civil War, but Gatesville State School for Boys finally opened in 1889. A training school for girls, Gainesville State School, was established in 1916.

The 1913 Juvenile Act called for racial segregation, which resulted in separate youth facilities at the Gatesville State School. A separate dormitory was built to house African American boys; however, certain services for these youth were not provided.

African American girls were excluded entirely from juvenile facilities; their options were adult jail or release back into the community. In 1927, the legislature approved a separate school for the girls, but it was not funded for 20 years. In 1947, Camp Brady, northwest of Austin, became the first site for the reformatory school for delinquent African American girls, and in 1951, it was moved and became the Crockett State School for Negro Girls.

The idea that motivated the 19th century reformers was that children who were at risk of maturing into adult criminals should be rescued, not by imposing disabilities that result from criminal conviction, but by placing those youth in protective environments and teaching them about discipline, morality, values, and productive work. This fundamental idea that adjudication for delinquent conduct is not conviction of a crime is preserved today in the current Texas laws regarding juvenile justice. It is an idea that has produced tension throughout the history of juvenile justice between the interests of individual welfare and public protection, and nurturing care or just punishment.

#### TYC CREATED

The TYC was originally established as the Texas Youth Development Council with the adoption of the Gilmer Aiken Act in 1949. The original purpose of the Youth Development Council was to coordinate the State's efforts to help communities strengthen youth services and to administer state juvenile training schools with the goal of rehabilitation and successful re-establishment of delinquent children in society. A reorganization in 1957 brought administration of the state's juvenile training schools and homes for dependent and neglected children (former orphanages) under a single state agency, the Texas Youth Council.

#### REFORMS: 1960S – 1970S

From the mid-1960s through the 1970s, the emphasis of juvenile services shifted from the delivery of services in institutions toward more community-based programs. Following national trends, the Texas Youth Council increased use of foster care and community-based alternatives for dependent and neglected youth. The Council initiated a county juvenile probation subsidy program, which was subsequently transferred to the Texas Juvenile Probation Commission when it was created in 1981.

Two U.S. Supreme Court cases, *Kent v. U.S.* (1966) and *In Re Gault* (1967), fundamentally changed the character of the juvenile court by substituting basic due process guarantees (notification of charges, protection against self-incrimination, right to counsel, right to confront witnesses) for the more informal practices that had characterized these courts until that time. States were required to redraft their juvenile codes to conform with the Supreme Court's mandate. However, the leading case in the nation for reform of the juvenile justice system was *Morales v. Turman*, which originated in Texas.

#### A LANDMARK LAWSUIT: MORALES V. TURMAN

Alicia Morales was the oldest of eight children and, at 15, was forced to work and turn her earnings over to her father. She protested and her father had her committed to the Council for disobedience. Her commitment amounted to little more than an agreed judgment by the parents to send their child away to a state institution with no notice of charges, no court appearance, and no representation. Alicia hired an attorney and the federal court lawsuit, *Morales v. Turman*, was filed in 1971. Dr. James Turman was the Executive Director of Texas Youth Council at the time.

Judge William Wayne Justice sent a letter to all 2,500 Council youth asking whether they had a court hearing and an attorney before being sent to TYC. Most said they had a hearing, but over a third had not been represented by counsel. The state agreed to a declaratory judgment that allowed the Texas Legislature time during its 1973 session to address these issues. That resulting bill incorporated the due process rights the Supreme Court had mandated in 1967 and was enacted as Title 3 of the Texas Family Code.

In 1972, Judge Justice granted the plaintiff's motion for an opportunity to interview all the youth confined in the Council institutions with the assistance of law students from the University of Texas and Southern Methodist University. The results of these interviews caused the plaintiffs to amend their pleadings to focus on the constitutional rights of incarcerated juveniles. The two original plaintiff's attorneys were joined by five from the Civil Rights Division of the U.S. Justice Department and two from the Mental Health Law Project, a public interest law firm that specialized in the rights of institutionalized persons.

Trial testimony revealed that 60% of the boys were committed for stealing, 19% for disobedience and immoral conduct, and only 9% for crimes of violence. Of girls, 68% were committed for disobedience or immoral conduct and 4% for crimes of violence.

After years of negotiations and various court proceedings rising to the U.S. Supreme Court, a Settlement Agreement was reached in 1984 and a monitoring committee finished its work in 1988.

The *Morales* decision established the first national standards for juvenile justice and corrections. In Texas, it prompted a number of changes, including the prohibition of corporal punishment, extended periods of isolation, and all forms of inhumane treatment.

The settlement agreement also required:

- establishment of an effective youth grievance and mistreatment investigation system
- minimum staff qualification and training requirements
- individualized, specialized, and community-based treatment programs
- TYC-operated halfway house programs
- county assistance programs to help reduce commitments to TYC by providing state funds for probation services for youth in their local communities

#### REFORMS: 1980S, 1990S, AND THE TURN OF THE 21ST CENTURY

In 1983, the Texas Legislature changed the name of the Texas Youth Council to the Texas Youth Commission.

In the late-1980s there was a dramatic increase in the rate of juvenile crime. From 1988 to 1993, in Texas, there was a 69% increase in all referrals to juvenile probation for delinquent activity and a 161% increase in referrals for violent offenses. The Texas rate for homicides by juveniles was almost twice the national rate (12.8 per 100,000 vs. 6.6) and there was a 285% increase in youth committed to TYC for violent offenses.

In 1987, in response to the increase in violent juvenile crime, Texas became one of the first states to adopt "blended sentencing," where a criminal sentence is blended with a more traditional juvenile court disposition for the most serious crimes. This allows youth to serve the first portion of the sentence in TYC with the possibility of being transferred to the adult system to complete the sentence.

Between 1990 and 1998, the juvenile proportion of total arrests in Texas increased from 23% to 35%. Juvenile violent crime arrests also increased. In response, the 74th Texas Legislature passed the most expansive juvenile reform legislation in more than 20 years. The legislation has been described as a "get tough, balanced approach" that reflected the public attitude of punishing youth in a meaningful way without abandoning rehabilitation as a principal aim.

In 1995, the Texas Legislature enacted the Progressive Sanctions Guidelines, which are a set of discretionary disposition guidelines for juvenile probation departments, juvenile prosecutors, and juvenile court judges. While the guidelines are not mandatory, they are encouraged for consistency in juvenile dispositions. Sanction levels are assigned based on the seriousness of the youth's conduct and/or history with juvenile authorities. The sanction levels range from requiring the youth to be counseled by local authorities (level one) or, at the other end of the spectrum, youth may be committed to TYC or certified to stand trial as adults (level seven).

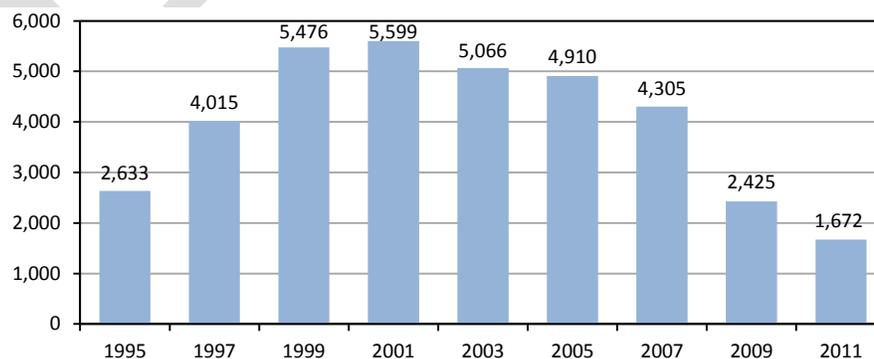
During the 1990s and early 2000s, bed space and the youth population at TYC significantly increased. In 1991, the total number of TYC youth in residential care (institutions, halfway houses, or contract programs) exceeded 2,000 for the first time. Between 1995 and 2001, TYC's youth population more than doubled. At the same time, the agency struggled with the recruitment and retention of qualified and trained staff and with dramatic increase in institutional capacity, including new construction of the McLennan County State Juvenile Correction Facility (Mart) – which was one of the largest juvenile justice facilities in the nation at 613 bed capacity.

*"I realized my potential and wanted to contribute back to society what I had taken. I want to help kids in the same situation as I was in when I was growing up."*

—S.S., Former TJJD youth

**Figure 1.**

**Average Daily Population of Juveniles Receiving State Residential Services by Fiscal Year**



## 2007 REFORMS AND CONSERVATORSHIP

During the 80th Texas Legislature in 2007, TYC was the focus of many changes. Allegations of abuse and flaws in the application of the agency's treatment programming led to sweeping reforms, primarily detailed in Senate Bill (SB) 103, 80th Texas Legislature, 2007.

In February 2007, two former senior TYC administrators from the West Texas State School in Pyote, Texas were accused of sexually abusing several youth in 2005. Legislative hearings called for reform of the agency in addressing questions arose about whether TYC youth and staff felt safe reporting allegations of abuse or kept quiet out of fear of retaliation.

The chief and most immediate concern was to ensure the safety of the youth in TYC's care. In March 2007, Texas Rangers, investigators from the Attorney General's Office, and law enforcement agents from the Office of Inspector General for the Texas Department of Criminal Justice were dispatched to every TYC facility. TYC also established an abuse reporting hotline. This 24-hour hotline recorded thousands of calls which resulted in as many investigations, and the hotline remains in operation today.

In March 2007 the TYC Board was disbanded and Texas Governor Rick Perry placed the agency in Conservatorship. The agency spent 2007 and 2008 implementing reforms adopted by the Legislature in SB 103. Some of the most extensive reforms mandated by SB 103 included:

- Establishment of the Office of the Inspector General
- Creation of the Office of the Independent Ombudsman
- Formation of the Release Review Panel to ensure youth were not being held in TYC unnecessarily or longer than beneficial
- Reduction of the maximum age of confinement from 21 to 19
- Elimination of misdemeanor commitments to TYC
- Reduction of residential populations
- Adoption of a Parents' Bill of Rights
- Creation of a new general treatment program
- Development of a plan to achieve American Correctional Association (ACA) accreditation of all TYC facilities

On October 14, 2008, Governor Rick Perry removed TYC from conservatorship and named an executive commissioner to head the agency, as approved by SB 103.

## 2009 - 2010 PROGRESS AT TYC

In September 2009, in accordance with SB 103, a new TYC governing board was established, and the agency was returned to the leadership of an executive director appointed by the Board. By the end of 2009, all of the provisions of SB 103 had been implemented, the education component at TYC was expanded and improved, and the agency began implementation of its plan to achieve ACA accreditation at each facility. The first two TYC facilities to receive such recognition in nearly a decade were the Ron Jackson State Juvenile Correctional Facility in Brownwood and the Giddings State School, which were awarded ACA accreditation in 2010.

## Former Texas Juvenile Probation Commission

### ESTABLISHING THE AGENCY: 1980S

TJPC was created in 1981 to replace the Community Assistance Program previously administered by the Texas Youth Commission. Following the agency's creation, TJPC began developing and implementing standards published in the Texas Administrative Code:

- Chapter 341. Texas Juvenile Probation Standards (1983), which created a code of ethics for the field of juvenile probation, established minimum qualifications for juvenile probation officers and created an administrative framework for probation services.
- Chapter 343. Standards for Juvenile Pre-Adjudication Secure Detention Facilities (1987), which assisted in achieving State compliance with federal rules regarding the removal of juveniles from adult jails.

By the mid 1980s, for the first time in history, all Texas counties had juvenile probation services in place. Also, a pilot project for serving undocumented Mexican alien juvenile offenders in Cameron County was funded by TJPC, which led to the creation of the Border Children Justice Project, later chosen as a finalist in the Ford Foundation/Harvard University Innovation in State and Local Government Award Program. The agency also developed the electronic CASEWORKER System for juvenile probation departments to collect data and statistical information on referrals.

The agency first published Texas Juvenile Law in 1985, in collaboration with Professor Robert Dawson of the University of Texas Law School. This publication was distributed to all judges, probation officers, detention child care workers and made available to prosecution and defense attorneys, school administrators and law enforcement agencies, which made it the most widely used and cited legal reference authority for Texas state juvenile law. Subsequently, seven editions of the publication were issued through 2010, and the agency staff is currently developing the eighth edition for publication in late 2012.

By the end of the agency's first decade, a \$250,000 joint grant was implemented with the Texas Department of Mental Health and Mental Retardation to provide community mental health services to children referred to juvenile court.

#### DEEPENING IMPACTS: 1990S

TJPC continued developing significant programs and operating standards, implementing additional provisions of the Texas Administrative Code:

- Chapter 345. Community Corrections Assistance Program Standards (1992), governing the use and expenditure of Community Corrections Funds for diverting delinquents from TYC when appropriate by giving local juvenile boards funding to develop community-based corrections programs.
- Chapter 347. Title IV-E Federal Foster Care Program Standards (1992) through which juvenile probation departments may obtain federal financial reimbursement for eligible children in approved residential settings.
- Chapter 344. Standards for Juvenile Post-Adjudication Secure Correctional Facilities and revises Chapter 343. Standards for Juvenile Pre-Adjudication Secure Detention Facilities (1996), which put into effect the Progressive Sanctions model, as described in HB 327 of the 74th Legislature, for each county whose board elected to adopt the model designed to bring consistency and predictability to juvenile dispositions. The changes also resulted in amendments to Chapter 343. Standards for Juvenile Pre-Adjudication Secure Detention Facilities (1987).
- Chapter 342. Standards For Housing Non-Texas Juveniles In Texas Correctional Facilities (1998).
- Chapter 346. Case Management Standards (1998), which require probation officers to engage in case planning during the period of court ordered probation. Case planning includes the assessment, evaluation and review of a juvenile's risks and needs in order to make informed decisions regarding the juvenile's status and circumstances over time.

- TJPC board adopts Chapter 348. Juvenile Justice Alternative Education Programs Standards (1998) to establish minimum operational, programmatic and educational standards for juvenile justice alternative education programs (JJAEP) in Texas.
- Chapter 349. Standards For Child Abuse and Neglect Investigations in Secure Juvenile Facilities (1998) to establish guidelines for investigating allegations of child abuse or neglect in secure facilities.

In response to legislative mandates in 1995 for twenty-two counties to operate Juvenile Justice Alternative Education Programs (JJAEPs) for certain juvenile offenders, TJPC began implementing the programs in 1996. At the same time, TJPC received appropriations of \$37.5 million for the 1996-1997 biennium for the construction of secure post-adjudication beds in 19 counties. The construction bond project ultimately added 1,066 new secure beds to the juvenile justice system in Texas.

TJPC also began investigating complaints of abuse and neglect incidents in pre- and post-adjudication secure juvenile facilities in 1997. In the following year, the agency received annual appropriations of \$4.4 million to reimburse juvenile probation departments for the cost of placing juveniles at Progressive Sanctions Level 5 in secure post-adjudication facilities. The agency also began providing management training to administrative management and supervisory teams of juvenile probation departments through the provision of annual management conferences, and published the Border Children's Justice Project Report.

In the last year of the decade, TJPC added four departments to the In-Home Family Preservation projects, which provides intensive in-home services to families of youth who are at risk of placement and in need of substance abuse services. The agency also received funding to expand juvenile non-residential programs in counties with populations below 72,000. Also, a risk assessment instrument was implemented to ensure high-risk counties receive technical assistance and support necessary for compliance with statewide standards, and a performance-based budgeting system was implemented statewide for the first time. A Survey of Juvenile Intensive Supervision Probation (ISP) Programs in Texas was published, and the TJPC Field Manual published to help probation professionals understand TJPC's functions and how they may access the services and technical assistance the agency provides.

#### ENHANCING PREVIOUS ACCOMPLISHMENTS AND REFORM YEARS: 2000S

TJPC adopted Chapter 352. Data Collection And Reporting Standards (2000) to comply with the legislative requirement that the agency "adopt rules that provide standards for the collection and reporting of information about juvenile offenders by local probation departments."

Legislation in 2001 required TJPC to select a mental health screening instrument for use on all youth formally referred to juvenile probation departments. The Massachusetts Youth Screening Instrument, Second Version (MAYSI-2) was selected and TJPC continues to provide statewide training to probation personnel on MAYSI-2 use. TJPC also began collaborating with the Texas Council on Offenders with Mental Impairments (TCOOMI) and other agencies to develop a plan for juveniles with mental health and substance abuse disorders who are involved in or at risk of involvement in the juvenile justice system.

In 2002, TJPC identified the need to improve the effectiveness and efficiency of the agency's internal and external operations. The result was a four-year project with several key elements:

- Revise and simplify the comprehensive Standards.
- Develop and produce a Compliance Resource Manual (CRM), a new Compliance Improvement System (CIS), and new monitoring methodologies.
- Improve internal agency processes by updating the automated Compliance Monitoring and Enforcement Tracking System (COMETS), policies and procedures for all units, and implementing an automated Internal Communication Policy system.
- Develop a comprehensive training initiative to probation field regarding new systems and processes.

A financial risk assessment system was deployed in 2006, and a benchmarking process began. Data collected from grants monitored by TJPC staff were used during the benchmark period for development of the metrics in future risk assessments.

TJPC received expanded responsibilities with the major reforms enacted by the 80th Legislature (2007) in Senate Bill 103, and corresponding funding realignments in the General Appropriations Act, for a dramatic reduction in youth offender commitments to the Texas Youth Commission (TYC). These changes resulted in a significant TJPC funding increase totaling more than \$57 million (19%) over the 2008-2009 biennium for TJPC's Community Corrections program. The purpose of the shift was to support the expansion and enhancement of community based programs and secure and non-secure residential placements to divert youth from TYC state-operated secure care. The 81st Legislature (2009) continued to support TJPC's Community Corrections Diversion Program with additional funding of \$46 million for counties to provide programs, treatment, and services to divert more youth from TYC during the 2010-2011 biennium.

The agency also received funding for the Juvenile Case Management System (JCMS). JCMS is a collaborative effort coordinated by the Texas Conference of Urban Counties TechShare Program with the Texas Juvenile Probation Commission, Bexar, Dallas and Tarrant counties to develop an electronic system that will meet the needs of local juvenile probation departments statewide. By pooling staffing and financial resources, these partners are leveraging their resources to acquire a system that they could not afford to develop individually. JCMS supports web-based communication between local juvenile probation departments and TJPC, enhanced case management abilities, and real-time data collection.

Toward the end of its final decade of existence as a separate agency, TJPC implemented several resource improvements for its support of juvenile probation departments. A direct reporting system of abuse and neglect allegations was established with statewide outreach and education to facilities and juveniles that accompanied the new system. The agency launched the Complaint Management and Tracking System (CMTS) as a secure online database designed to centralize the filing of general complaints involving juvenile justice facilities, programs, and services. Any person, including a parent, guardian, custodian or relative of a child being served by a juvenile probation department or a concerned citizen may now submit an online complaint by accessing CMTS via the agency's website. As required by law, the identity of the person reporting a complaint or other allegation is strictly confidential. Additionally, the TJPC Risk and Needs Assessment was implemented statewide to identify juveniles who are at high, medium, and low risk to become chronic offenders. The instrument also provides a case management section that provides recommendations for appropriate services based on the risk and needs scores.

## C. Key Population and Functions

TJJD serves youth who have been adjudicated delinquent of felony offenses and committed to the agency by a juvenile court. In order for a youth to be committed to TJJD, the delinquent act must occur when the youth is between 10 and 17 years of age. TJJD may retain jurisdiction over a youth until his or her 19th birthday. The youth sent to TJJD are the state's most serious or chronically delinquent offenders.

In Fiscal Year 2011, 60% of new state facility admissions had committed violent offenses. Additional Fiscal Year 2011 demographic features about TJJD youth:

- 89% were boys
- 11% were girls
- 48% were Hispanic
- 31% were African-American
- 19% were Anglo
- 44% known to be gang affiliated at intake
- Median age at admission was 16
- Median reading achievement level was 6th grade (four years behind their peers)
- Median math achievement level was 5th grade (five years behind their peers)
- 35% were identified as eligible for special education services
- 83% had IQs below the mean score of 100
- 72% had a need for treatment by a licensed or specially trained provider for alcohol or other drug abuse or dependency
- 44% had a need for treatment by a licensed or specially trained provider for a mental health related issue
- 84% had parents who never married, parents who had divorced or separated, or at least one parent was deceased
- 38% had a documented history of being abused or neglected
- 43% had families with histories of criminal behavior
- 35% had more than one felony adjudication

TJJD serves youth in state-operated programs and services at six secure residential facilities, nine halfway houses, and six district offices. TJJD also contracts with private providers for contract care residential placement settings.

**TJJD Population: On August 31, 2013, the youth population receiving state services included:**

**Table 1.**

<b>TJJD YOUTH POPULATION BY TYPE OF PROGRAM</b>	
Secure Facilities: High security facilities in which youth are placed according to treatment need, proximity to home, risk of violence, and other factors.	1,109
Halfway Houses: Medium security facilities serving youth reentering the community and participating in school and/or work activities.	133
Contract Care: Diverse array of services depending upon provider. Includes residential treatment centers and a young offenders program.	85

Parole: Provides continuum of care as youth are returned to the community. Provides an initial intensive level of surveillance and includes regularly scheduled parole office visits and unannounced visits to home, work, and school. Parole is increasingly providing aftercare treatment to protect educational and treatment gains made in residential settings.	581
Grand Total:	1,908

DRAFT

# III. Organizational Aspects

---

## A. Size and Composition of Workforce

The agency's workforce on February 1, 2014 consisted of 2,550 employees. Only the executive director and 155 education staff are in positions that are not subject to the State Classification Plan. The exempt education staff includes teacher aides hired by the agency's predecessor prior to September 1, 1999, teachers, academic counselors, educational diagnosticians, lead reading instructors, licensed specialists in school psychology, principals, and assistant principals.

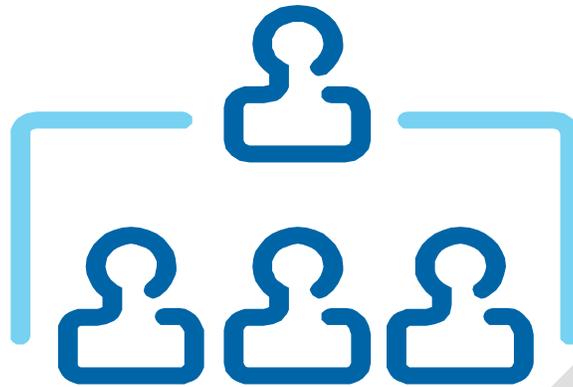
TJJD is committed to developing and maintaining a diverse workforce and routinely analyzes its workforce to determine whether underutilization of African-Americans, Hispanic-Americans, or females exists within the equal employment opportunity (EEO) job categories. The analysis compares the TJJD workforce with the State Civilian Labor Force (CLF) data reported in the January 2013 EEO and Minority Hiring Practices Report published by the Texas Workforce Commission, Civil Rights Division (TWC-CRD), which is based on data extrapolated from the U.S. Bureau of the Census, American Community Survey (ACS).

**Table 2.**

EEO JOB CATEGORY	# of TJJD Employees	Workforce
Officials Administration	64	2.5%
Professional	749	29.4%
Technical	24	0.9%
Administrative Support	189	7.4%
Skilled Craft	15	0.6%
Service and Maintenance*	1,509	59.2%
<b>Total Workforce</b>	<b>2,550</b>	<b>100.0%</b>

\*The historically used Protective Services category (which includes juvenile correctional officers) and the Para-Professional job categories are combined with the Service and Maintenance category. Prior to 2005, these categories were reported as separate groups.

---



In accordance with the “four-fifths rule” established by the Code of Federal Regulations, Title 29, Part 1607 (Equal Employment Opportunity Commission’s Uniform Guidelines on Employee Selection Procedures), underutilization exists if the TJJJ workforce percentage for African-Americans, Hispanic-Americans, or females within any EEO job category is less than four-fifths (or 80 percent) of the corresponding state CLF percentage.

- The February 1, 2014 TJJJ employment utilization analysis identified that TJJJ does not have an underutilization of African Americans in any EEO job category.
- The Technical occupational category (network specialists, programmers) is the only EEO job category in which TJJJ has an underutilization of females. The underutilization of females in the Technical job category is by 16.7% (4 employees).

TJJJ has an underutilization of Hispanic-Americans in only two EEO job categories. The underutilization of Hispanic-Americans in the Skilled Craft job category is by 13.3% (2 employees). The underutilization of Hispanic-Americans in the Service and Maintenance category, which includes juvenile correctional officers, is by 14.3% (216 employees). The Agency Strategic Plan for Fiscal Years 2013 – 2017 reported an underutilization percentage of 16.1% for the Service and Maintenance job category. Therefore, the agency has reduced the underutilization of Hispanic-Americans in this job category by 1.8% during the last two years.

In compliance with Section 21.502, Texas Labor Code, Section 21.502 TJJJ develops a Diversity Recruitment Plan to recruit qualified persons from underutilized workgroups for agency position vacancies. The plan reflects TJJJ’s goal to continue to reduce the underutilization of Hispanic-Americans in the Service and Maintenance Category.

Additional demographics and statistics regarding the TJJJ workforce are provided in the Agency Workforce Plan (Appendix E).

## B. Organizational Structure

TJJD has a variety of divisions that comprise the organizational structure which includes:

1. Integrated State-Operated Programs and Services
2. Probation and Community-Based Services
3. Education Services
4. Medical Services
5. Office of General Counsel
6. External Affairs, Communications, and Grants
7. Administration and Training
8. Administrative Investigations Division
9. Finance Division
10. Monitoring and Inspections
11. Research and Planning
12. Information Technology
13. Office of Inspector General
14. Internal Audit Department
15. Office of the Independent Ombudsman

**These are described on the following pages.**

# 1. Integrated State-Operated Programs and Services

The Integrated State-Operated Programs and Services division manages and provides oversight of the delivery of services to youth committed to the TJJD. The division is focused on further developing and strengthening its treatment initiatives to more effectively address the multiple and complex needs of the youth and families served by the agency while ensuring the safety and security of the public, the youth served, and the staff, volunteers, and providers working in state secure facilities and halfway houses.

## EVIDENCE-BASED APPROACH TO INTEGRATED TREATMENT

As part of the agency's rehabilitation strategy, the agency focuses treatment resources on the youth who are at the highest risk to reoffend, providing them with the appropriate length and intensity of treatment using proven interventions. In addition, the agency focuses on increasing staff responsiveness to individual youth needs. The agency's rehabilitative strategy is supported by research regarding effective treatment interventions for juvenile and adult corrections. While details of evidence-based practices in corrections abound, the focus for treatment should be on how these practices combine to create the most effective overall model for addressing the varied needs of youth in the juvenile justice system. The hallmarks of effective juvenile justice programs can best be explained by a review of the following eight principles of evidence-based practices [Bourgon and Armstrong (2005), Serin and Crime and Justice Institute (2005), and Crime and Justice Institute at Community Resources for Justice (2009)]:

- Assess Risk and Needs
- Enhance Intrinsic Motivation
- Target Intervention
- Skill Train with Directed Practice
- Increase Positive Reinforcement
- Engage Ongoing Support in Natural Communities
- Measure Relevant Processes and Practices
- Provide Measurement Feedback

The agency implemented the Positive Achievement Change Tool (PACT), an evidence-based tool, to assess risk and protective factors. The PACT provides the foundation for designing individual case plans (ICP), targeting skill building. As part of case planning, the case manager also assesses and works with the youth on his/her motivation to change using motivational interviewing. Motivational Interviewing (MI) refers to a counseling approach developed by clinical psychologists Professor William R. Miller, Ph.D. and Professor Stephen Rollnick, Ph.D. It is a client-centered, semi-directive method of engaging intrinsic motivation to change behavior by exploring and resolving ambivalence within the client. It recognizes and accepts that youth who need to make changes in their lives approach these changes at different levels of readiness to change their behavior. Case Managers work with their assigned youth during individual counseling sessions on their readiness to change. Through this system of PACT assessment, motivational interviewing and case planning, the case manager is more efficient in targeting interventions.

The ICP provides youth, family and staff with an assessment of the youth's progress and lays out goals and action steps to build on the skills learned. Every 90 days youth are re-assessed and a summary report is sent to parents and guardians. In this way, families are consistently engaged and connected to the youth's progress, able to reinforce positive progress and better prepared to help the youth adjust to the community upon re-entry. The case plan provides feedback to the youth and his/her family about progress toward release.

A multi-disciplinary team comprising staff, the youth and the youth's parent/guardian meet regularly to assess the youth's progress, determine next steps and develop a re-entry plan. As youth near completion of their minimum lengths of stay, case managers, parole officers, youth and their parents or guardians formalize

individualized Community Re-entry Plans for transition. These plans include the elements required for the youth to be successful upon return to the community and include specialized aftercare services, educational and workforce development objectives and increased supervision and electronic monitoring for youth whose committing offense was an offense against a person.

Many youth arrive at TJJD with specialized treatment needs that require more intensive and specialized care. Specialized treatment includes programs and services designed for youth with serious violent offenses, sex offenses, alcohol or other drug abuse or dependency and mental health and intellectual and developmental disabilities (formerly known as mental retardation) issues. In each of the specialized treatment areas, the agency has three levels of service (high, moderate and low) designed to match the appropriate level of intensity and length of treatment to the youth's level of need. To accommodate the increase in specialized treatment needs, the agency created additional opportunities to target interventions by expanding specialized treatment programs in a variety of locations to include halfway houses and other community based programs.

### SECURE FACILITIES AND HALFWAY HOUSE (HWH) OPERATIONS

The State Programs and Facilities division oversees a network of secure facilities, halfway houses and other community based programs. Youth are provided necessities such as food, clothing, hygiene and school supplies; medical and dental care; and materials needed to maintain contact with family members. In addition to providing for youth basic needs, secure facilities and HWH operations staff members are an integral part of youth treatment. The Director of Facility Operations and the Manager of Halfway Houses and Reentry ensure safety at all campuses and promote positive youth development. Two HWHs are designed to serve specialized populations. One HWH location serves as a step down program for youth with mental health needs, and another HWH program serves youth with multiple minimum length of stay (MLOS) extensions as well as youth with their parole status revoked. The agency rehabilitation program utilized at all locations is designed to bring out the best in youth, offering them incentives and positive reinforcement to behave in ways that contribute to a safe, therapeutic culture. All staff are responsible for teaching youth the skills that help youth solve problems and manage their emotions. Having a well-trained workforce is critical to the success of an integrated treatment model.

### CONTRACT CARE

To expand placement options, TJJD develops and manages residential contracts with private providers. A residential contract monitoring system ensures that contractors consistently provide quality services and comply with contract terms. The majority of these contractors provide initial programming and step-down services in a non-secure setting. Services include vocational trade, therapeutic foster care, residential treatment programs, gender-specific care and therapeutic group-living care. Several of these contractors expanded their programming during FY'13 to include Aggression Replacement Training® (ART®) and alcohol or other drug (AOD) treatment. Youth served in the non-secure contract residential programs have access to the community for education, treatment, health care and/or employment services.

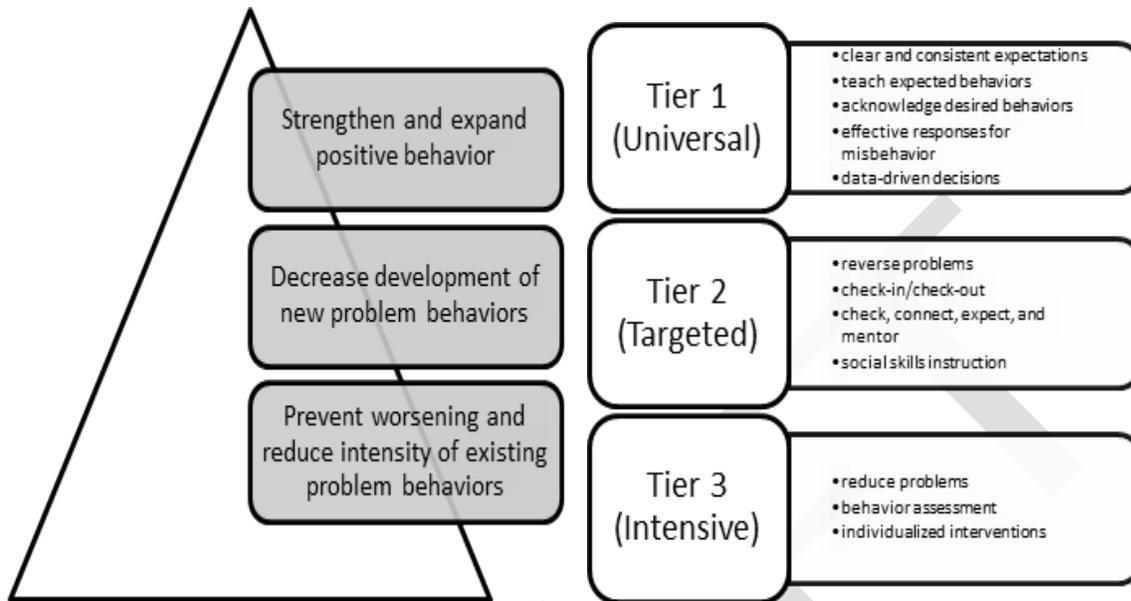
### SAFETY, SECURITY AND ACCOUNTABILITY

A fundamental responsibility and priority of the agency is to ensure the safety and security of both the public and the youth and staff in secure facilities and halfway houses. This is accomplished through comprehensive security protocols that include compliance with legally mandated ratios of staff to youth, well trained staff, security technology systems and an agency philosophy that treatment and rehabilitation can only be effective if youth and staff are safe and protected. Ensuring personal responsibility in holding youth accountable for actions they engaged in prior to commitment and while in the custody of TJJD is of paramount importance in the overall

rehabilitation model and is a vital component of treatment strategies. Departments or functional divisions within the State Programs and Facilities division that support safety, security and accountability are:

- **Performance and Accountability** TJJD recognizes the importance of data with regard to monitoring, oversight, decision making and process improvement. TJJD collects large amounts of data on nearly every aspect of agency operations, and it is the role of the Performance Accountability Specialist (PAS) to analyze this agency data in order to identify strengths and weaknesses of the following targeted areas:
  - *Data Integration.* The process of data-driven decision making can be used to continuously identify areas for operational improvement. The PAS coordinates with the agency's IT department in order to develop tools and management reports that can be used to enhance the agency's oversight of processes and programs. In addition, user-specific dashboards are being designed for direct care staff which will allow the graphic presentation of measures that are critical to job performance in order to increase staff efficiency.
  - *Treatment.* The PAS provides statistical data, monitoring reports, trends and analysis to facility administrators, Central Office Leadership and Executive Management. They also assist with training facility staff in providing quality services to youth with the input of youth's parents and legal guardians. The PAS may plan and/or perform studies of work problems and procedures, such as organizational change, communications, or information flow and recommend changes for improvement.
  - *Safety & Security.* The role of the PAS is to monitor and measure safety and security processes utilized in the daily operation of secure institutions and halfway houses. Through ongoing collection and analysis of data, this position identifies problems, evaluates alternatives, and recommends effective solutions to constantly improve the quality of services. Additionally, this position reviews serious Incident reports, such as emergency reports made through the agency's 24-hour hotline center and incidents of chemical restraint use in the facilities. Data analysis and process evaluation are shared with the agency's executive management team at least monthly to ensure the agency has the ongoing information needed to quickly respond to emerging needs and trends among its population and enhance overall safety and security in TJJD-operated facilities.
- **Positive Behavior Intervention and Supports** Positive Behavior Intervention and Supports (PBIS) is a conceptual framework for developing positive, proactive systems of support for desired youth behavior. The goal of PBIS systems is to minimize behavioral difficulties while teaching and enhancing prosocial, adaptive behavior through preventive systems change, rapid response to early signs of behavioral needs, and intense, long-term supports for high need individuals. PBIS is conceptualized around a 3-tier model of prevention/intervention originally based on a logic model from the public health/disease prevention and control sector. The method applies tiers of interventions to target populations and monitors responses to these interventions to measure effectiveness.

## Positive Behavioral Intervention & Supports (PBIS) Model



- **The Prison Rape Elimination Act (PREA)** The Prison Rape Elimination Act (PREA), Public Law 108-79, became effective August 20, 2012. It is now designated as the Department of Justice, 28 CFR Part 115, National Standards to Prevent, Detect, and Respond to Prison Rape: Final Rule.

PREA establishes a zero-tolerance standard against sexual assault and rape of incarcerated persons of any age. This makes the prevention, detection and response to sexual abuse, sexual assault and sexual harassment in a TJJJ facility a top priority. Furthermore, PREA sets a standard that protects Eighth Amendment rights (Constitutional right prohibiting cruel and unusual punishment) of Federal, State and local youth offenders. This Act also increases the accountability for facility administrators who fail to prevent, reduce and punish sexual misconduct and sexual assault in their facility. Since 2008, TJJJ has been committed to compliance with the 2003 draft PREA Standards and is equally committed to compliance with this Final Rule which further promotes the safest environment for both staff and youth in a juvenile correctional and/or residential placement facility.

Since the passage of Senate Bill 103, TJJJ has been legislatively mandated to maintain a staff-to-youth ratio of 1:12 during waking and sleeping hours in secure facilities. PREA Standard 115.313, titled Supervision and Monitoring, states that "each secure juvenile facility shall maintain a staff ratio of a minimum of 1:8 during a resident's waking hours and 1:16 during a resident's sleeping hours. Any facility that, as of the date of publication of this final rule, is not already obligated by law, regulation, or judicial consent decree to maintain the staffing ratios set forth in this paragraph shall have until October 1, 2017, to achieve compliance." The Senior Director of State Programs and Facilities will include a staffing recommendation to the Legislative Budget Board (LBB) for consideration in order to come into compliance with this 1:8 staff-to-youth ratio before the 2017 deadline.

In 2011, TJJJ successfully secured a PREA demonstration grant award from the Department of Justice Bureau of Justice Assistance to implement the Comprehensive Approach to Promoting Sexual Safety for Youth (CAPSSY) in Juvenile Justice to further build on our sexual safety reforms and to assist in the implementation of the PREA Standards. The aim of the CAPSSY Project was to develop, implement and evaluate a series of inter-related strategies to enhance efforts towards creating and sustaining a sexually safe environment for youth and staff in three selected secure facilities (Corsicana, Giddings and Ron Jackson). Through this project TJJJ implemented and accomplished the following strategies:

1. Revised and enhanced the youth orientation and culture to infuse safety, especially sexual safety, as a key value through the creation of a comprehensive orientation DVD titled Safeguarding Your Sexual Safety, which will be shown to all of the youth committed to TJJJ beginning at Intake and those currently in the secure facilities and halfway houses and other community based programs beginning January of 2014.
2. Implemented multiple staff training strategies in the three (3) selected facilities with their management team and enhanced five (5) training modules for all facility staff that further promotes staff and youth safety, sexual safety, gender responsiveness and how to effectively and professionally work with vulnerable populations.
3. Targeted organizational culture and leadership change training for the management teams at the three (3) selected facilities, while providing leadership with ongoing support and coaching throughout this demonstration project from contracting consultants for the project.
4. Developed and produced a leadership culture toolkit that will guide facilities and juvenile justice organizations on how to create, implement and sustain a sexually safe youth and staff culture through change.
5. Created a PREA database to eliminate the redundant features, gaps and barriers in TJJJ data collection, reporting and analysis processes and system. This has allowed TJJJ to track all PREA related incidents and subsequent administrative and/or criminal investigations to accurately report incidents of non-consensual sexual acts, abusive sexual contact and sexual harassment, by the Department of Justice's definition, to the Bureau of Justice Statistics. Additionally, it provides an annual dashboard report for each facility's administration as a user friendly management tool to assist them in better preventing, detecting and responding to these types of incidents.
6. Contracted with an outside evaluator to measure and ascertain if positive cultural changes occurred at the three selected facilities, particularly among staff and leadership. This evaluation also ascertained the effectiveness of the project strategies towards changing the three (3) selected facilities organizational cultures, and if the sexual safety reform efforts previously implemented had been sustained.

This demonstration project ended on December 31, 2013. TJJJ will further seek to implement the above training and leadership strategies in the remaining facilities that were not a part of the demonstration project and will incorporate the other recommendations from the evaluator's final report to further build on the knowledge gained and lessons learned. This final report reflected that the sexual safety reform efforts were being sustained, that the revised staff training modules implemented in these selected facilities increased staff knowledge, attitude and behaviors regarding safety and sexual safety for the youth and that there was improvement in the leadership culture around this initiative.

PREA Standard 115.393, titled Auditing and State Compliance, states that "audits be conducted on a three year cycle, with the first auditing period commencing one year after the effective date of the standards," which is August 20, 2013. Each year, the agency shall ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, is audited. TJJJ will seek to have two secure facilities and three halfway houses audited by August 19, 2014 and thereafter will incrementally audit the remaining secure

facilities and halfway houses in 2015 and in 2016, which will complete the three year audit cycle for the agency.

The agency's PREA Coordinator and the Senior Director of Administration and Training attended the November 17-22, 2013 PREA Auditor's training sponsored by the Department of Justice, which will enhance and contribute to the agency and residential contractors provider's ability to move closer towards compliance with these standards while greatly assisting the agency in preparation for the first round of audits in 2014.

## TREATMENT AND REHABILITATION

The agency's rehabilitative strategy is a model of integrated treatment which addresses treating the "whole child." These services include not only treatment programs, but also education, vocational training, medical care, skills building programs, case management with service continuity, family involvement, community re-entry planning and re-integration assistance. The agency strategy is based, in part, on the Risk-Needs-Responsivity (RNR) Model, published in 1990 by Andrews, Zinger, Hoge, Bonta, Gendreau, and Cullen. In brief, this model requires providers to target and serve high risk youth and match services to the assessed need in a way that is responsive to the youth's characteristics. Studies indicate successful interventions focus on high risk offenders, target specific criminogenic needs, utilize cognitive and behavioral models for treatment intervention, demonstrate faithful implementation of program design and maintain program integrity (Lowenkamp and Latessa, 2005).

The State Programs and Facilities division is responsible to ensure delivery of rehabilitation and treatment services across the continuum of state operated programs and continually monitors daily operations, available data and reports and provides direction for safe and secure practices in all facilities.

Departments or functional divisions within the State Programs and Facilities division that support treatment and rehabilitation are:

- **Intake, Assessment and Placement** TJJD's assessment and placement processes are designed to evaluate each youth's individual needs and ensure that he or she is placed in the most effective setting for rehabilitation. The agency's assessment and placement process strives to adhere to national best practices by utilizing the Risk-Needs-Responsivity (RNR) Model. During the four-week process, youth participate in a series of assessments structured to identify the youth's risk to reoffend and criminogenic needs. The youth's risk level is determined based on static factors that have a demonstrated link to recidivism rates, such as age at first offense, number and severity of prior criminal referrals and prior residential placements. The severity of the youth's committing offense and assessed level of risk determine the youth's minimum length of stay for services in the agency. Criminogenic needs are

### High Intensity Treatment Programs

These programs are dorm based residential intensive programs for special needs offenders with a high need for these services.

### Moderate Intensity Treatment Programs

The program consists of treatment delivered by licensed or trained staff to address youth with a moderate need for specialized treatment. The treatment is provided to youth in the general rehabilitation program. For example; youth with a moderate need for treatment of violent behavior receive Aggression Replacement Training® (ART®), a ten week curriculum-based program for chronically aggressive youth. This treatment would be in lieu of the more intensive capital and serious violent offender residential programs.

### Low Need

(Psycho-Educational Curriculum) A short-term education program delivered by trained staff to address youth with a low need for specialized treatment.

identified through a battery of actuarial risk assessments that help determine each youth's risk and protective factors. Results of these assessments inform recommendations for supervision and treatment in areas such as mental health, education, medical and dental services, safe housing vulnerability, vocational training and specialized treatment.

Placement specialists use assessment information to choose the most appropriate program to respond to a youth's individual needs. Many factors are considered in making a placement assignment, including the youth's age, location of family, specialized treatment needs, least restrictive environment, gang affiliation, danger to others and vulnerability to assault or predation. Because factors change over time, program placement assignment is an ongoing process. TJJD has policies that allow youth the flexibility to move through a continuum of programs according to their demonstrated skills and abilities -- to the least restrictive program setting able to meet the youth's individual treatment needs while protecting public safety. The agency employs a team of transporters to provide safe and secure movement across the state.

- **Specialized Treatment Services** TJJD's population is comprised of youth with needs well beyond basic rehabilitation. Many have multiple needs or require intensive intervention to affect long-term behavioral change. In order to provide holistic treatment and address all of these needs, the agency provides the following specialized treatment programs and services:
  - *Capital and Serious Violent Offenders Treatment Program (C&SVOTP)* The Capital and Serious Violent Offender Treatment Program treats youth who are committed to TJJD for crimes such as capital murder, murder and other offenses involving the use of a weapon or deadly force. The program is designed to impact emotional, social, behavioral and cognitive developmental processes by integrating psychodynamic techniques, social learning and cognitive-behavioral therapy to create an intense therapeutic approach that aims to reduce individual risk factors and to enhance and build upon unique strengths of the youth. The program helps these young people connect feelings associated with their violent behavior and to identify alternative ways to respond when faced with risky situations in the future. For youth with histories of violent behavior that is less severe than described above, the agency offers Aggression Replacement Training®, which is a structured curriculum designed to help youth identify the thoughts and triggers that lead to their aggression and ways to break their violent behavior cycles.
  - *Sexual Behavior Treatment Program (SBTP)* The agency offers a full complement of sexual behavior treatment services. These services include: assessment, supplemental psychosexual education classes, short-term treatment, pre- and post-treatment services, intensive residential treatment and sex offender aftercare. Secure facilities provide all services except sex offender aftercare. Halfway houses and other community based programs and parole offices may provide aftercare services or psychosexual educational classes. Programs are developed to be responsive to the unique issues of females, young offenders, or male adolescents with sexual behavior problems. The treatment of youth with sexual behavior problems involves a multidisciplinary, collaborative approach utilizing techniques such as motivational interviewing, relapse prevention, impulse control and self-regulation strategies. This model utilizes the communication, cooperation and coordination between TJJD personnel and outside invested partners to enhance community protection. The SBTP uses evidence-based case management and treatment strategies that seek to hold the youth accountable. Public safety, victim protection and reparation for victims are paramount and are integrated into the expectations, policies, procedures and practices of the program.
  - *Alcohol or Other Drugs (AOD) Treatment Program* For youth with identifiable substance abuse problems, TJJD provides several levels of alcohol or other drug treatment programs, including psycho-educational classes, short-term moderate intensity treatment, High-

intensity residential treatment and a relapse prevention program. All programs share similar treatment goals and differ only in the amount and type of services delivered to meet the needs of the youth. All programs are based on the philosophy that dependence on alcohol or other drugs is a primary, chronic disease that is progressive and influenced by genetic, environmental and psychosocial factors. The approach to treatment is holistic and views chemical dependency as a family disease that affects everyone in contact with the addicted youth. Family and social supports are recognized as critical protective factors that will promote and sustain treatment gains during specialized AOD treatment and community transition. Youth are encouraged to view addiction as a lifelong process of recovery and to renew a daily commitment to their sobriety and interruption of self-destructive behaviors, including substance use and criminal conduct.

- *Mental Health Treatment Program (MHTP)* Youth who are diagnosed with severe mental health problems and/or illnesses may receive specialized treatment at the McLennan County Residential Treatment Center (MRTC), Ron Jackson or a contract facility. The MHTP at those facilities provides enhanced psychiatric and psychological assistance, and smaller case manager-to-youth ratios. Having psychiatric and psychological staff focus on managing the symptoms associated with the youth's mental health issues allows case managers to focus on risk reduction and protective factor enhancement strategies in order to reduce the risk of reoffending. This collaboration allows for holistic and individualized treatment of the youth in need of these services. Youth with unstable mental illnesses who are also dangerous to themselves or others receive care at the Crisis Stabilization Unit (CSU) at the McLennan (males) or Ron Jackson (females) facility. Youth may be committed to a psychiatric facility if they need care beyond what the CSU can provide. The immediate goal is treating the unstable mental health issue and allowing the youth to regain control over his or her behavior. Once stabilized, the youth is better prepared to benefit from treatment that focuses on changing delinquent and criminal patterns of behavior. Many youth do not require a high-intensity MHTP, but have mental health problems that require psychiatric treatment and psychotropic medication or psychological intervention. This support may occur in individual or group sessions. Moderate mental health services and aftercare are also provided at several halfway house locations.
- *Intellectual Developmental Disorders (formerly Mental Retardation)* The newly revised DSM-5 no longer uses the diagnosis of Mental Retardation. Persons who may present with the characteristics of Mental Retardation are now diagnosed with Neurodevelopmental disorders, more specifically Intellectual Developmental Disorder. Youth who are committed to TJJD with Neurodevelopmental disorders, specifically Intellectual or Global Developmental Delay, can usually be adequately served in the general population at any facility with support from special education and psychology staff. A sub-group of youth with Intellectual Developmental Delay also experience co-occurring mental health disorders or are particularly vulnerable. This combination requires a specialized set of services which is offered at the MRTC.
- *Specialized Aftercare* TJJD youth who have completed a specialized treatment program or otherwise need specialized aftercare as determined by the youth's treatment team are eligible to be enrolled in specialized aftercare. Aftercare services offered include mental health, sexual behavior, alcohol or other drug, Aggression Replacement Training® or other anger management services. Youth are eligible to receive aftercare services in the halfway houses and on parole status in the community. Significant efforts are made to ensure the needs of the youth are matched with the services available in the community.

- **Engage ongoing support** The following subdivisions within the secure facility and halfway house operations strategies cultivate meaningful family and community participation to improve outcomes for youth:

- *Family Services* The agency has moved from family-informed care to family-involved care, and sees the youth's family as an asset in his or her rehabilitation and successful community re-entry. Family Liaisons, employed at each of the secure facilities, coach, educate, support and encourage family members to participate in and help administer the rehabilitation plan for their youth. Research has shown that family involvement has a positive correlation with successful community re-entry, improvement in behavior and academic performance among youth. One such study emphasized the increased positive impact when a family initiates involvement during their youth's first two months of residential placement. Opportunities for family participation come during regularly scheduled campus activities, family-focused seminars and forums, contact and web-based visitation and monthly multi-disciplinary team meetings.

Family dynamics change when a youth is removed from the home. These changes must be addressed with the youth and family prior to his or her return. The agency provides home-based services to the youth and their families in preparation for successful reunification. This preparation begins at the intake unit and continues as the youth progresses through the continuum of state-operated programs and services. Examples of family support programs are Functional Family Therapy© and family reunification services.

Families are encouraged to participate in a satisfaction survey once every two years. The department is working towards increasing the number of families who respond to the survey. Responses are used to identify areas of improvement and concern. Family Liaisons collect data regarding the number of visits, family-oriented special events, number of families receiving financial assistance from the community resource councils and the level of participation in reunification services.

- *Volunteer Services* Volunteers are a vital means of connecting youth to their larger communities and the mutual support networks available. The primary roles of volunteers are mentors, chaplaincy/religious services, community resource council members, interns, tutors, skills group leaders and a variety of other projects and programs. Expanding the availability of mentoring is an agency priority. The agency defines the goal of mentoring as developing a trusting, supportive relationship between a mature adult and a carefully matched youth in which the youth is encouraged to reach his/her potential, discover his/her strengths and develop self-confidence. Matches are carefully made based upon gender, age, language requirements, availability, needs and strengths, shared interests, life experiences and preferences of mentor and mentee. Mentors make a six-month minimum commitment and agree to personal visits with their mentee for 4-8 hours each month.

Each volunteer must successfully complete a careful screening process before becoming enrolled, including an interview, three personal character references, a criminal history check and fingerprinting. Volunteers are then required to complete a comprehensive orientation to the agency and job-specific training. A full-time Community Relations Coordinator at each facility tracks the level of volunteer involvement, in-kind and cash contributions and community outreach efforts (tours, speaking engagements, press releases).

- *Faith-Based Services* The Chaplaincy department was created by SB 103 and expanded in the 81st legislative session, establishing a full-time qualified correctional chaplain at each secure facility. The chaplains are the religious program managers, insuring all youth are permitted to practice their faith and coordinating the various activities of faith-based volunteers and organizations. The chaplains provide pastoral counseling; clarify issues

involving various faith practices, religious articles, diets, and standards; perform liturgical duties; and recruit, train, and supervise religious volunteers.

Chaplaincy volunteers constitute nearly 75% of the agency's volunteers. Many are involved in correctional ministry organizations, such as Epiphany Ministries and Adoration, Community, Theology and Service (ACTS) Retreats. These volunteers lead worship services, teach small religious education groups, conduct faith-based skills and support groups, provide individualized pastoral counseling and provide faith-based mentoring services. Chaplains track the level of volunteer involvement in the provision of religious services.

- **Victims' Services** TJJJ is committed to ensuring that victims are informed, involved and treated with dignity, fairness and respect. Victims' Services stakeholders include victims of juvenile crimes, district and county attorneys, local law enforcement, other victims' services providers and advocates. Services include providing confidential victim notifications, information and referrals to support services, assisting with submission of victim impact statements, assisting with the submission of information for release/review and liaison services with the Texas Department of Criminal Justice to ensure seamless transfer of services from juvenile to adult systems, when applicable.
- **Sentenced Offender Disposition** Designated TJJJ staff review sentenced offender discharge or transfer packets to ensure TJJJ policy and criteria have been met. This section includes the court liaison, who serves as the agency's principle representative at disposition hearings, and the Texas Department of Criminal Justice (TDCJ) liaison, who serves as the liaison between TJJJ, TDCJ, and the Texas Board of Pardons and Paroles to develop a continuum of care for sentenced offenders.
- **Sex Offender Registration** TJJJ supports public protection by ensuring juvenile sex offenders are registered with the Department of Public Safety (DPS) and local law enforcement in compliance with Chapter 62 of the Code of Criminal Procedure. Activities related to TJJJ's sex offender registration services include:
  1. maintaining regular contact with DPS and local law enforcement to ensure compliance with Texas Sex Offender Registration Program;
  2. providing approved sex offender registration information to maintain accurate information on the DPS Sex Offender Registration websites, both public and secure;
  3. providing information and statistics to other state agencies and local law enforcement to show a true and accurate reflection of TJJJ registered sex offenders;
  4. providing accurate and timely information to district attorneys and judges to assist in their decisions regarding juvenile sex offender registration requirements for juvenile sex offenders;
  5. providing training and technical support related to sex offender registration to TJJJ and county employees throughout the state; and
  6. providing discharge documentation to DPS, TDCJ, and local law enforcement to ensure juvenile sex offenders who reach their end of registration date are removed from the public and secure DPS database and sex offender registration websites.

## SUMMARY

The agency's rehabilitative strategy helps youth focus on developing critical supports as they plan for successful re-entry into their home communities. The TJJJ rehabilitative strategy offers opportunities for youth to engage in positive interactions with staff, mentors, family members and each other to build positive skills and enhance personal relationships. The agency believes that the integrated treatment approach, founded on evidence-based practices, is critical to producing positive outcomes for youth in our system. With these guiding principles, TJJJ strives to have each person in the agency take shared ownership of the whole child from beginning to end, so youth and their families may create a foundation of trust for a healthy future.

## 2. Probation and Community-Based Services

### OVERVIEW

The Probation and Community Services Division has programs dedicated to improving the lives and opportunities for youth in their home communities. The Division works with probation departments across the state to enhance the many services offered to local youth. The division acts as the liaison between the many state functions of TJJD and the local departments. The division also includes services and supervision of youth on parole. Local departments having Prevention and Early Intervention Programs, Special Needs Diversionary Programs, Juvenile Justice Alternative Education Programs, and Placement Services /Title IV-E Programs are all a part of the Probation and Community Services Division.

The partnership between the local juvenile justice programs and TJJD is a model for state government. Working together, communities have a partner to help assure quality programs are offered to youth across the state. Opportunities and programs are designed to provide alternatives to deeper involvement into the juvenile justice system. Protecting communities while supporting accountability, assisting local departments choosing to offer proven programs are all a big part of the Probation and Community Services Division.

### PAROLE

The TJJD Parole Program plays a significant role in the Department's correctional treatment program and continuum of care. Parole services include the provision of alternative residential community programming, successful Re-integration support, ensuring public safety through monitoring youth on parole, encouraging family preservation and re-unification, and supporting involvement in constructive activity. This program is designed to:

- Increase accountability for youth returned to the community;
- Include community service activities; and to
- Enhance public, private, state, and local services for youth and their families.

While on parole, youth are held accountable for following their success plans, which they developed while in a residential program.

Most youth initially placed on parole are assigned to the intensive level of surveillance. Youth who have earned parole credit in other programs can be assigned to a moderate or minimum. The parole officer meets face-to-face with the youth to:

- Monitor the youth's overall progress;
- Determine if the youth is complying with the success plan that was agreed upon prior to being placed on parole; and to
- Assist the youth in reintegration into the community through the implementation of the parole success plan.

Surveillance is a verification of the youth's location, daily schedule, and required activities. It can be intensive, moderate, or minimum. The youth is to remain on intensive surveillance because of his/her delinquent history classification, or as long as necessary to determine if he or she is complying with all parole requirements.

For “General Offenders” (most non-violent offenders), a Fast Track Parole process is available. Under Fast Track Parole, it is possible for a youth to be approved for discharge from TJJJ jurisdiction at the sixth month on parole, rather than at the minimum ninth month. To be discharged, however, the youth has to demonstrate that all requirements for discharge have been met. While on parole, the level of surveillance is reduced as the youth demonstrates compliance with the program objectives.

Youth on parole have regularly scheduled office appointments with a parole officer, plus unscheduled visits by parole staff to the youths’ schools, work sites, and homes. When necessary, random curfew checks are made through surveillance and supervision services available to the Department in the larger metropolitan counties.

## PREVENTION AND EARLY INTERVENTION PROGRAMS

Section 203.0065 of the Texas Human Resources Code required the Texas Juvenile Justice Department (TJJJ) to ensure the provision of programs and services intended to prevent or intervene in at-risk behaviors that lead to delinquency, truancy, dropping out of school, or referral to the juvenile justice department. TJJJ now provides two types of grants to assist county probation departments’ implementation.

Prevention and Early Intervention Programs (Grant S). In 2011, SB 653 (82nd Texas Legislature) amended Section 203.0065 of the Texas Human Resources Code to authorize the Texas Juvenile Justice Department (TJJJ) to provide prevention and intervention services, defined as “programs and services intended to prevent or intervene in at-risk behaviors that lead to delinquency, truancy, dropping out of school, or referral to the juvenile justice system.” The statute indicated that the population to be served through these services was at-risk youth, ages 6 through 17 years old and their families.

In early 2012, TJJJ awarded \$1.4 million in grant funds to 24 probation departments to implement prevention and early intervention programs for youth who were not under departmental supervision, but who were identified to be at increased risk of delinquency, truancy, dropping out of school, or referral to the juvenile justice system.

Probation departments partnered with a variety of providers to offer a range of services to youth ages 6 years through 17 years who were at increased risk of later involvement with the juvenile justice system. Some departments partnered with out-of-school time youth service providers to provide educational assistance, mentoring, character development, and skills building (e.g., problem-solving, anger management, or conflict resolution skills) after school or during summers. Other departments focused on providing parents of at-risk youth with the skills, services, and supports they need to better manage their children’s challenging behaviors. Departments either had their staff trained or worked with other community partners to ensure parents have access to evidence-based parenting strategies. Some departments identified their major focus for intervention as truancy intervention programs and worked with local elementary, middle, and high schools to provide services, supports, resources, and accountability to ensure students are and remain actively engaged in school.

Data indicate over 3200 children and adolescents received Grant S. funded prevention and early intervention services during FY 13. The average age of children receiving services was 11 years. Approximately 78% of the children served were youth of color. The average length of service varied with the type of program being provided, ranging from a brief 33 days for an intensive parenting skills program for families referred by the justice of the peace to the longest service period, 363 days for a year-round, community-based out-of-school time program.

**Children and Youth Receiving Grant S. Funded Prevention and Early Intervention Services  
Fiscal Year 2013**

NUMBER		PERCENT
<b>SEX</b>		
Females	1422	44 %
Males	1794	56 %
Total	3216	100 %
<b>RACE</b>		
Asian	5	.2 %
African American	777	24.2 %
Hispanic	1665	51.8 %
Indian	30	.9 %
Other	21	.7 %
Unknown	104	3.2 %
White	614	19.1 %
Total	3217	100.0 %

Over 86% of the youth who completed prevention and early intervention services in FY 2013 did so successfully. 8.3% of the youth failed to comply with the terms of the program and just under 5% were determined to be unsuitable for the program (e.g., were determined to be under active supervision, were outside the eligible age range, etc.)

**Children and Youth Completing Grant S. Funded Prevention and Early Intervention Services  
Fiscal Year 2013**

NUMBER		PERCENT
<b>PROGRAM OUTCOME</b>		
Successfully completed	1683	86.4 %
Failure to Comply	161	8.3 %
Unsuitable for program	95	4.9%
Total	1949	100.0 %

School Attendance Improvement Projects (Grant T). For FY 14-15, TJJD authorized the use of approximately \$727,779 of unused Grant S. funds for a new prevention program, Grant T: School Attendance Improvement Project. The purpose of this initiative is to provide seed money for programs to increase school attendance for students with low attendance rates and decrease the students' later likelihood of involvement in the juvenile justice system. Grants were awarded through a competitive process to four probation departments serving five counties (Comal, El Paso, Karnes/Wilson, and Tarrant).

All four of the funded probation departments partner with local schools and social service providers to connect youth who are struggling with school attendance and their families to needed services, supports, and resources.

All probation departments receiving Grant S. and Grant T. funds will collect data related to juvenile justice referrals for the participants. Additionally, the agency plans to collaborate with the Texas Education Agency to initiate a data-matching project to facilitate analysis of the impact of participation in prevention programming on a youth's school attendance and likelihood to receive school discipline referrals.

### SPECIAL NEEDS DIVERSIONARY (SND) PROGRAM

The Special Needs Diversionary Program (SNDP) was created in 2001 to provide mental health treatment and specialized supervision in order to rehabilitate juvenile offenders and prevent them from penetrating further into the criminal justice system. The program is administered in a collaborative model by TJJD and the Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI). The SND program has now been in operation for twelve years.

The basic programmatic structure of SNDP involves specialized juvenile probation officers from local juvenile probation departments and professional mental health staff from the local mental health centers working together to coordinate intensive community based case management services. The SNDP/MHMR teams carry a caseload of 12 to 15 youth identified as meeting DSHS's standard for priority population diagnosis. The mental health professional may be either a Licensed Mental Health Professional (LMHP) or a Qualified Mental Health Professional (QMHP) depending on the needs of the family and the resources available in the community.

The program offers both mental health services (including individual and group therapy), probation services (such as life skills, anger management, and mentoring), and parental support and education. This program also requires frequent contact with the juvenile and with the family.

SND Programming is located in 22 sites and impacts youth in 26 counties. The following juvenile probation sites have an SND program: Angelina, Bexar, Cameron, Dallas, El Paso, Ft. Bend, Hale, Harris, Hays, Hidalgo, Jefferson, McLennan, Nacogdoches, Nueces, Polk, Randall, San Patricio, Tarrant, Tom Green, Travis, Tyler, and Williamson.

### JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP)

In response to legislative mandates in 1995, the former TJPC board adopted Chapter 348, Juvenile Justice Alternative Education Programs Standards (1998) to establish minimum operational, programmatic and educational standards for juvenile justice alternative education programs (JJAEP) in Texas. In 1996, twenty-two counties began to operate Juvenile Justice Alternative Education Programs (JJAEPs) for certain juvenile offenders.

Public School students are assigned to a JJAEP program as a result of violating Texas Education Code Chapter 37 listed offenses which include: 1) mandatory expulsion from their home school for serious infractions of the Student Code of Conduct, 2) discretionary expulsions for serious infractions that occur off-campus as well as other infractions of the Student Code of Conduct, or 3) are court ordered due to title V offenses or probation conditions.

The goals of the Juvenile Justice Alternative Education Program are to reduce delinquency, increase offender accountability and rehabilitate offenders through a comprehensive, coordinated community-based juvenile probation system. Additionally, the JJAEP programs assist students in performing at grade level as a result of academic interventions provided by the JJAEP in language arts, mathematics, science, social studies and self-discipline. Some JJAEP programs are able to provide some electives. Many utilize curriculum software to support credit and skill recovery.

JJAEPs are not required to fulfill all students' high school requirements while they are assigned to the JJAEP. JJAEPs are required to have at least one certified teacher per program and an overall instructional staff-to-student ratio of no more than 1-24. Operational Staff-to-student ratio is required to be no more than 1 to 12. Juvenile Boards are required to approve the Memorandum of Understanding with all school districts in their county, the JJAEP Student Code of Conduct, and Operating Policy and submit copies of these documents to TJJD for review and comment.

Currently, there are 26 mandatory counties who are required to provide JJAEP services: Bell, Bexar, Brazoria, Brazos, Cameron, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Harris, Hays, Hidalgo, Jefferson, Johnson, Lubbock, McLennan, Montgomery, Nueces, Tarrant, Taylor, Travis, Webb, Wichita, and Williamson. Six counties, called discretionary counties who have smaller populations, are specially funded to provide JJAEP services: Atascosa, Hale, Hardin, Hill, Hopkins, and Karnes-Wilson.

JJAEP programs are audited for compliance with all Chapter 348 standards. Mandatory counties are monitored on-site at least every three years. Discretionary counties are monitored on-site every biennium. Desk audits are ongoing to maintain data integrity for funding and reporting purposes.

#### PLACEMENT SERVICES/TITLE IV-E

The Placement Services/Title IV-E Division oversees the Title IV-E Program for youth supervised by county juvenile probation departments and those committed to the Texas Juvenile Justice Department (TJJD). Title IV-E is a federal foster care reimbursement program which allows probation departments and TJJD to claim reimbursement for a percentage of the placement costs of eligible youth placed in approved Title IV-E facilities as well as administrative costs related to operating the program. The division is responsible for providing training, technical assistance and oversight of both the program and fiscal operation of the Title IV-E program. Program elements include eligibility determination, case management requirements and financial components. The division is also tasked with assuring juvenile probation department and TJJD compliance with federal and state program requirements via program review, standards and contract development, interpretation and implementation of federal regulations and guidelines and program monitoring. The division works in collaboration with several state agencies and other external stakeholders. In conjunction with the Title IV-E program the Division works closely with private non-secure residential facilities and, in collaboration with the Department of Family and Protective Services (DFPS) has developed and implemented procedures to allow

facilities to apply for designation as approved Title IV-E facilities to broaden the pool of residential service providers for TJJD and juvenile probation departments.

The division is also responsible for implementing the requirements of HB1630, enacted during the 81st Texas Legislative Session. This legislation addresses the need for providing Medicaid or the Children's Health Insurance Program (CHIP) coverage in a timely manner for youth transitioning back into their communities from out-of-home placements. The division works with juvenile probation departments, state operated facilities and programs and the Health and Human Services Commission to share necessary information to facilitate youth being able to access benefits to which they may be eligible immediately upon release from placement.

## SUMMARY

The Probation and Community Services Division works with probation departments across the state to enhance the many services offered to local youth: prevention, treatment, education, and family care/support. TJJD understands the wide diversity in the many departments across Texas. This partnership encourages participation from all departments. As a liaison between the TJJD and the field, the Probation and Community Services Division is a resource for the continued success. The Probation and Community Services Division is dedicated to providing programs to improve the lives and opportunities of youth in the community.

### 3. Education Services

Education Services operates under rules and guidelines of the Texas Education Agency (TEA), offering high school diplomas, workforce certifications, and GED certificates. Students in the education programs are instructed in core curricular courses and a wide array of vocational and elective courses. According to state and federal guidelines, the division provides English as a second language programming for eligible students as well as special education and related services to students with disabilities.



Workforce development programs provide a holistic and integrated approach to prepare youth to successfully enter the workforce and maintain employment. This comprehensive strategy includes Career Academies, Saturday Career Enhancement programming, dual credit course work, and linkages with community-based organizations (CBOs) for additional training, transitional aftercare services, and employment assistance.

#### PROGRAM DESCRIPTIONS

- **Academic Services.** The TJJD Division of Education offers students all state diploma options, as well as the opportunity to obtain a General Education Development certificate (GED), and industry certifications. Education staff and curriculum fully comply with state and federal law and nationally recognized best practices for a comprehensive, competency based educational program.

Upon arrival at TJJD, students are assessed to determine educational needs. As appropriate, youth also receive psychological and language proficiency evaluations. Students are placed according to education needs. Additional diagnostic assessments continue as students demonstrate their proficiency in the classroom. In-coming students, in addition to core curriculum course work and diagnostic testing, are introduced to the educational opportunities to which they'll have access during their tenure with TJJD. At this time, they begin to set education and workforce goals and are guided to a proper course of study.

Most youth entering TJJD have considerable educational deficiencies. On average, they are four to five years behind their peers in reading and math achievement and over a third 35%-40% are eligible for special education services, with 24% having multiple disabilities. Many have given up on the education system and do not believe that education is an achievable goal for them. TJJD has a considerable challenge to re-engage these youth and to help them succeed in an educational setting.

TJJD students have access to many strategies designed to help them to excel: Project Based Learning (PBL), a specialized reading program for struggling readers, on-line course offerings for credit repair, recovery, and acceleration, Positive Behavior Incentives and Support (PBIS), 21st Century technology opportunities, dual credit college courses, Career Academies and college courses for graduates, and a teaching staff that is continuously trained on education best practices in curriculum and instruction.

The division continues to implement agency-wide monitoring visits addressing performance measures in each program, including contract care facilities, JJAEP's, and halfway houses, reviewing education programs provided by non-TJJD school districts to ensure TJJD youth receive appropriate education services. The division has worked and will continue to work with outside agencies such as TEA and education/disability advocate groups to ensure the quality of special education services. All non-compliance matters are reported to the appropriate staff, and are followed up with Corrective Action Plans, which include training and/or new staffing assignments.

- **Special Services.** TJJD Division of Education supports all special education programs designed by the Admission, Review, and Dismissal (ARD) committee to meet the individual needs of youth with disabilities.

Special Education Services include:

- Regular classrooms with accommodations and/or modifications
- In-class supports from a special education teacher or aide
- Out-of-class supplemental supports to students who need an alternative setting for additional services
- Resource classroom for direct instruction by a special education teacher

The Division of Education continues to improve additional assistance to students with disabilities through summer school, meaningful vocational opportunities, and educational support. In addition, Special Education Liaisons provide consultation and support to campus staff.

---

### **TJJD Division of Education Mission:**

*The Division of Education exists to impact the lives of young people to ensure their success in society.*

---

Students who qualify for Section 504 of The Rehabilitation Act of 1973 receive full educational support.

Limited English proficiency services are also available to accommodate students whose language severely impacts their educational performance. The division contracts with certified bilingual specialists to provide additional support, and interpreters are available for TJJD staff to communicate with non-English speaking parents.

- **Education Transitional Services.** College programs are available through partnerships with colleges and universities. Qualifying students may take a college placement test or the ACT for dual credit or college admission. Blended instruction and distance-learning college classes are provided through Navarro College. Texas Tech University provides courses in a lesson format that can be completed within approximately six months. Students in TJJD's state operated facility schools and halfway houses have access to these college course offerings.

Education Re-Entry Liaisons assist youth as they transition from a secure facility to a halfway house or prepare to enter their community. Students are supported with returning to high school, enrollment in post-secondary courses, and linkages to other community resources for academic progression and/or employment.

- **Workforce Development Services.** Workforce development programs offer opportunities in vocational and skills development through the career and technical education (CTE) program, and employment preparation and career exploration through reentry services provided by Education Reentry Liaisons. All vocational programs are aligned with industry certification, where applicable. The

CTE programs provide students with an opportunity to earn high school credits, develop occupationally specific skills, and obtain industry recognized certification that will increase the youths' job competitiveness.

Workforce development programs offer opportunities in vocational and skills development through the career and technical education (CTE) program, employment preparation and career exploration through reentry services provided by the Education Reentry Liaison., and employment experience through Campus Work Programs and the Prison Industries Enhancement (PIE) program. All vocational programs are aligned with industry certification, where applicable. The CTE programs provides youth with an opportunity to earn high school credits, develop occupationally specific skills, and obtain industry recognized certification that will increase the youths' job competitiveness.

- *Career Academies:* School year 2013-2014 introduced Career Academies to three TJJJ state operated facility schools. Career Academies are based on 16 nationally aligned career clusters, and each Academy offers multiple pathways. Clusters currently include Principles of Transportation and Logistics, Principles of Architecture and Construction, Audio/Visual Technology, Information Technology, Restaurant Management, and Metal Manufacturing. New pathways will be added as enrollment grows. A portion of the time a student spends in a Career Academy is spent learning how to manage personal and business finances, employability skills (such as completing a resume and application, customer service, interviewing), and maintaining reading, writing, and math skills. Students must have a GED or diploma, meet agency qualifications, and complete an application with references to be admitted to a TJJJ Career Academy.
- *Saturday Career Enhancement program:* All campuses offer Career Enhancement programs on selected Saturdays to students who meet participation qualifications. These programs include industry speakers, question and answer panels of industry professionals, hands-on classes in various business areas, employability soft skill training, Workforce Development programs, job fairs, and much more.
- *Career and Technical Education (CTE) courses:* CTE focuses on providing an introduction to career planning, an opportunity to learn entry-level to advanced skills in a particular occupation, and how to successfully gain and maintain employment. CTE programs are developed for instruction and training in high-demand occupations. TEA mandates that the Texas Essential Knowledge Skills (TEKS) developed for CTE courses are used for instruction, and all TJJJ schools are monitored for compliance. The use of TEKS in CTE curriculum development also allows for course credit in elective classes to aid students in earning a diploma.
- *Education Re-entry Liaisons:* Education Re-entry Liaisons (ERL) are available to assist students who are transitioning to halfway houses or their community from institutional status with the understanding and development of education/vocational goals. They assist youth in obtaining appropriate employability, life and advocacy skills training, and assist case-managers, family liaisons, WD Reentry Liaisons, HWH and parole staff with the development and execution of transition planning regarding educational goals and objectives. They provide information and assistance regarding available financial aid for higher education and vocational training opportunities. Additionally, ERL's assist Career Academy staff and students by providing

curriculum instruction and support, and transitional services and lead the Saturday Career Enhancement programs.

- *Campus Work Programs:* These programs help students learn the value of work, gain experience in employment, and successfully handle responsibility. The programs provide an opportunity for certain youth to apply for work as helpers to TJJJ facility staff in the areas of grounds keeping, maintenance, cafeteria, laundry, and some office assistance.
- *Workforce Development Re-entry Specialists (WDRS):* These specialists assist youth in halfway houses or on parole as they reenter the community. Students prepared for career training or job searches are guided in accessing services from academic and vocational training institutions, community and faith-based programs, and state and federal employment assistance programs. The Division of Education works directly with the Divisions of State Programs and Facilities and Probation and Community Services to bridge the gap between providing employment preparation and occupational skills training at the facility level and parole and re-entry needs of the youth. WDRS positions are established at three parole offices in major metropolitan areas to build relationships with local workforce development boards and community-based organizations (CBOs). They also collaborate on providing a comprehensive array of employment and training services for successful transition back to the community. WDRS assist youth with obtaining and maintaining employment and accessing occupational skills training. WDRS work as a part of a re-entry team with parole and halfway house staff, with the development and execution of transition planning regarding employment, vocational and educational goals and objectives.

- **Leadership Development.** The Division of Education has been and will continue to be invested in providing robust leadership development opportunities to campus and district administrators and specialists. In school year 2013-2014, district leadership designed a leadership program that combines virtual learning, small group and individual coaching opportunities, and an effective monitoring component, that has been the subject of national industry articles and presentation invitations for the purpose of replication in other state and national organizations. In addition to administrative leadership development, the Division of Education has committed to a robust investment in human capital by designing and implementing aggressive recruitment, hiring, and evaluation processes. TJJJ teachers complete a Professional Learning Plan (PLP), outlining their educational philosophy, professional strengths and constraints,

and professional development needs. The Division is committed to their mission, vision, core principles, and priorities and provides staff with all possible resources to successfully assist TJJJ students to excel.



- **On-Going Initiatives.**

- Reading intervention for struggling readers
- (PBIS) Positive Behavioral Interventions and Supports
- Response to Intervention (RtI)
- Data-driven decision making
- Agency and state curriculum alignment
- Technology advances for 21st Century learners
- Excellence in the area of instructional delivery
- Education/Workforce Re-entry Programs
- Project Based Learning (PBL)
- Create and model a school culture that builds relational capacity and ensures the safety and security of staff and students
- Continued leadership role in the national consortium for juvenile justice education, consisting of eleven states facilitated by the Center for Educational Excellence in Alternative Settings (CEEAS)
- Increased post-secondary opportunities for students in career-oriented settings
- Robust and innovative professional development for educators with a focus on improving the quality of instruction for TJJD students
- Robust investment in leadership development of education administrators, teachers, and specialists

## 4. Medical Services

Access to comprehensive health care is a constitutional right of TJJJ youth, and well-nourished healthy youth are more likely to succeed in TJJJ programs and become productive citizens. TJJJ is ethically committed in addressing youths' medical, dental, mental health, and nutritional needs through policies and procedures that meet national standards of care. TJJJ contracts with the University of Texas Medical Branch Correctional Managed Care (UTMB/CMC) to provide all health care --medical, dental, psychiatry, pharmacy, and nursing-- for all youth in all TJJJ state-operated institutions and halfway houses. Most primary health care is provided onsite at the facility, and specialty health care services or hospital care is arranged through UTMB sub-contracts or agreements with health care providers and hospitals in the local community or, on rare occasions, at the UTMB health care facility in Galveston.

Under the direction of the TJJJ medical director and director of nursing, the Medical Services Division provides administrative, clinical, and financial oversight of UTMB driven health care services as well as oversight of health care delivery at contract care residential facilities. The division works closely with other internal and external stakeholders to develop youth transition and continuity of care procedures and to ensure that all health related policies are current and reflect expected standards of practice. The Medical Services Division also provides direction, oversight, training, and policy/procedure development for food/nutrition services at all TJJJ state-operated facilities. The division is responsible for ensuring compliance with American Correctional Association (ACA), standards related to health care and food/nutrition services and compliance with federal Prison Rape Elimination Act (PREA) requirements related to health care. The Medical Services Division is also responsible for maintaining compliance with SB 103 and other state and federal mandates and for developing TJJJ policies and procedures for medical and nutrition services. A collaborative relationship and monthly Continuous Quality Improvement (CQI) Committee meetings with UTMB/CMC provide a framework for ensuring timely delivery of appropriate and medically necessary health care, along with resource utilization management, and quality improvement in a cost effective manner.

### REGIONAL NURSE MANAGERS.

TJJJ regional nurse managers conduct comprehensive annual reviews of all TJJJ state-operated institutions and halfway houses and select contract care residential facilities to assess and review health care quality and accessibility and policy/procedure compliance. Monitoring tools reflect ACA standards and policy/procedure requirements related to health care. Areas of program strength and needed improvement are identified, and corrective action plans are tracked to ensure the effectiveness of health care quality improvement initiatives. Follow-up reviews of facilities are conducted to determine and ensure that areas needing improvement have been addressed and appropriate corrective actions have been taken. The regional nurse managers also provide TJJJ staff training and consultation; they collaborate with other agencies as needed to address special health care needs of youth, youth safety, and disease prevention. Regional Nurse Managers participate in monthly Health Services Administrative Meetings with facility medical and TJJJ administration and in monthly Executive Multidisciplinary Team Meetings to evaluate the status of youth with complicated treatment needs and /or placement issues.

### CHILD PSYCHIATRIC CONSULTANTS.

TJJJ child psychiatric consultants provide clinical oversight of mental health treatment provided by UTMB/CMC. The psychiatric consultants perform regular medical record reviews and play an active role in developing policies, procedures, and protocols related to psychiatric care. They routinely review psychotropic drug utilization and participate in the Pharmacy and Therapeutics Committee, making recommendations in

collaboration with UTMB/CMC pharmacists and TJJJ/UTMB leadership. The Psychotropic Drug Reports for youth placed in contract residential facilities are also reviewed by them.

#### PHARMACY AND THERAPEUTICS COMMITTEE.

The committee, consisting of UTMB psychiatrists and pharmacists along with TJJJ consulting psychiatrists and TJJJ medical and nursing directors, meets quarterly to review pharmacy-related policies/procedures, disease management guidelines, and formulary compliance issues consistent with national guidelines.

#### NUTRITIONISTS.

Nutritionists, who are registered dietitians, strive to ensure compliance with federal and state requirements and ACA Standards. The nutritionists develop menu cycles and accompanying recipes and conduct regular onsite monitoring of food services operations. They oversee the provision of meals, special diets, food safety and sanitation, and food quality. The nutritionists develop policies and procedures, provide program consultation, and conduct annual training for food services managers and their supervisors. They assist all TJJJ operated facilities to meet requirements for the National School Lunch/Breakfast Program, the United States Department of Agriculture (USDA) Food Commodities Distribution Program, and the Texas Department of State Health Services Texas Food Establishment regulations.

#### FINANCIAL ANALYST.

A financial analyst provides health care cost analysis and financial oversight of the UTMB/CMC contract, as well as payments to health care providers rendering services to youth in contract care facilities. Travel and other medical oversight costs are tracked and monitored to ensure that expenses remain within the budget. It is noted that TJJJ health care service costs have remained at approximately 80–90% of the allocation for last five years.

#### PERFORMANCE ACCOUNTABILITY SPECIALIST.

A performance accountability specialist compiles, tracks, analyzes, and reports health care program utilization and encounter data to facilitate evidence-based practice and quality improvement on a regular basis. These data are disseminated to all relevant TJJJ and UTMB/CMC management on a quarterly basis and as needed to promote communication, problem resolution, and program integration.

Under the direction of the TJJJ medical and nursing directors, the Medical Services Division ensures that:

- Youth have timely and appropriate access to health care and food/nutrition services;
- Staff providing health care and food services are qualified and adequately trained;
- Health care resources are used effectively consistent with national guidelines and efficiently through financial modeling and trend analysis;
- Communication with agency leadership and field staff is timely and effective;
- Communication with a parent or guardian is facilitated to encourage their involvement in treatment of the youth;
- Grievances, appeals, and alleged mistreatments related to medical care or food services (AMI) are resolved in a timely manner;

- Youth injury and missed appointment data are analyzed and reported to State-Operated Services leadership for corrective actions to improve facility operations and health care delivery to youth;
- Mental health services provided by the TJJD psychology department and UTMB psychiatric department are integrated to achieve continuity;
- Technology services are used to the extent possible to streamline health care delivery and reduce off-site travel to health care appointments; and
- Youth receive adequate transition planning, health care referrals, and support information upon release or discharge from TJJD to promote medication and chronic condition self-management, treatment, compliance, and continuity of health care.

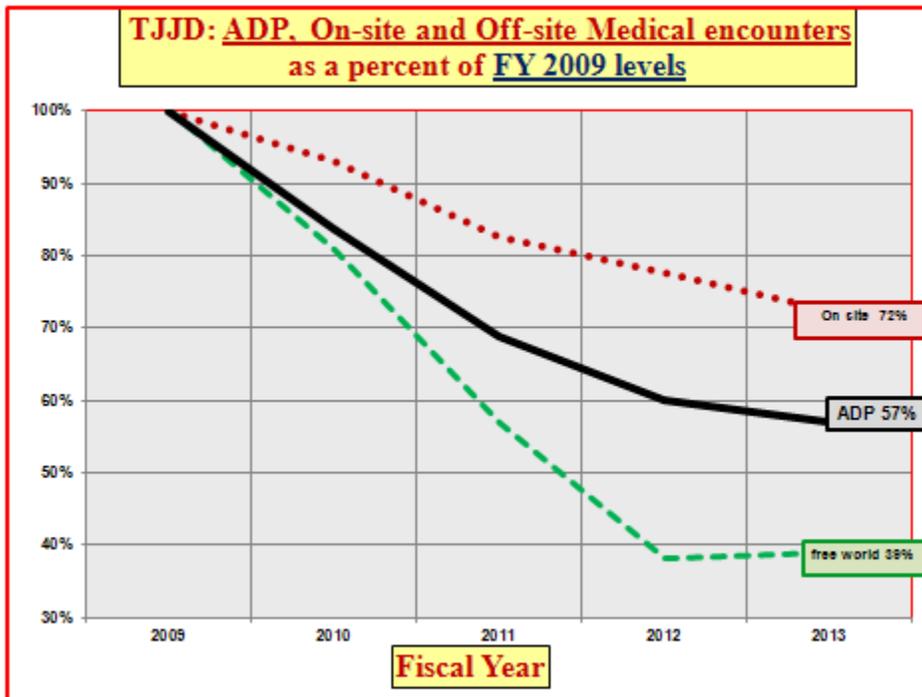
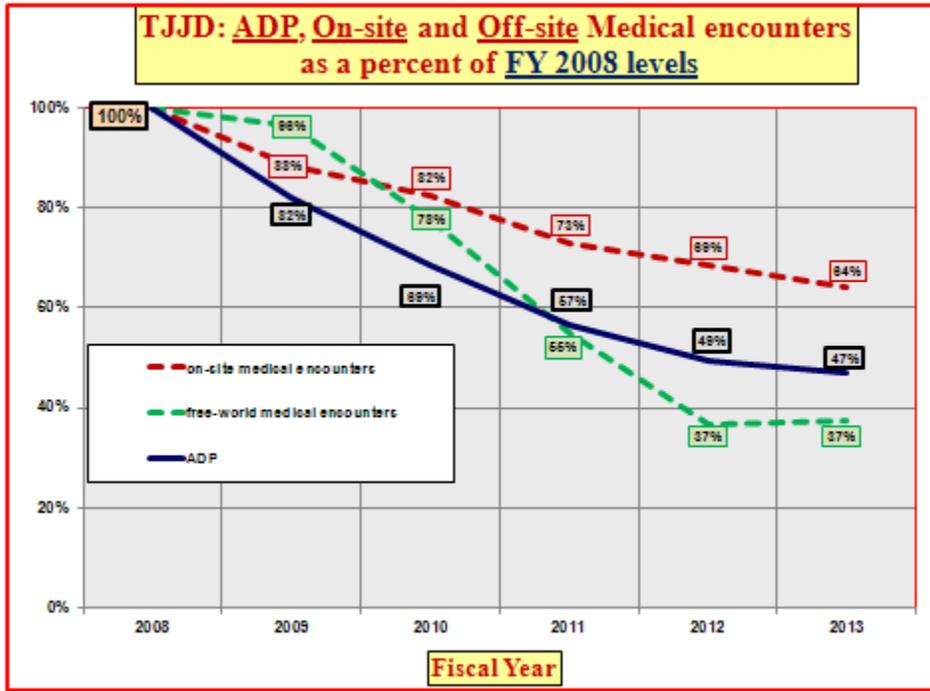
Although the average daily population of TJJD youth has declined since 2008, it is noteworthy that the health care encounters for onsite health care have not declined at the same rate. The Medical Services Division tracks the numbers and rate of on-site youth encounters with nursing staff, physicians, dentists, and psychiatrists. Because of the intensive efforts of the Medical Services Division and UTMB/CMC, off-site encounters with specialists and emergency rooms and inpatient hospitalizations have shown a significant decline resulting in cost savings for the agency. The emphasis on access to high quality health care in a timely manner will continue to be the priority of the Medical Services Division.

Among the initiatives successfully implemented by the Medical Services Division during Fiscal Year 2013/2014 are:

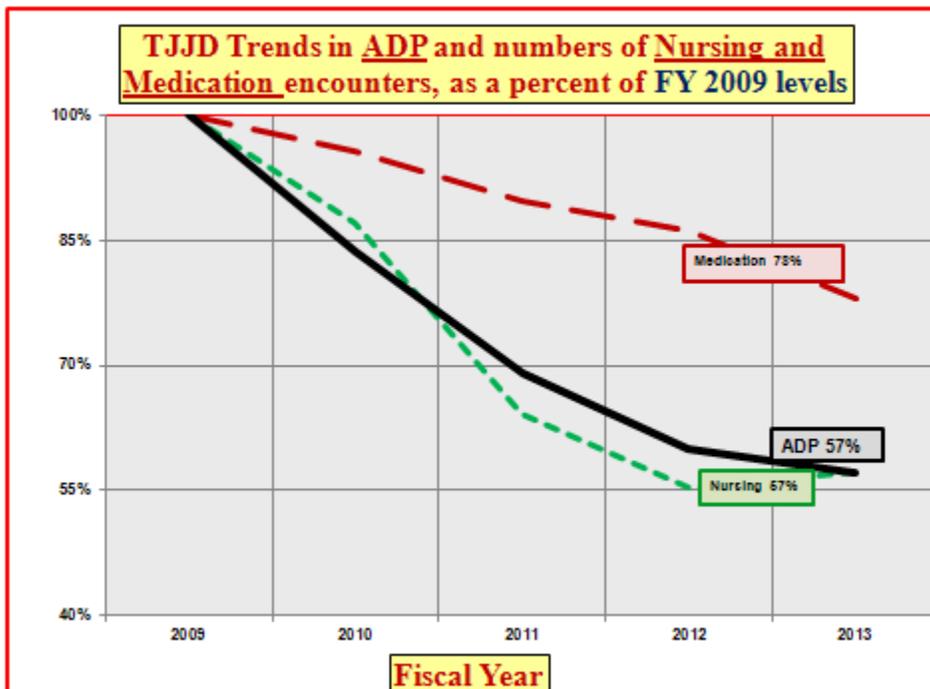
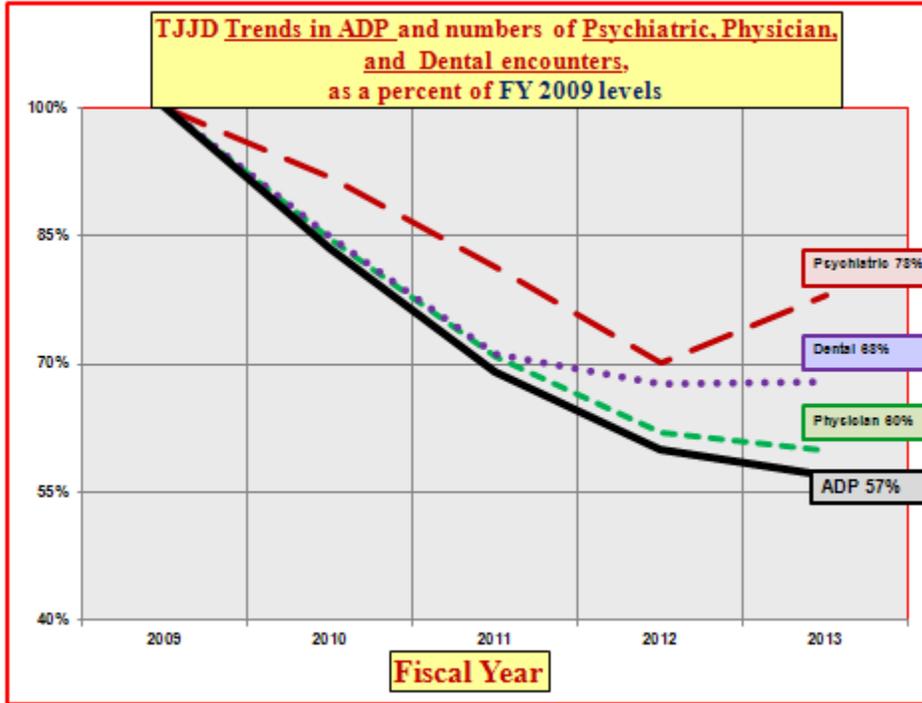
- Provided ongoing coordination and monitoring of health care delivery and costs for onsite and off-site care provided for youth at all TJJD state-operated facilities and contract residential facilities, resulting in a substantial financial savings to the agency;
- Provided comprehensive reviews of all TJJD state-operated institutions, halfway houses, and select contract residential facilities, monitored corrective action plans, and distributed annual report summaries to internal and external stakeholders, resulting in improved compliance with health services requirements;
- Enhanced mental health integration procedures, resulting in improved integration of psychology and psychiatric services;
- Closely monitored emergency room usage, resulting in a decline of over 25% from its peak during the last quarter of FY 2012;
- Continued close monitoring of off-campus medical transports, resulting in a decline of 60% during FY 2010-2011 which has been maintained;
- Tracked high risk operations and procedural compliance to promote increased safety and health care quality.
- Closely monitored the rate of moderate and serious youth injuries and participated in agency initiatives to reduce injuries, resulting in a 25% decline in self-injuries after a surge in rates during FY 2012 (injuries from physical restraints and accidents have declined slightly);
- Maintained and enhanced the use of digital medical services (telemedicine/telepsychiatry) for health care delivery at TJJD-operated halfway houses with a cost savings to the agency and improvements in internal continuity of care;
- Collaborated with UTMB and halfway house leadership to ensure that medication training and training regarding the Halfway House Protocols for the Care of Minor Health Conditions are provided to halfway house non-medical staff on an annual basis, resulting in improved and timely health care for halfway house youth;
- Developed a system of medication self-administration with supervision in halfway houses to facilitate youth compliance and self-management of medication after release or discharge from TJJD;
- Collaborated with internal and external stakeholders to develop or revise policies and procedures related to razor requirements, the Blood-borne Pathogen Exposure Control Plan, Infection Control Workplace Guidelines, therapeutic restraints and use of force, lice screening prevention, and transportation of youth requiring medication during transport, resulting in clearer guidelines for expected practice,

- Revised and updated the institution Health Services Procedure Manual (HSP) and developed a Nursing Services Manual to provide direction and consistent guidelines for nursing services;
- Participated in a multidisciplinary team to expand continuity of health care intake procedures for youth placed in TJJJ from a county detention center;
- Developed continuity of care procedures for youth committed to TJJJ with a prior history of mental health treatment by a licensed mental health authority (CARE Match) and strengthened continuity of care procedures upon youth release from TJJJ with a TCOOMMI referral;
- Collaborated with internal and external stakeholders to develop continuity of care procedures and forms/instructions for youth sent to Lee County Jail while in TJJJ custody;
- Collaborated with UTMB and the TJJJ Community and Parole Services Division to develop continuity of care procedures and forms/instructions for youth committed to TJJJ from a county detention center;
- Maintained oversight of TJJJ employee access to the electronic medical record (EMR);
- Monitored pharmacy utilization and compliance with formulary resulted in a significant decline of PMPM (per member per month) costs from a high of \$85 in 2009 to a low of \$21 in 2013.
- Provided quarterly nutrition and food service inspection visits and corrective action follow up;
- Provided oversight and TJJJ staff consultation regarding implementation of the National School Breakfast and School Lunch Program and commodity food program;
- Developed a new breakfast menu cycle to comply with federally mandated School Breakfast Program requirements that were effective July 1, 2013.
- Provided annual mandatory food services training for food service managers, institution superintendents, and halfway house assistant superintendents.
- Provided training and consultation regarding special medical diets for youth in TJJJ-operated institutions and halfway houses, and
- Prepared and submitted an application for TJJJ to receive an additional six-cent reimbursement for each eligible youth lunch meal, resulting in approval and receipt of approximately \$26,000 of additional reimbursement for an average TJJJ population of 1,200 youth.

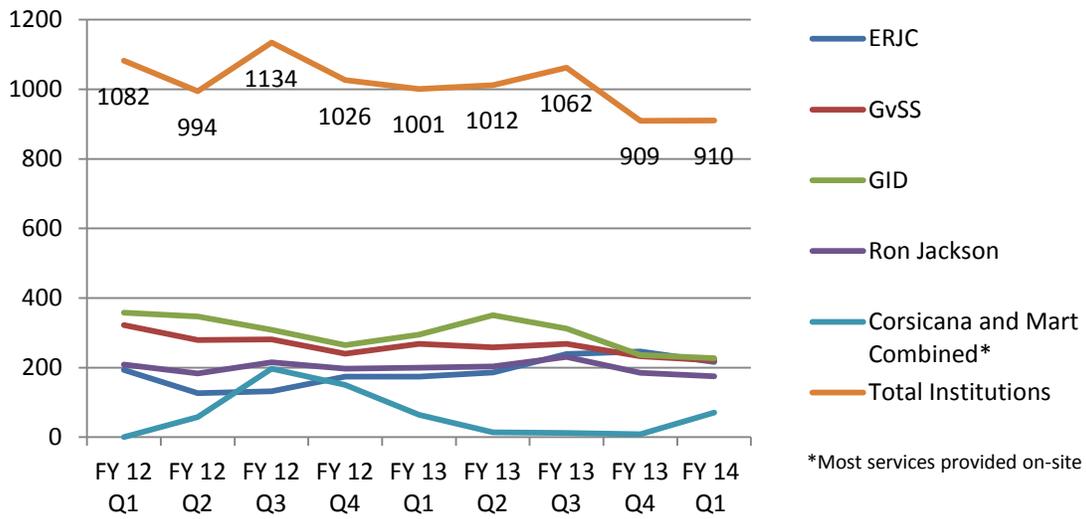
**All Institutions: Trends in ADP and on-site and off-site medical encounters, in relation to Fiscal Year 2008 levels**



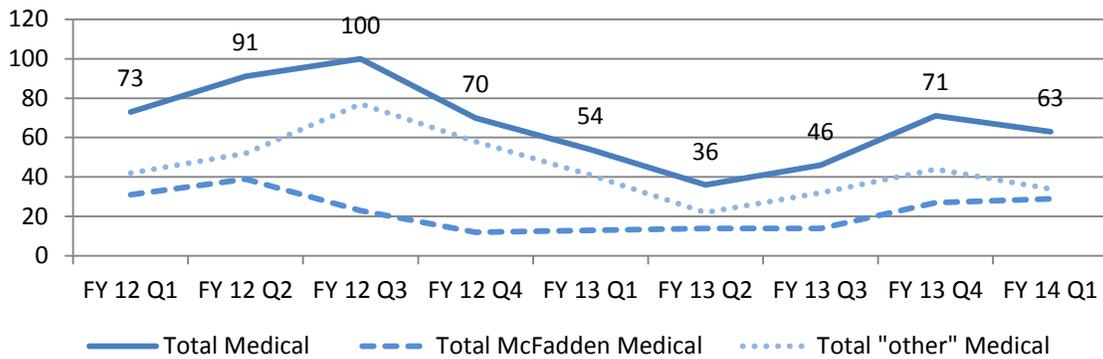
**All Institutions: Trends in ADP and numbers of encounters as a percent of FY 2009 levels  
(psychiatric, physician, and dental; and nursing and medication)**



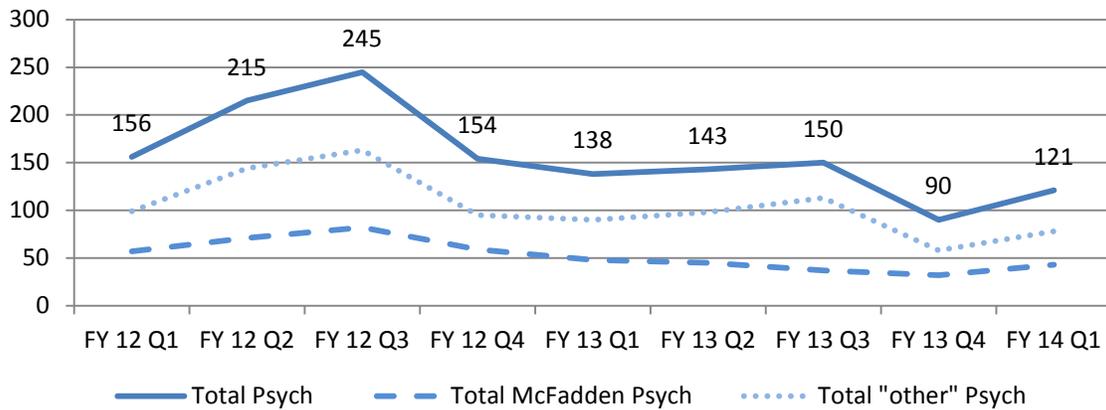
## All DMS Encounters at Institutions (Psych & Medical)



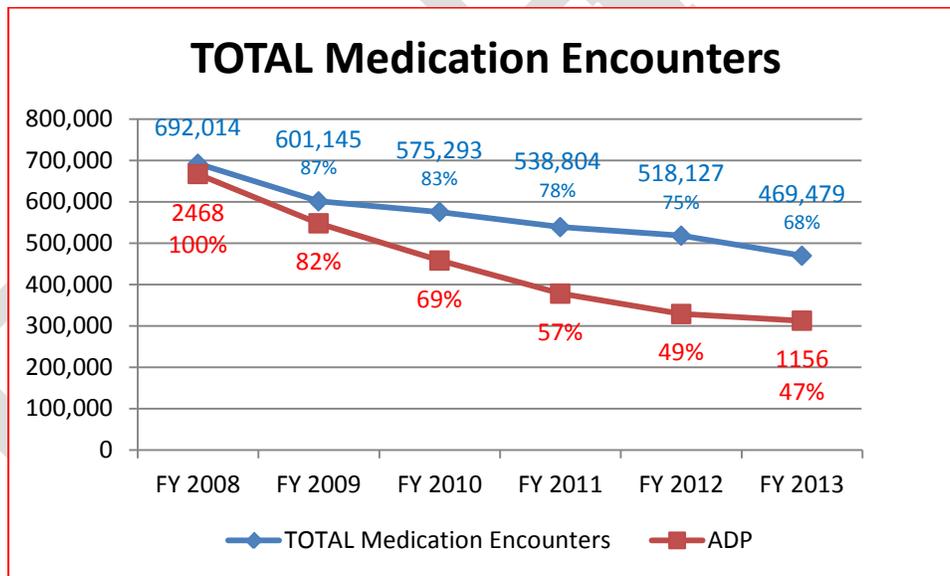
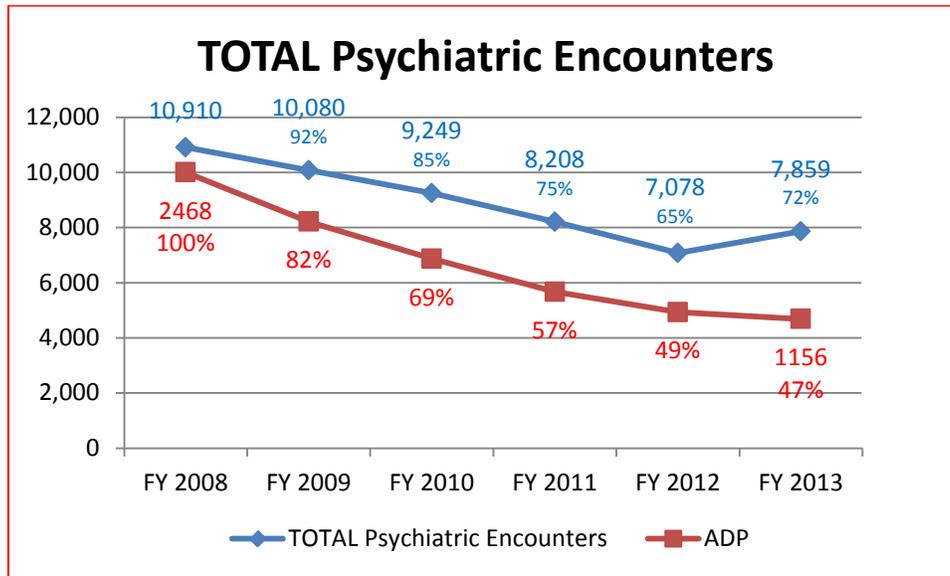
## Total DMS Medical Encounters - HWH



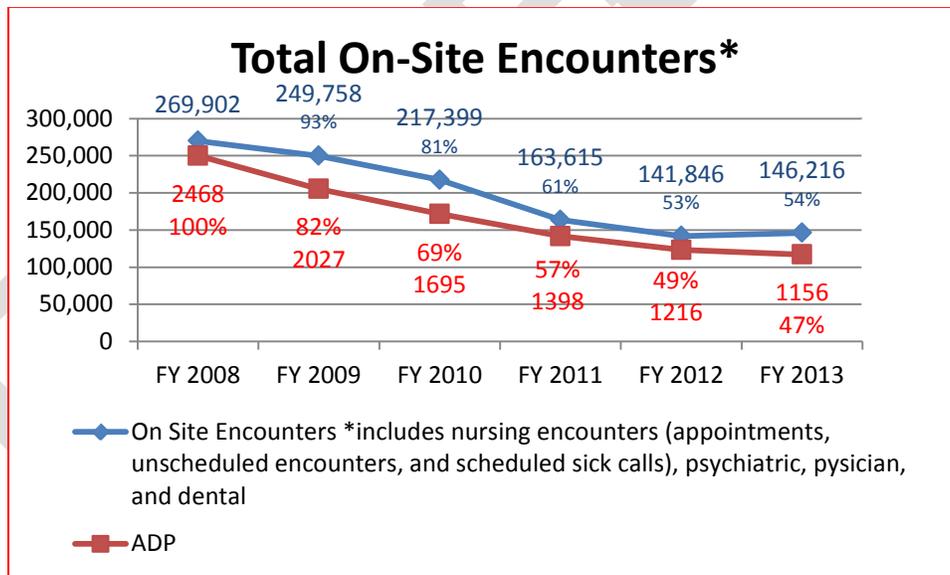
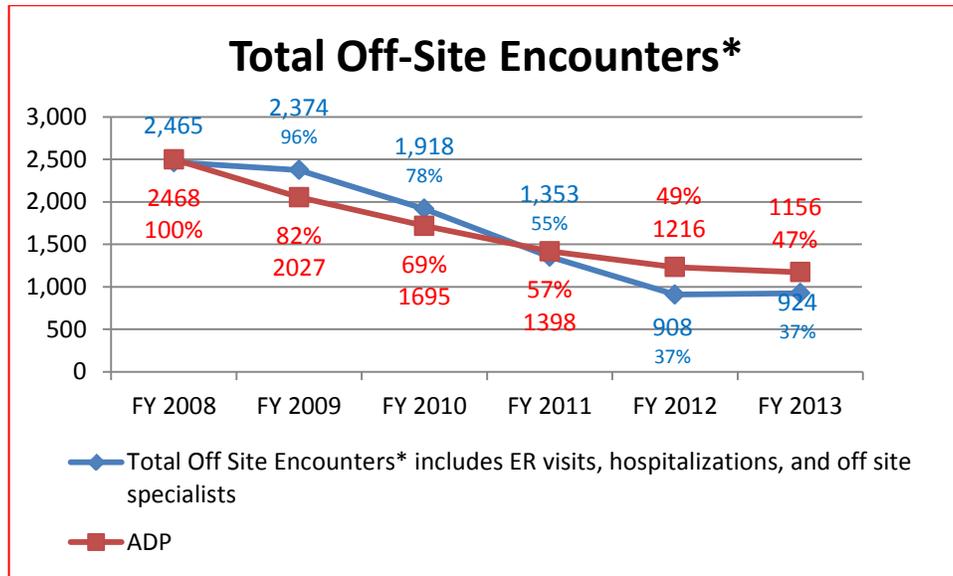
## Total DMS Psych Encounters - HWH



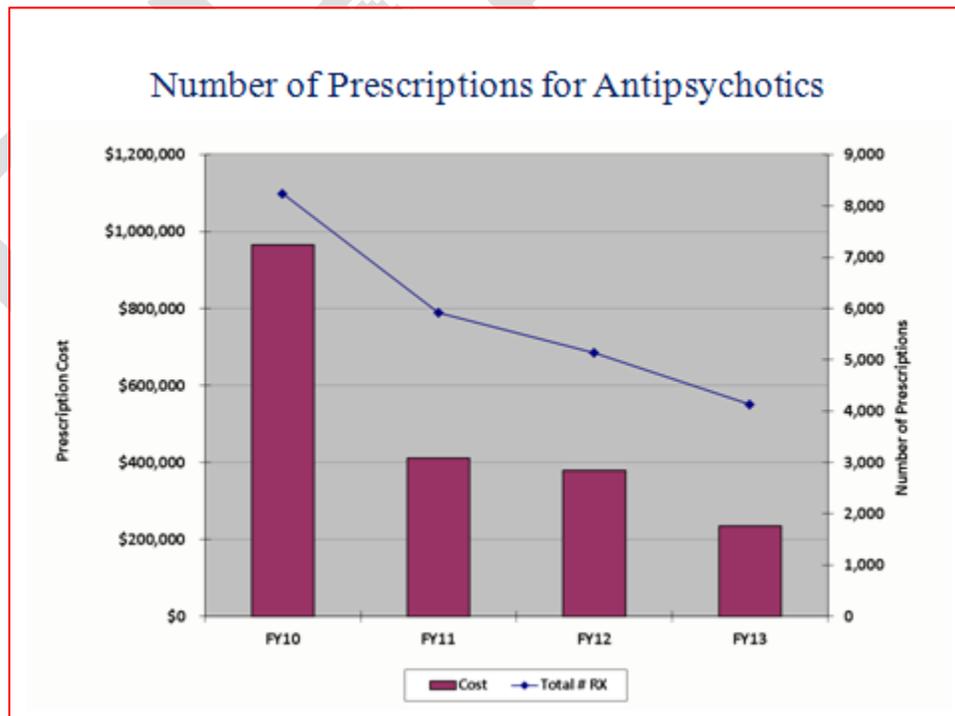
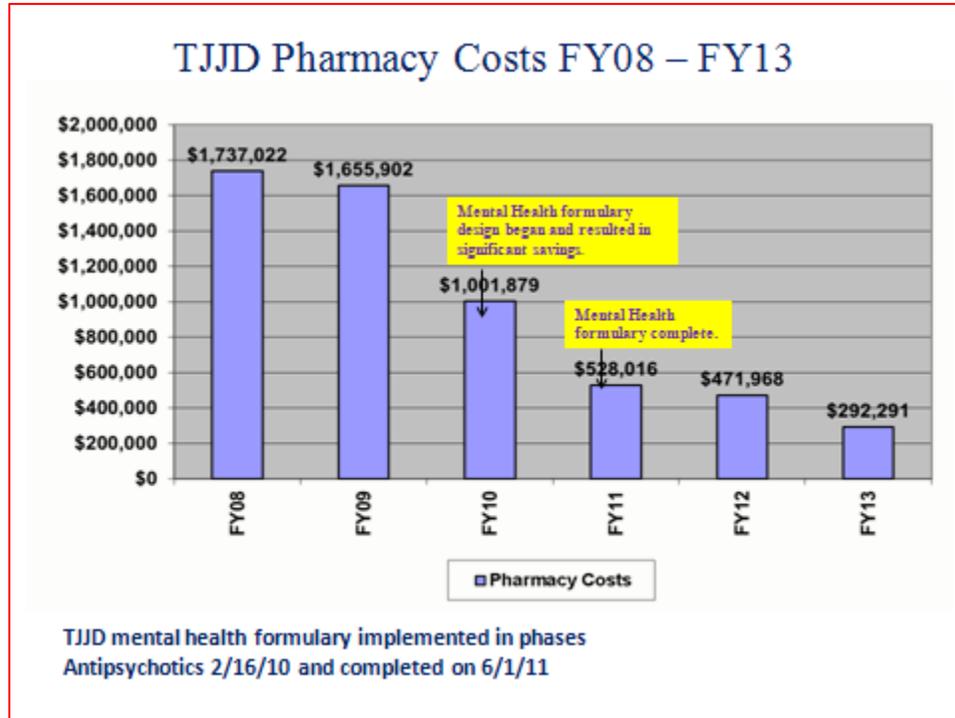
**All Institutions: Trends in ADP and numbers of encounters (psychiatric and medication)**



**All Institutions: Total Off Site Encounters and Total On Site Encounters**

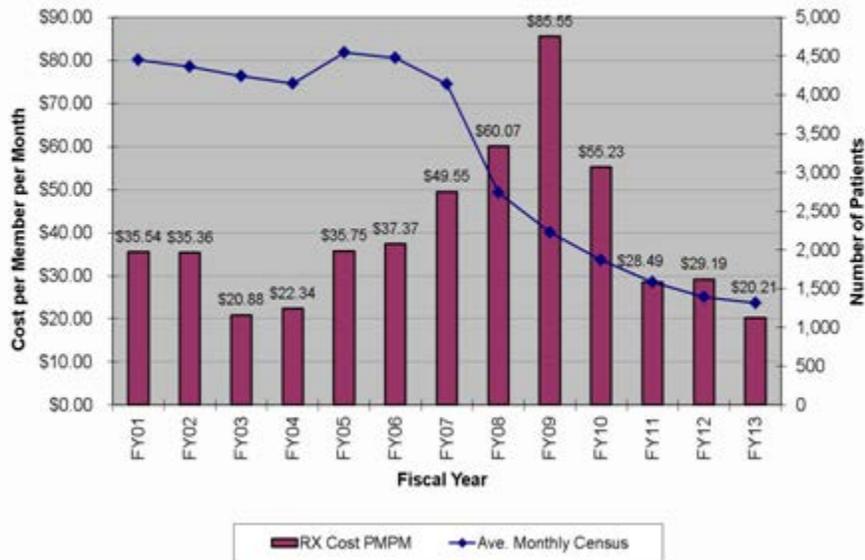


## Pharmacy

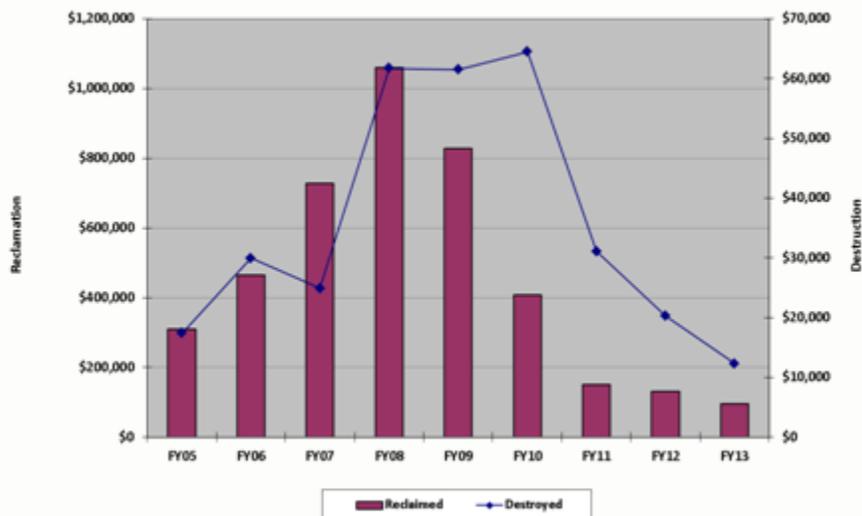


## Pharmacy

### Pharmacy Cost per Member per Month

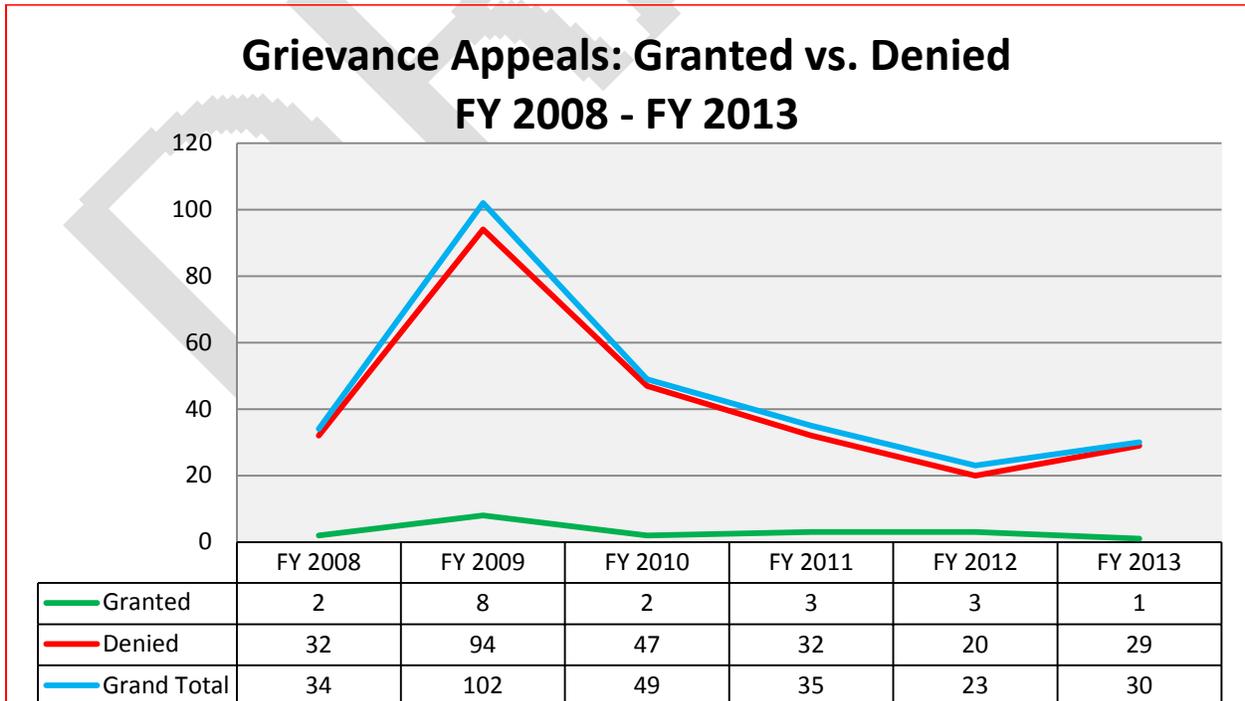
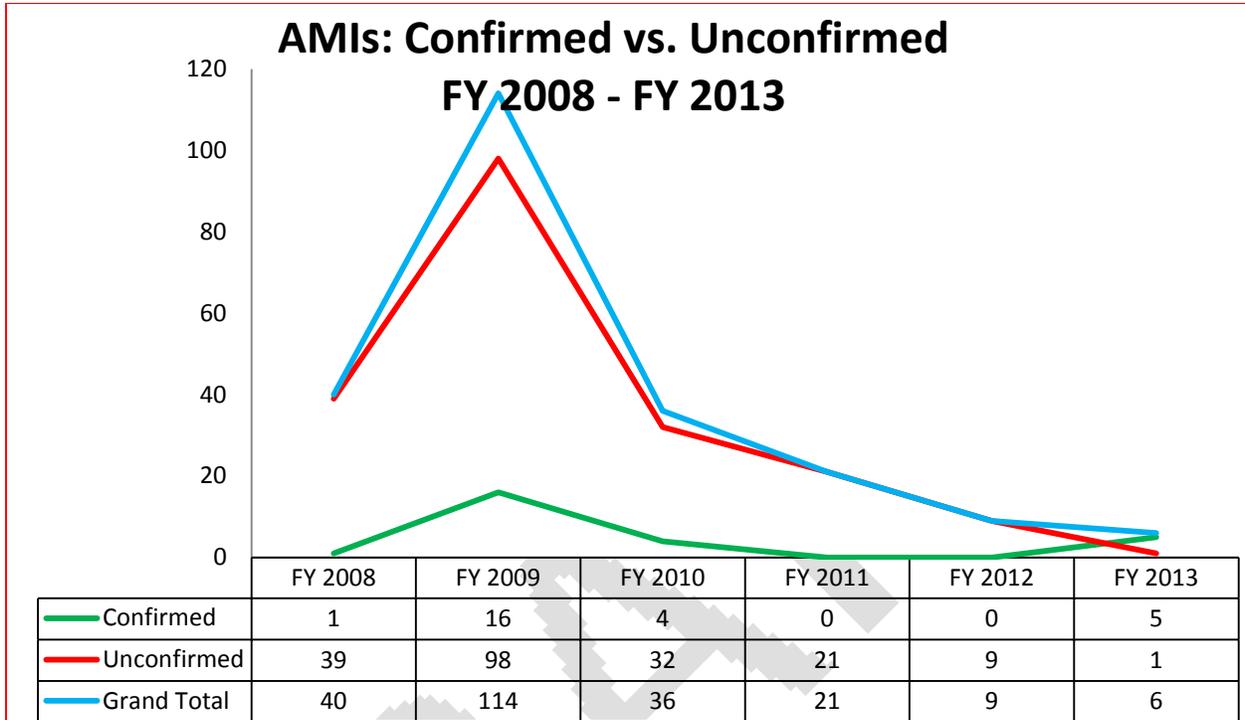


### Pharmacy Return Data

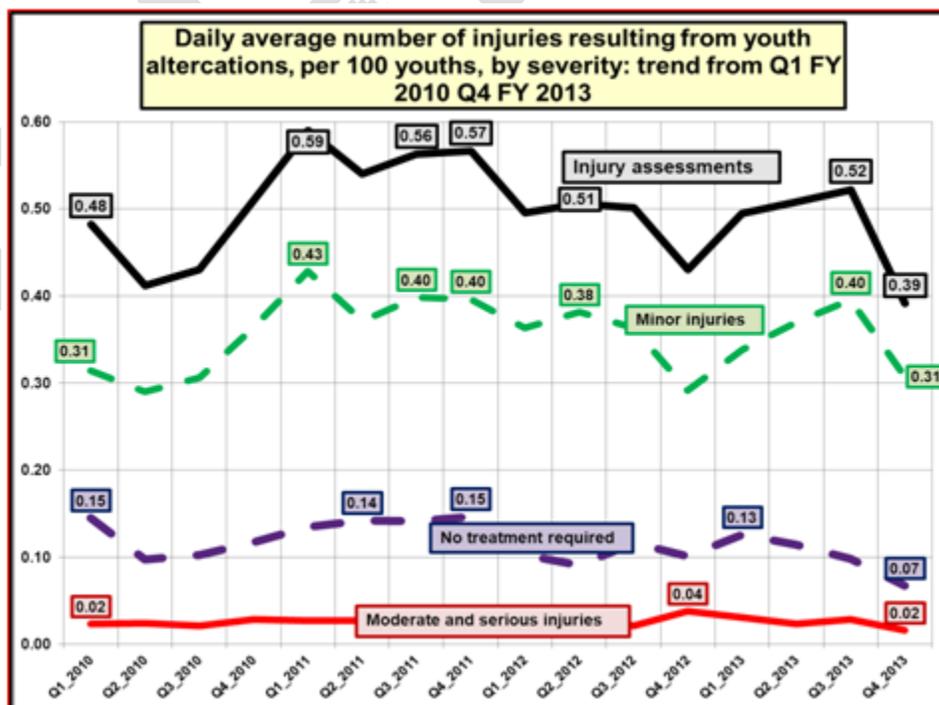
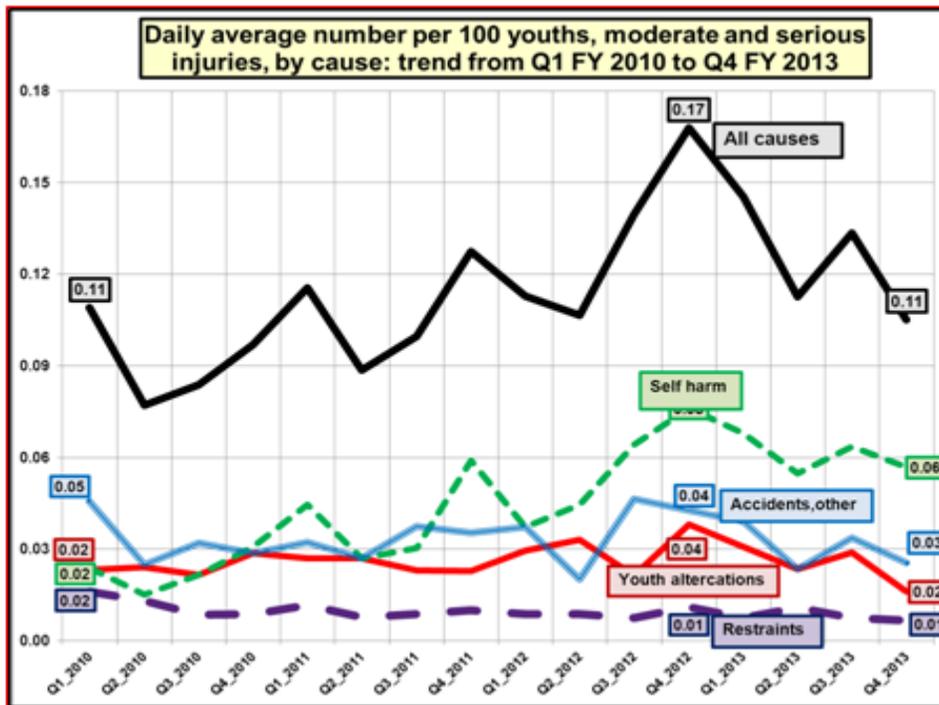


Reclaimed = Credit given and drug reused  
 Destroyed = Drug could not be reused and no credit given

### AMIs and Grievances



## Injuries



## 5. Office of General Counsel

The Office of General Counsel (OGC) provides in-house legal and administrative services to TJJJ and educational training and technical assistance to counties, juvenile boards, and probation offices.



### PROGRAM DESCRIPTIONS

**Staff Attorneys.** As in-house counsel, TJJJ attorneys provide litigation support to the Office of the Attorney General on TJJJ lawsuits, handle claims against TJJJ prior to litigation, and provide legal advice to agency staff on issues including personnel, juvenile corrections and supervision practices, open records, open meetings, administrative procedure, and transactional matters. TJJJ attorneys provide technical assistance on juvenile-related matters to juvenile justice practitioners across the state. In abuse, neglect, or exploitation cases involving potential revocation or suspension of certification for juvenile probation or supervision officers, TJJJ attorneys review the investigations for legal sufficiency and represent the agency in administrative hearings before the State Office of Administrative Hearings. The staff attorneys also serve as hearings officers in parole revocation hearings and employee termination grievances and serve as mediators in employee-related mediations.

**Appeals Section.** This section processes and prepares proposed decisions regarding youth appeals to the executive director. These appeals generally involve findings and decisions in due process hearings and facility-level responses to youth grievances. This section also processes and prepares proposed decisions regarding appeals of abuse, neglect, and exploitation investigations involving youth committed to TJJJ facilities as well as investigations in alleged employee misconduct involving harassment, retaliation, and discrimination.

**Policy Administration Section.** This section coordinates the development, publishing, and record keeping processes for TJJJ policies, procedures, administrative directives, and forms. Staff in this section provide technical writing services and form layout/design services to all agency divisions. This section is also responsible for coordinating cross-divisional review of policy and procedure drafts and serving as the agency's liaison with the Texas Register for agency rules. The Policy Administration Section also maintains the agency's intranet and internet web pages containing final policies, procedures, directives, and forms.

**Records and Public Information Section.** Staff in this section coordinate responses to all requests for TJJJ records, ensuring compliance with state and federal laws regarding confidentiality. The Records Section ensures that TJJJ records concerning youth committed to TJJJ are restricted or sealed as required by law and when ordered by a court. Additional responsibilities for this section include records management, records retention, and maintenance of all youth records in accordance with state rules and agency policy.

**Youth Rights Section.** This section manages a confidential grievance system through which youth, parents or guardians of youth, and youth advocates file grievances concerning the care, treatment, services, or conditions provided for youth in state-operated facilities or programs. The Youth Rights Section reviews grievance resolutions to ensure all issues are addressed appropriately and advocates for the protection of basic youth rights.

## 6. External Affairs, Communications, and Grants

The External Affairs Communications and Grants Division serves as the liaison between TJJJ and the Governor's office, legislators, legislative staff, other state agencies, juvenile boards, juvenile probation departments and other stakeholders. It provides guidance on internal planning and external reporting, and is the point of contact for communications both within the agency and to the public at large. The Division also researches available grants and coordinates grant proposal submissions.

### PROGRAM DESCRIPTIONS

**External Affairs** provides guidance and coordination for legislative inquiries; inter- and intra-agency legislative initiatives; and development, implementation, and monitors legislative initiatives. External Affairs staff responds to inquiries from federal and state legislative offices, other state agencies, local juvenile probation departments and stakeholders regarding the juvenile justice system and juvenile justice matters. The Division's legislative activities include the identification, tracking and monitoring of bills impacting the agency and the juvenile justice system. Division staff coordinates the development of bill impact statements and fiscal notes and is responsible for developing agency legislative materials.

The External Affairs Division coordinates the implementation of enacted legislation to ensure that the agency is responsive to legislative and statutory direction. It also works with external stakeholders on policy issues and represents the agency on interagency councils and workgroups.

**Communications.** Administers the external and internal communications functions of TJJJ, as well as assists in strengthening community outreach to parents, local officials, partner organizations, civic clubs, and members of the public. Communications is the initial contact for the media and the general public who have questions about agency operations, and its staff serves as the agency spokesperson to the media. Agency reports, brochures, handbooks, posters and other publications are typically designed, written, or edited by this section. Communications staff manages content on the agency's website and compiles and publishes the agency newsletter, the Executive Director's Report, to keep agency employees and stakeholders abreast of developments within and outside the agency that may impact agency operations or personnel.



**Grants.** The grant coordinator actively researches and identifies sources of external funds and coordinates the submission of proposals to secure funds for new opportunities. The coordinator also monitors TJJJ grants and provides guidance to staff regarding grant administration and monitors the implementation, management, evaluation, and close-out of grants according to rules and regulations

## 7. Administration & Training

The Administration and Training Division oversees and coordinates seven (7) key agency functional areas including Human Resources, Interstate Compact for Juveniles, the Juvenile Justice Training Academy, Legal Education & Technical Assistance, Agency Publications and Business Support Services. Collectively, these functional areas serve the internal and external stakeholders of the Texas Juvenile Justice Department by providing training, technical assistance, professional development and legal education for juvenile probation departments and state institutions. In addition, they fulfill essential responsibilities in organizational planning, human resources, recruitment, hiring, benefits coordination, day-to-day logistical operations and fleet management as well as the production and design of agency publications. The Administration and Training Division is comprised of the following:

- Human Resources Department
- Interstate Compact for Juveniles Office
- Juvenile Justice Training Academy
- Legal Education & Technical Assistance
- Publications
- Business and Support Services

The Human Resources Department consists of offices in Austin and at each of the agency's secure institutions. The human resources staff in the Austin office is responsible for managing and providing oversight of the department's various programs and processes, developing policies, procedures, and guidelines related to the programs and processes, providing direction to the agency's executive management team and the human resources staff located at the field offices, and serving the employees assigned to Austin office. The human resources staff at the local offices is responsible for the day-to-day employment-related interactions with TJJD employees assigned to the secure facilities, answering employment-related questions, and providing direction to the institution's administrative staff. The human resources staff at all locations is responsible for ensuring employees receive the various services and benefits to which they are entitled and ensuring that human resources policies are consistently applied.

### PROGRAM DESCRIPTIONS

- **HR Policy Development and Planning.** The program area coordinates development of the agency's policies, procedures, and guidelines relating to human resources operations and services and other publications such as the TJJD Employee Handbook, Diversity Recruitment Plan, and Agency Workforce Plan. In addition, the program area reviews proposed legislation affecting HR operations and coordinates the implementation of changes resulting from adopted legislation.
- **Employee Classification Program.** The program area develops employee job descriptions, conducts employee classification reviews, and ensures compliance with the State Position Classification Plan.
- **Employment Program.** The employment program area is responsible for oversight of the agency's hiring and selection process and coordinates or conducts applicable background checks.
  - *Hiring and Selection Process.* The agency uses a "whole-application" approach in its selection and hiring process, which allows hiring authorities to select the best qualified applicant based on job-related experience, education, training, performance in the interview process, and background references.
  - *Background Checks.*

Criminal History and Driving Record Checks: For TJJD applicants being seriously considered for hire, contract vendor employees having access to youth, and volunteer

applicants, authorized human resources staff in the Austin office conducts a criminal history background and driving record checks through the Texas/National Crime Information Center (TCIC/NCIC). The background checks, based on driver licenses and fingerprints, identify prior convictions and arrests, public sex offender registration information, outstanding warrants, and suspended driver licenses. In addition, the authorized human resources staff conducts annual criminal history and driving record checks for each current employee, applicable contract employee, and volunteer, and coordinates the agency's automated arrest notification system managed by the Texas Department of Public Safety.

Child Abuse Registry Checks: For all TJJD applicants being seriously considered for hire, internal TJJD applicants being seriously considered for another position, and contract vendor employees having access to youth under a contract executed on or after September 15, 2013, authorized human resources staff requests the Department of Family and Protective Services (DFPS) to conduct a check of the Central Registry of Child Abuse and Neglect maintained by DFPS. The child abuse registry check is in compliance with the Prison Rape Elimination Act standards relating to hiring and promotion decisions.

Internal Background Checks: In addition, human resources staff reviews the TJJD human resources information system (HRIS) to ensure an internal background review, including a review of the alleged mistreatment database maintained by the TJJD Office of Inspector General, is performed whenever such a person is a former employee of the TJJD or its predecessors.

- **Employee Services Program.** The employee services program area processes payroll actions, which involves verifying the accuracy of all payroll actions prepared by the local HR offices, reconciling any discrepancies, and entering the information into the Uniform Statewide Payroll/Personnel System and the agency's HRIS, oversees the maintenance of employee records and files, coordinates TJJD's education assistance program and various employee award programs, and provides oversight of the leave benefit programs. The program area also coordinates the benefit programs administered by the Employees Retirement System of Texas (ERS) and the workers' compensation benefits program, which includes the return to work program for employees who have incurred a work-related injury. In addition, the program area reviews and coordinates requests for accommodation under the Americans with Disabilities Act.
  - *Education Assistance Program.* Eligible employees who are seeking to obtain a degree related to the mission or needs of the agency may be granted tuition reimbursement and/or paid administrative leave to attend classes through the TJJD Educational Assistance Program. A limited amount of funds may be made available for tuition reimbursement each fiscal year. An employee who participates in the program is required to make a continued service commitment to the agency.
  - *Employee Award Programs.* The agency's employee award programs consist of the employee service award program in recognition of an employee's state service, the employee referral program in recognition of an employee's initiative in the successful recruitment of applicants for employment, and the administrative leave for outstanding performance program to reward employees who consistently perform tasks in an outstanding manner.
- **Employee Relations Program.** The program area is responsible for equal employment opportunity (EEO) compliance, oversight and coordination of the employee disciplinary and grievance systems, coordination of the agency's employee assistance program, and for analyzing information provided by employee exit surveys.

- *Employee Disciplinary System.* The agency's employee disciplinary system uses progressively severe sanctions when employees violate one or more employee general rules of conduct published in the TJJJ Employee Handbook. Disciplinary actions include a reprimand, disciplinary probation, disciplinary suspension without pay, involuntary demotion, and termination. Supervisors are expected to use counseling, when appropriate, to address an employee's unacceptable performance or behavior before pursuing disciplinary action.
- *Employee Grievance System.* To promote fairness, TJJJ provides its employees a comprehensive grievance system through which work-related complaints can be addressed. Employees may file a grievance with the local human resources office or file the grievance directly to the employee grievance coordinator at the Central office human resources location.
- **Drug-Free Workplace Program.** The agency's drug-free workplace program consists of an alcohol/drug testing program that includes pre-employment drug testing, random drug testing for employees assigned to a secure facility or halfway house or having routine direct contact with youth, and reasonable suspicion alcohol and drug testing for all employees. In addition, the agency's employee assistance program makes substance abuse counseling and treatment available to all employees.

#### INTERSTATE COMPACT FOR JUVENILES OFFICE

TJJJ serves juveniles through the Interstate Compact for Juveniles (ICJ). The ICJ is located in TJJJ's Austin Office and handles interstate aspects of juvenile proceedings in Texas. The ICJ is enabled by a separate statute and is codified in the Texas Family Code, Chapter 60. Furthermore, the national Interstate Commission for Juveniles works with the ICJ offices in all states to promulgate rules regarding ICJ cases. These rules also have the force and effect of law and guide operations for the ICJ office. The Commissioner/Deputy Compact Administrator (DCA) is appointed by the Governor and oversees the day-to-day operations of the ICJ office as well as ensuring the ICJ office's adherence to the ICJ law and rules. The DCA is supported by staff assigned to the various types of cases handled by the ICJ.

The purpose of the ICJ is to provide for the welfare and protection of juveniles and the public by:

- Cooperative supervision of delinquent juveniles on probation or parole; the ICJ office receives and distributes the requests for supervision between states and within Texas. The ICJ office works closely with TJJJ parole staff and Texas juvenile probation departments to establish supervision for incoming juveniles. It also ensures the supervision of Texas juveniles in other states by working directly with the ICJ offices in those states. This also includes insuring that juveniles are in compliance with all state laws regarding sex offender registration, as needed.
- The return, from one state to another, of delinquent juveniles who have escaped or absconded, or whose ICJ placements have failed; the ICJ office ensures all due process rights are met under the law and that juveniles are returned safely to home or demanding states. The return process also includes juveniles who are accused delinquent but not yet adjudicated, for whom valid warrants have been issued to face offense proceedings in another state.
- The return, from one state to another, of non-delinquent juveniles who have run away from home; the ICJ office works to ensure these juveniles are safely detained as provided under the ICJ law and are returned to their legal guardians. This is accomplished by working with parents and the Texas Department of Family and Protective Services as needed.
- The provision of airport supervision through major Texas airports for juveniles travelling unaccompanied back to their home state. This ensures the juveniles make their connecting flights to their home states and can include the provision of emergency housing and services in the event of flight cancellations and delays.

For FY2013, the Texas ICJ office handled 1,650 cooperative supervision cases for probation and parole, returned 294 runaways, absconders, escapees and juveniles accused delinquent, and provide airport supervision for 68 youth travelling unaccompanied through Texas airports.

## JUVENILE JUSTICE TRAINING ACADEMY

The Juvenile Justice Training Academy (JJTA) is responsible for the following key functional areas: developing, coordinating and delivering staff development and training programs to TJJJ employees and other juvenile justice practitioners, including six facilities, 7 halfway houses, and 13 district offices operated by TJJJ, and 165 juvenile probation departments statewide; maintaining training transcripts for TJJJ employees; and certifying juvenile probation and juvenile supervision officers at the local level and certifying juvenile correctional officers as being able to supervise youth in TJJJ state facilities or halfway houses. The JJTA has been assigned 24 full-time employee positions.

- **Training and Professional Development.**
  - *TJJJ Employees.* This program area develops and publishes the annual Agency Training Plan for TJJJ employees and administers the TJJJ training and professional development program. Employee training needs are assessed through an ongoing training assessment process consisting of feedback from training advisory committees throughout TJJJ, assessment surveys, and evaluations from course participants. Training programs are developed and modified based on the assessment process, and training requirements are established to meet or exceed standards set by state and federal laws and TJJJ policies. Trainers are assigned for each TJJJ secure facility and one designated trainer is assigned to provide services to TJJJ halfway houses and district parole offices. Trainers deliver the agency's extensive pre-service and in-service training programs for direct-care staff and deliver, or coordinate the delivery of, the agency's rehabilitation and supervisory/management training programs. Trainers may also deliver a plethora of other courses to TJJJ staff as deemed appropriate by agency management. The current mission-critical training requirements are identified in the Agency Workforce Plan (Appendix E). In addition to delivering training, the JJTA also maintains training transcripts for all TJJJ employees to ensure compliance with statutorily mandated and required training as provided by agency policy. In Fiscal Year 2013, TJJJ provided over 21,000 training hours to TJJJ employees.
  - *Other Juvenile Justice Practitioners.* TJJJ provides free or low cost training to juvenile justice professionals across the state including juvenile board members, juvenile court judges, justice and municipal court judges, juvenile prosecutors, probation officers, supervision officers, law enforcement, students, other related state agencies (i.e., Texas Education Agency, Texas Department of Family and Protective Services), and the public through statewide conferences, regional training, webinars and e-learning. These training programs enhance professional development, promote compliance with standards relating to the effectiveness of probation services, and assist local authorities in improving the operation of probation, parole, and supervision services statewide. For Fiscal Year 2013, TJJJ staff provided more than 700 credit hours of training for over 4,000 juvenile justice professionals statewide.
- **Certification**
  - *Juvenile Probation and Juvenile Supervision Officer Certification.* This program area certifies juvenile probation and juvenile supervision officers at the local level to ensure these officers meet the minimum statutory requirements for education, work experience and specialized training. To become a certified juvenile probation officer, an applicant must possess a bachelor's degree, be 21 years of age, have one year of related experience or one year of graduate studies, be of good moral character and have the requisite specialized training. To become a certified juvenile supervision officer, an applicant must be 21 years of age, have a

high school diploma or its equivalent and receive the required specialized training. Once certified, all staff must renew their certification every two years. In Fiscal Year 2013, TJJD certified a total of 1,232 new officers and renewed 2,626 certifications. To date, there are approximately 9,792 total juvenile probation and juvenile supervision officers statewide. This program area may also initiate disciplinary action related to the revocation or suspension of certification through the Office of General Counsel.

- *Juvenile Correctional Officer Certification.* This program area certifies juvenile correctional officers as being sole-supervised to ensure these officers meet the minimum statutory requirements for training received and are qualified to supervise youth in TJJD facilities or halfway houses. In Fiscal Year 2013, 473 juvenile correctional officers completed the required 320 hours of training and were approved to be sole-supervised.

## LEGAL EDUCATION AND TECHNICAL ASSISTANCE

The Legal Education and Technical Assistance Division (LETA) promotes compliance with statutory laws and agency administrative standards in order to facilitate uniformity in the provision of juvenile services throughout the state. The division serves a range of juvenile justice stakeholders and is responsible for the publication of legal books and related resource information. LETA is staffed by agency attorneys that provide advanced-level technical assistance and juvenile law related education and training. The mission of the LETA division is to provide high quality, comprehensive services to probation departments and to promote safe and successful supervision outcomes for children and families. Juvenile law related education is a key component of the agency training mandate referenced in Section 221.005 of the Human Resources Code.

### **Technical Assistance**

- LETA provides responsive information on law-related questions via the dedicated Legal Help Desk during regular business hours. The contact information for the Legal Help Desk for email inquiries is [legalhelp@tjjd.texas.gov](mailto:legalhelp@tjjd.texas.gov) and the telephone number is 512-490-7121.

### **Juvenile Law Training & Curriculum Development**

- LETA attorneys monitor legislative actions, court decisions, attorney general opinions, and other resources to evaluate the educational training needs of juvenile justice practitioners such as juvenile probation officers, supervision officers and TJJD correctional staff as well as juvenile court judges, law enforcement, educators and other system stakeholders.

### **Texas Juvenile Law and Related Publications**

- LETA serves as principal writers and editors of Texas Juvenile Law, 8th Edition, the Juvenile Law Section Special Legislative Issue, brochures and other resource materials.

### **Other Functional Areas:**

- Legislative Analysis and Related Activities
- Special Agency Projects
- Interagency Workgroups and Activities

## PUBLICATIONS

Agency Publications collaborates with TJJD divisions to develop and publish printed and electronic materials for both in-house and public use. These materials include: brochures and posters for various divisions, informational graphics, manuals and presentations for the Training Academy, Strategic Plan, Treatment Effectiveness Report, and Executive Director's Reports. In addition, Agency Publications was also responsible for creating and implementing the new visual identity for TJJD, consisting of the logo, letterhead, business cards, banners, and signage. Agency Publications is located in the Austin Office and has a staff of one graphic designer.

## BUSINESS AND SUPPORT SERVICES

The Business and Support Services department provides support to the overall agency in the areas of:

1. Warehouse
2. asset management
3. fleet
4. building management
5. mail services

Each facility has support staff that meets the needs for the secure facility as well as surrounding halfway houses in each of the areas. The warehouse maintains a complete inventory of items to meet the daily needs of all youth in the agency's care.

Asset management is coordinated through the Austin Office with communication on a daily basis with each department represented throughout the agency along with annual inventories. The Austin Office is responsible for all official asset management requirements for State Agency Reporting.

The agency maintains a vehicle fleet of 260 vehicles. The support service department provides vehicle pools to meet staff travel needs as well as transportation vehicles for youth services. This department is responsible for the maintenance and management of the fleet as well as data reporting requirements by the Texas Fleet Management System.

The business and support service department oversees activities related to building management when utilizing lease space. Activities may include preventative maintenance, submitting work orders, coordinating work with outside contractors in collaboration with the building owner, safety inspections, and liaison with property management groups.

Support Services also manages the mail service for the agency to include overnight and priority mail as well as daily correspondence mailings.

Oversight and support for each facility, halfway house, district office, and parole office is provided from the Austin Office location to ensure compliance with all applicable statutes, rules, policies, and procedures.

## 8. Administrative Investigations Division

### OVERVIEW OF THE ADMINISTRATIVE INVESTIGATIONS DIVISION

In 1997, the 74th Legislature authorized the former Texas Juvenile Probation Commission to conduct administrative investigations of alleged abuse, neglect and exploitation in all secure pre-adjudication detention and post-adjudication correctional facilities. In 1999, the 75th Legislature expanded the scope of authority to include all programs operated by a juvenile probation department (JPD), juvenile board or private vendor under juvenile board authority, including juvenile justice alternative education programs (JJAEPs). In 2007, the 80th Legislature further expanded the scope to employ and commission peace officers, and thereby increased the authority to conduct criminal investigations of allegations of abuse, neglect and exploitation.

On March 1, 2012, the Administrative Investigations Division (AID) was formed. The AID consists of a division director, deputy director, two administrative support staff, the County Investigations Unit (CIU) and the State Investigations Unit (SIU). The CIU consists of seven administrative investigators responsible for investigating allegations of abuse, neglect and exploitation originating from locally operated departments, programs and facilities. The SIU consists of five administrative investigators assigned to each of the five state schools. SIU is responsible for investigating allegations of abuse, neglect and exploitation, as well as policy violations. The policy violations investigated by SIU may or may not be related to youth in custody.

SIU investigators are assigned to each of the secure state facilities; however they are responsible for investigating allegations originating from halfway houses and contract care facilities. SIU investigators maintain close working relationships with the Office of Inspector General's criminal investigators assigned to the state facilities due to the fact that criminal investigations may be dually assigned for administrative investigation.

Conducting investigations of alleged abuse, neglect and exploitation within the juvenile justice system is the primary mandate and principal focus and function of the AID. Investigators have extensive training in investigative and interviewing techniques such as the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Child Abuse and Exploitation Investigative Techniques, Reid Technique for interview and interrogations, detecting deception, statement analysis, handwriting analysis, Hogg Foundation training on restraint issues, the Federal Prison Rape Elimination Act (PREA) and legal training on all aspects of Texas law related to abuse, neglect and exploitation.

In addition to conducting investigations, AID-CIU is also responsible for collecting and tracking data concerning Serious Incidents (i.e., attempted suicides, escapes, reportable injuries, youth-on-youth physical assaults and youth sexual conduct); monitoring for compliance with related rules in the Texas Administrative Code; and the development of curriculum and training of juvenile justice professionals in the areas of identifying and reporting abuse, neglect, exploitation, internal investigations and the 2003 Prison Rape Elimination Act. AID-CIU completed a statewide training initiative for locally operated departments, programs and facilities. The project completed in September of 2012 and resulted in the in training for 1,000 juvenile justice professionals. In June of 2013, AID completed a training curriculum for Conducting Investigations of Sexual Abuse and coordinated a training conference for internal investigators employed by local jurisdictions.

Cross training of CIU and SIU investigators has commenced. The overall objective will be to ensure that investigators from both units are capable of conducting investigations in locally operated departments, programs and facilities, as well as state operated facilities.

## 9. Finance Division

The Finance Division provides financial and data services to internal and external customers. The division includes Fiscal Affairs and Budget, Business Operations and Contracts, Construction and Engineering, and Research and Planning.



### FISCAL AFFAIRS AND BUDGET.

Coordinates internal budgeting, analysis, and control; legislative appropriations requests and fiscal impact analyses; and external reporting. Allocates, disburses and monitors use of juvenile probation funds. Performs agency-wide accounting, funds management, and payroll functions. Administers federal grants, interagency contracts, Title IV-E Foster Care, and private-purpose trust funds.

### BUSINESS OPERATIONS AND CONTRACTS.

Coordinates the development, initiation, and oversight of all agency purchasing activity and contracts, including for food services, medical services, treatment services, construction, lease of property, residential contract beds, and youth and business services. Oversees agency compliance with State procurement and contracting procedures and statutory requirements, and coordinates the agency's Historically Underutilized Business (HUB) program.

### CONSTRUCTION AND ENGINEERING.

Implements physical plant repair and rehabilitation projects. Develops Requests for Proposals for architectural, engineering and construction services. Provides management and oversight of construction projects for compliance with applicable standards and adherence to approved budgets. Monitors agency energy usage.

### RESEARCH AND PLANNING.

Assists internal and external decision-making through the collection, monitoring, analysis, and dissemination of local and state juvenile justice system data. Develops and validates assessment instruments and evaluates program effectiveness. Coordinates the development, projection, calculation, and reporting of agency performance measures. Provides technical assistance and training and assists in the development of data reporting processes, forms, and databases. Performs impact analyses and prepares data for legislatively mandated reports.

## 10. Monitoring and Inspections

### OVERVIEW

The Monitoring and Inspections Division of the Texas Juvenile Justice Department (TJJD) provides objective evaluation and oversight of state operated and contracted juvenile correctional facilities and programs to include residential, both secure and non-secure and parole as well as performs the legislatively mandated monitoring and enforcement of minimum administrative rules (i.e., standards) for county operated juvenile probation departments and programs, short-term detention facilities, pre-adjudication secure detention facilities, post-adjudication correctional facilities, and non-secure correctional facilities.

The key objective of the Monitoring and Inspections Division is to provide comprehensive and effective reviews to create accountability in the state and county level juvenile justice system which positively impacts the performance of the juvenile justice facilities and services and the outcome of the youth being served.

### MONITORING AND INSPECTIONS TEAM

The Texas Juvenile Justice Department's Monitoring and Inspections Team is made up of twenty (20) program specialists, three (3) risk management specialists, two (2) managers to include the Agency Risk Manager, one (1) administrative support staff and (1) director. The twenty-seven (27) full time employees dedicated to the development and implementation of the monitoring and inspections process have diverse skills, experiences, and abilities within the juvenile justice field, creating a team of expert professionals.

### COUNTY

Monitoring and Inspections Division supports the agency's legislative mandate to promulgate, monitor, and enforce minimum administrative rules (i.e., standards) for county operated juvenile probation departments and programs, short-term detention facilities, pre-adjudication secure detention facilities, post-adjudication correctional facilities, and non-secure correctional facilities. As part of its standards enforcement responsibilities, Monitoring and Inspections Division also assists the agency in disposing of county programs' standards findings contest disputes, applications for the temporary waiver of standards and applications for permanent variances of standards.

As of February of 2014, the following number of county-based departments and facilities were eligible for the Monitoring and Inspections Division's monitoring of TAC rules identified by applicable TAC Chapters:

- 165 county juvenile probation departments (TAC Chapters 341 and 344).
- 3 county operated short-term detention facilities (TAC Chapter 351)
- 50 county operated pre-adjudication secure detention facilities (TAC Chapters 342, 343, and 344)
- 33 county operated post-adjudication correctional facilities (TAC Chapters 342, 343, and 344)
- 13 county operated non secure correctional facilities (TAC Chapters 344 and TAC 355)

In addition to assisting with these agency-specific mandates, the Monitoring and Inspections Division provides assistance to the Governor's Criminal Justice Division in the on-site monitoring of the county operated secure facilities which house both juveniles and adults within the same facility or correctional facility complex. Monitoring and Inspections Division ensures compliance with select provisions of the Federal Juvenile Justice Delinquency Prevention Act which addresses this type of co-located housing. Monitoring and Inspections Division's TAC rule (county) monitoring is reported, distributed, and retained within an internal software application entitled the, Compliance Monitoring, Tracking and Enforcement System (COMETS). COMETS provides the compliance accounting of all applicable administrative rules as noted in the monitoring and

includes all required corrective actions. Per the Texas Family Code, Monitoring and Inspections Division also provides the respective juvenile judge a report which identifies if their facilities are suitable or unsuitable for the detention of youth.

## FACILITY REGISTRY ADMINISTRATION AND MAINTENANCE

Per the requirements of the Texas Family Code, all secure and non-secure county operated facilities are required to register their facility with the TJJJ on an annual basis. The Monitoring and Inspections Division is (with the technical assistance and support to be provided by the agency's IT Division) responsible for maintaining the Facility Registry application and maintenance process. The registry application contains a comprehensive profile of a facility's address/contact information, physical plant configuration, resident programs and services, and staffing resources. The facility registry provides the TJJJ with an official list of all the county-operated facilities that are eligible of the Monitoring and Inspections Division's formal TAC monitoring requirements, and also provides the public (e.g., parents, court participants, juvenile probation departments, legislators, etc.) with a web-based list of the state's county operated juvenile correctional facilities. The division is currently reviewing, revising and intends to implement a new facility registry process to include conducting an on-site inspection prior to registering new facilities.

## STATE

The Monitoring and Inspections Division conducts an annual comprehensive review of state operated and contracted juvenile correctional facilities and programs to include residential, both secure and non-secure and parole. Within a comprehensive review, Monitoring and Inspections assesses compliance and effectiveness of policy, the institution and use of best practices, health and safety requirements and the promotion of continuous improvement. Additional reviews and inspections by the Division at state operated and contracted juvenile correctional facilities and programs include the following: special inspections and reviews, follow up reviews to verify that corrective action(s) have been instituted and the deficiencies have been adequately addressed, safety and security unannounced inspections, case management unannounced inspections and occupancy inspections.

## RISK MANAGEMENT

The Monitoring and Inspections Division performs and provides oversight for the agency risk management program and is the agency liaison with the State Office of Risk Management (SORM). Designated, trained Monitoring and Inspections staff identify, analyze and communicate efficient and effective risk management operations. Risk management includes determining and analyzing perils, risks, and hazards to avoid or to limit their exposure to the agency, its employees, youth, and/or the general public and recommending effective methods of handling each risk exposure to maintain sound risk management practices.

Monitoring and Inspections Division Risk Management Team develops risk management policies and procedures to minimize risk, enhance safety practices and to control loss. Communication with facility leadership and departmental management is maintained through the submission of comprehensive reports and monthly inspections, and the provision of advisement and consultation, all which are focused on developing and communicating effective methods and processes for avoiding and controlling risks.

Monitoring and Inspections Division Risk Management Team is responsible for the development and maintenance of the Emergency/Continuity of Work plan for the TJJJ Central Office. Additionally, the team

provides support and guidance for the Emergency/Disaster/Student Unrest Plans which are locally developed and maintained by each of the TJJD operated facilities.

## PROCESS

The review process includes on-site assessments utilizing a checklist system which monitors operational adherence to rules, regulations, policies and practices, and applicable standards identifying any noncompliance. The review and monitoring methods used by the Monitoring and Inspection Division may include:

- On-site inspections of the physical plant
- Observation of youth programming and services
- Youth file reviews
- Staff training and certification records review
- Documentation reviews
- Youth and facility staff interviews

Additionally, the team suggests improvements, and heightens awareness and proficiency among staff to provide the necessary assistance to bring the monitored programs up to required standards.

## CRITICAL INCIDENT REVIEW COMMITTEE

The Monitoring and Inspection Division is responsible for the management of the Texas Juvenile Justice Department (TJJD) Critical Incident Review Committee. The committee reviews the circumstances and precipitating factors surrounding critical incidents in state operated facilities and determines if the facts indicate the presence of facility-wide or system-wide issues or deficiencies. The Committee recommends possible improvements in a written report for the executive team.

## TECHNICAL SUPPORT/TRAINING

The Monitoring and Inspections Division provides technical assistance in the development of responses to findings and corrective actions as the results of reviews to ensure appropriate and effective service delivery to TJJD and county youth. Technical assistance also includes hands on training in setting up and maintaining control systems and tracking records. In the area of risk management, Monitoring and Inspections Division Risk Management Team assists in setting up training with SORM and provides direct support and training to the facility compliance officers and maintenance departments.

## 11. Research and Planning

The Research and Planning Division assists internal and external decision-making through the dissemination of information and the provision of evaluation, analysis, assessment and survey development and technical assistance. The division provides support to local juvenile probation departments in the coding, collection and reporting of juvenile probation data and in all matters related to research and evaluation.

### KEY FUNCTIONAL AREAS

#### Performance Measures

- Develop, coordinate, calculate and report agency performance measures.
- Develop and calculate performance measures related to juvenile probation grants and contracts.
- Develop and calculate measures of performance for community-based programs and services.

#### Projections

- Coordinate the agency's input into the development of accurate commitment and population projections, including projections by the Legislative Budget Board, legislative fiscal notes, and proposed policy changes.
- Develop juvenile probation population projections including formal referrals, juveniles under supervision and juveniles in residential placement.
- Develop projections and estimates of performance measures for LAR and operating budget.

#### Juvenile Justice Information

- Provide juvenile justice information to agency administrators, staff and external parties, including but not limited to state leadership, juvenile courts and probation departments, members of the media, academicians, and employees of other governmental agencies.
- Analyze juvenile system trends and population projections.
- Develop agency reports and provide data for legislatively mandated reporting.
- Match juvenile justice data with data from other child serving agencies, criminal justice agencies and the Department of Public Safety. Matching provides information on the characteristics and needs of juveniles in the juvenile justice system.

#### Grant Reporting / Grant Writing

- Provide empirical information to agency grant project directors to be used in grant reporting or submission.
- Prepare and/or assist in the preparation of competitive grant and funding proposals.

#### Data / Data Quality

- Provide recommendations for data system improvements, including the development of control systems for important measures and data elements.
- Review juvenile probation data elements collected, ensuring all data needed by the agency is collected.
- Make recommendations on all electronic data submission changes and additions, presenting proposed changes to the Board.



- Establish data definitions and reporting procedures for juvenile data reported to the agency.
- Assist in the design and development of databases for the collection of data related to juvenile offenders.
- Coordinate and establish collaborations for interagency data collection, matching and data sharing.

### **Evaluations / Assessments**

- Develop research methodologies and designs for agency evaluations.
- Conduct and/ or assist with agency process and outcome evaluations.
- Conduct evaluations of juvenile probation programs and services.
- Develop and validate assessment instruments for the agency and the juvenile probation field.
- Develop and administer surveys for agency and for the field.
- Develop and/or assist in developing sampling methodologies for the agency.
- Conduct recidivism analysis for the agency.

### **Needs Assessments**

- Conduct and/or assist with agency needs assessments, including supplying information for the Legislative Appropriations Request.

### **Impact Analysis**

- Conduct impact analysis, providing information on the impact of proposed policies, rules and statutory changes.
- Present the impact of proposed policies and statutory changes in clear, easily understood format.

### **Fiscal/Cost Analysis**

- Assist in the development of agency funding formulas.
- Assist in the development of fiscal and expenditure reporting forms and databases.
- Develop cost per day and other cost calculations.
- Conduct fiscal impact analysis, providing information on the fiscal impact of proposed policies, rules and statutory changes.

### **Technical Assistance**

- Provide technical support to other departments and agencies, including suggestions based upon literature and data.
- Provide technical assistance to juvenile probation departments in the collection, coding, entry, and reporting of data to the agency.
- Provide technical assistance to juvenile probation departments in all matters relating to research and evaluation.

### **Training**

- Develop training materials, webinars and presentations.
- Conduct training for juvenile justice professionals.
- Hold Data Coordinator's Conference for probation staff and justice professionals, creating and coordinating agenda and providing training.

### **Research Requests**

- Coordinate the review and decision-making process for external and internal requests to conduct research involving agency youth, staff or data.

- Review data requests and make determinations on the validity of the request compared to the proposed research. Ensure confidentiality guidelines are met for all requests for individual level data.
- Develop procedures for responding to requests for agency data.
- Provide data to be used for approved requests.

DRAFT

## 12. Information Technology

The Information Technology Division (IT) supports all agency goals and initiatives and provides a secure and effective statewide information infrastructure for TJJD. IT is responsible for software application development and support, data storage, computer hardware and software management, statewide voice and data networking, radio communications, telephone systems, and digital surveillance systems. These responsibilities include various computer platforms including web, traditional server, cloud-based and mainframe services. IT provides these services and applications to each TJJD facility while at the same time extending support to many county probation-based functions as well.

The customer base for TJJD's Information Technology Division includes, but is not limited to, all agency employees, interagency operational groups, County-based Juvenile Probation Department staff and leaders, legislators, the Office of the Inspector General at TJJD, various universities and other educational entities, the University of Texas Medical Branch, and Department of Information Resources (DIR) Data Center Consolidation Services (DCS) support teams.

### PROGRAM DESCRIPTIONS

**Administration:** The Chief Information Officer of the Information Technology Division is responsible for providing the strategic and tactical leadership in technical support to TJJD in various hardware and software applications and ensuring the agency is effectively managing its information technology resources, personnel and budget including strategic planning and management.

**Information Security Office:** TJJD's Information Security Office is responsible for the security plan implementation for agency data and digital assets; identity and access management; and information security awareness training. The ISO publishes and maintains the Information Security Policy and Procedures Manual (ISP), which establishes a formal information security program that includes monthly, quarterly, and annual information security incident reporting to agency management and the Department of Information Resources; a biennial inspection cycle to routinely evaluate the information security posture of all TJJD information resources and processing procedures; standards for securing all information resources; and processes for responding to information security incidents. This team is responsible for the implementation of and adherence to the TAC 202 security guidelines.

**Application Services:** The application services team supports the TJJD mission to establish a cost-effective continuum of youth services, by developing high quality information applications used by agency employees, community stakeholders, and the youth and their families served by the agency. The application development team is responsible for shifting all mainframe youth case management applications to a client-server business intelligence platform, and for transitioning the human resources system, and all mainframe financial applications to the Comptroller's Centralized Accounting and Payroll/Personnel System (CAPPS) platform. Team members also perform application development roles on mainframe and client-server platforms by maintaining and supporting all agency information systems including public/private web pages and 3rd party applications. In addition, this team also provides technical assistance to county probation department staff on a variety of agency developed applications and is directly involved in the implementation and support of the legacy Caseworker system and its replacement, the cloud-based Juvenile Case Management System (JCMS).

- *CASEWORKER and Juvenile Case Management System (JCMS):* Beginning in the 1980's, the former TJPC provided an automated case tracking system, CASEWORKER to all juvenile probation departments which allowed TJPC and now TJJD to collect a standardized set of data items. The program was developed to provide an easy and concise method of collecting, storing, retrieving, and printing juvenile caseload information by the juvenile probation departments of Texas. A

portion of this information is forwarded to the Texas Juvenile Justice Department for inclusion in the agency's various reports.

Probation departments are now transitioning to a web-based technology called the Juvenile Case Management System (JCMS). JCMS is a collaborative development effort of the Texas Juvenile Justice Department, Dallas, Denton and Tarrant counties to cooperatively design and build a system that will meet the needs of local juvenile probation departments statewide. JCMS provides a continuum of information on a juvenile offender that follows the juvenile and will assist local jurisdictions in providing the most effective rehabilitative programs and services tailored to the individual needs of the juvenile.

- JCMS also facilitates statewide data sharing between the local juvenile probation departments and other key juvenile justice agencies both across and within jurisdictions to provide true state-wide data sharing. The benefits of statewide information sharing between jurisdictions include:
  - Better outcomes for youth and families by providing more effective programs and services
  - More complete data integration for informed decision making regarding juveniles
  - Improved utilization of limited programmatic and treatment resources at the county and state level
  - Increased data collection information for state and local policy and decision makers

**Operations Services:** The Operations section is responsible for providing support and maintenance for state-wide voice and data network infrastructure components, network security and Data Center Support services. Additionally, this section assists with the management and maintenance of the telecommunication equipment, network infrastructure and agency mobile technology. Support is provided for the video conferencing systems, video surveillance systems, radio communication systems, agency desktop computers, user access and security. These efforts are accomplished across the agency by a series of internal support teams who handle all aspects of the technical support needs.

**Project Management Office (PMO):** The Project Management Office focuses on Strategic Planning and project oversight. This group provides general support for the agency's project planning and delivery process by leveraging a cloud-based portfolio management tool enabling the management of technical resources, facilitation of project change management and project reporting as well as adherence to our project management methodologies. The agency has aligned our approach with the Texas Project Delivery Framework implemented by the Department of Information Resources.

## IT DIVISION STAFFING TRENDS

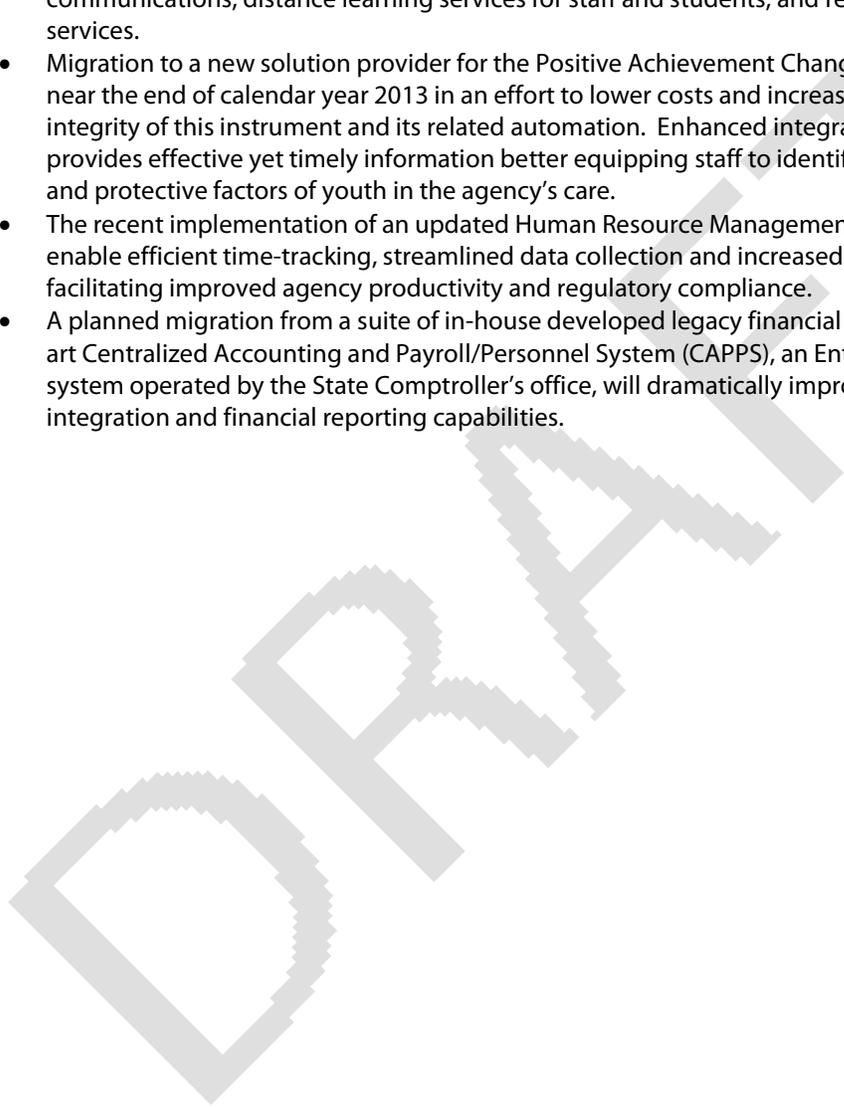
The IT Division is budgeted for 60.5 FTE's statewide in Fiscal Year 2014. Departmental staffing has continued to decrease over the past several years. The IT staff supports a variety of off the shelf and custom-built software applications, 2,800+ desktops, 20 WAN connections, nearly 2,500 telecom/voice over data devices, and over 9,000 surveillance cameras and recording devices. The Division provides both an internal and external help desk supporting agency staff and county probation users statewide.

**The following technology initiatives and system enhancements enable the TJJD to operate more efficiently and improve services:**

- A Help Desk Ticketing System enables the agency to manage and track Information Technology support incidents. TJJD utilizes KACE Tools for asset management and help desk ticketing for the identification of service requests and tracking of progress on incidents and repairs.
- Implementation of the Juvenile Case Management System (JCMS), a web-based case management application built in collaboration with several local Juvenile Probation Departments, started in 2012 and has expanded each year since with approximately 50% of local Juvenile Departments having been

migrated. The ongoing efforts to migrate the outstanding juvenile probation departments to JCMS will remain a focal point for the Division in an effort to retire the legacy Caseworker system and bring all departments into use of the same system statewide. The JCMS application provides standardized juvenile case processing also enables sharing of juvenile data between participating jurisdictions and strengthens centralized reporting capabilities.

- A digital surveillance system with over 9,000 cameras and recording devices has been implemented and is maintained and serviced by IT technical staff. This system increases the overall safety and security of staff, volunteers and youth in all TJJD facilities and enhances the overall accountability of the agency.
- Leveraging an agency-wide video conference system enables the agency to provide improved communications, distance learning services for staff and students, and remote access to health care services.
- Migration to a new solution provider for the Positive Achievement Change Tool (PACT) was completed near the end of calendar year 2013 in an effort to lower costs and increase the functionality and integrity of this instrument and its related automation. Enhanced integration and simplified data entry provides effective yet timely information better equipping staff to identify, track and address the risk and protective factors of youth in the agency's care.
- The recent implementation of an updated Human Resource Management and Timekeeping system will enable efficient time-tracking, streamlined data collection and increased control over labor costs facilitating improved agency productivity and regulatory compliance.
- A planned migration from a suite of in-house developed legacy financial applications to the state of the art Centralized Accounting and Payroll/Personnel System (CAPPs), an Enterprise Resource Planning system operated by the State Comptroller's office, will dramatically improve the agency's performance, integration and financial reporting capabilities.



## 13. Office of Inspector General

### MISSION

The Office of Inspector General (OIG) is the primary law enforcement entity for the Texas Juvenile Justice Department (TJJD) responsible for the prevention, detection, and investigation of criminal activity involving TJJD interests. The OIG will adhere to the qualitative standards for Offices of Inspector General and investigations overall.

### PHILOSOPHY

Dedicated service to the State of Texas is paramount. In support of the OIG mission, the office will respond with precision, professionalism, and timeliness to investigations. Independence and impartiality are essential to investigations, and will never be compromised. The rights of all persons involved will be protected. The OIG will always exemplify integrity, honesty, ethics, and accountability, while emphasizing effective communication, cooperation, coordination, and teamwork.

### PROGRAM DESCRIPTIONS (OVERVIEW)

#### **Incident Reporting Center**

The Incident Reporting Center (IRC) is the central reporting point for all allegations involving secure and non-secure facilities and all other TJJD interests. The IRC receives and evaluates complaints from youth, staff, and the public of various degrees of severity where the complaints are disseminated to the appropriate division(s) within TJJD.

#### **Use of Force Monitoring**

The Use of Force Monitor reviews, evaluates, and determines whether the amount of force used at TJJD secure and non-secure facilities was justified under law and policy.

#### **Criminal Investigations Division**

The Criminal Investigations Division (CID) is responsible for conducting clear, concise, fact-based, and timely investigations to promote safety and security. The CID works closely with prosecutors to ensure adherence to the legality of all investigations, while maintaining the highest qualitative standards of investigations.

#### **Strategic Planning, Analytics, Research, & Training**

The Strategic Planning, Analytics, Research, & Training (SPART) Division collects data and performs meta-analysis that is used for OIG reporting. The division coordinates, disseminates, and tracks criminal investigations through final disposition. Additional responsibilities include: to monitor and implement process improvements, coordinate training, perform visitation background checks, audit warrants, prepare intelligence portfolios for directives to apprehend, perform inventory control, and serve as the evidence custodian.

#### **Fugitive Apprehension Division**

The Fugitive Apprehension Division is responsible for conducting investigations which involve a TJJD youth who has escaped, absconded, or violated a condition of their release. Investigative staff coordinates with local, state, and federal law enforcement agencies to locate youth on abscond status.

## **Contraband Interception Team**

The Contraband Interception Team (CIT) is responsible for the detection, interception, and investigation of contraband within secure or non-secure TJJJ facilities. CIT utilizes canine partners to increase safety and security.

### **Personnel**

Currently, the Office of Inspector General is comprised 35 staff members, which include licensed telecommunicators, commissioned and non-commissioned investigators, analysts, and administrative staff assigned to:

*Austin Office  
Evins Regional Juvenile Center  
Fort Worth District Office  
Gainesville State School  
Giddings State School  
Houston District Office  
McLennan County State Juvenile Correctional Facility  
Ron Jackson State Juvenile Correctional Complex  
San Antonio District Office*



## 14. Internal Audit Department

The Internal Audit Department evaluates and assesses agency functions and new or changing services, processes, and operations. In addition, the department consults with management to advise and assist them in ensuring adequate design and internal controls are built into processes, coordinating external audit activities, and following-up on recommendations issued as a result of audit work. The internal audit department consists of one director and seven auditors reporting functionally to the TJJD Board and administratively to the executive director.

### PROGRAM DESCRIPTION

The Internal Audit Department is established as required by Section 2102 of the Texas Government Code. Internal audit adheres to the Institute of Internal Auditor's (IIA) Professional Practices Framework, the U.S. Government Accountability Office (GAO) Government Auditing Standards, and the Texas Internal Auditing Act.

The department utilizes information obtained throughout the year through audit work, meetings, training, participation in ad hoc committees, and input from management and the Board to conduct a risk assessment and develop the annual audit plan. The resulting plan includes both mandatory and discretionary projects ranging in scope and complexity. In addition, the plan is approved by the Board.

The Internal Audit Department ensures that audits of TJJD programs, functions, activities, and systems are accomplished. It performs sufficient audit work to determine whether:

- Corporate governance and risk management is effective;
- Strategic objectives are achieved;
- Financial and operational information is reliable;
- Operations and programs are effective and efficient;
- Assets are safeguarded; and
- Laws, regulations, policies, procedures, and contracts are complied with.

The department also provides consultative and management assistance services to other TJJD divisions. Requests for these services are considered on an individual basis and must be approved by the Executive Director and the Board if they will impact the completion of the annual audit plan.

### Mission

To provide the agency audit and consulting services that enhance accountability and assists the agency in accomplishing its mission and objectives through managing risk, increasing control awareness, improving processes, facilitating change, and promoting best practices.

### Core Values, Goals & Objectives

To accomplish its mission, Internal Audit has established the following core values, goals and strategies:

#### Core Values

- People – Continue to develop, expand, and increase the technical and administrative knowledge of the Internal Audit staff
- Technology – Assist the Agency in promoting effective tools and controls over our technological resources.
- Customer Service – Deliver customer/stakeholder value and satisfaction.
- Value Added – Initiate activities which result in measurable cost savings and/or evident improvements in effectiveness and efficiency.

- Control Environment – Create and promote an agency-wide control infrastructure and consciousness which ensures integrity and ethics in the agency’s operating environment.

**Goals and Strategies**

- Develop and maintain an audit framework which assures audit effectiveness through effective discharge of the requirements necessary to ensure the independence, objectivity, and proficiency of the internal audit function
- Continue to provide audit services to the agency in order to advise and assist management in ensuring adequate design and internal controls are built into processes and coordination of external audit activities.
- Audit a solid percentage of identified high risk areas.
- Support agency systems development and process improvement initiatives
- Assist the agency in compliance with laws, regulations, and promoting an ethical environment.

**During Fiscal Year 2013, Internal Audit accomplished the following:**

- The Internal Audit Department completed audit work and provided management with information and analyses to assist in initiating improvements to operations and to strengthen internal controls. In addition to audit work, Internal Audit provided advice and assistance on governance, risk management, and controls and management actively engages the Department as they continue to work toward more efficient and effective processes in the agency.
- Internal Audit staff continues to be active in the local internal audit community through participation in the State Agency Internal Audit Forum, the Austin Chapter of the Institute of Internal Auditors, and the Association of Certified Fraud Examiners. Staff also continue to attend training courses offered by the State Auditor’s Office and other local trainers and work toward professional certification.
- Internal Audit distributed a Customer Satisfaction survey to the Executive Management Team (EMT) and members of management that participated in audits during fiscal year 2013. Responses to the survey questions were scored using a standard five-level Likert Scale (with responses ranging from strongly disagree to strongly agree). The results of the survey reflected an average score of greater than 4.0 (out of a possible 5.0) on all questions, for an overall total average of 4.4 for all responses.
- In fiscal year 2013, staff collectively attended 232.25 hours of training, for a total of 674.25 hours for the two year biennium (September 1, 2011 through August 31, 2013), meeting the Continuing Professional Education requirements set forth by both GAGAS and the IIA.

The performance measures, goals, and results for fiscal year 2013 are illustrated in the following table:

<b>MEASURE</b>	<b>FY 2013 GOAL</b>	<b>FY 2013 ACTUAL</b>
The percent of the approved audit plan completed.	>=80%	100%
The percent of audits completed within 110% of budget.	>=75%	80%
The percentage of high-risk areas included in audit work.	>=70%	92%
The percent of time spent on planned audit activities.	>=70%	81%
The percent of staff turnover.	<=22.2%	20%
The percent of staff holding at least one professional certification.	>=75%	60%
The percent of staff meeting professional education requirements.	100%	100%
The percent of staff actively participating in professional organizations.	>=50%	50%

The department works closely with management throughout the audit process and the development and implementation of recommendations to ensure that they are feasible and address the concerns identified in the audit report.

The Internal Audit Department is in compliance with the requirement to obtain an external quality assurance review at least every three years. The most recent review was completed in August 2012, and reported that the department fully complies with the IIA's Professional Practices Framework, the GAO's Government Auditing Standards, and the Texas Internal Auditing Act. This is the highest of the three possible ratings and shows that policies, procedures, and practices are in place to implement the standards and requirements necessary to ensure the independence, objectivity, and proficiency of the internal audit function.

DRAFT

## 15. Office of the Independent Ombudsman

The Office of the Independent Ombudsman (OIO) is an independent state agency established for the purpose of investigating, evaluating, and securing the rights of the youth committed to TJJJ, including youth released under supervision before final discharge. The Ombudsman is appointed by the governor.

The Ombudsman is an independent and impartial investigator for the public's complaints about the administration of government. The OIO for TJJJ is available to help support transparent, open, and responsive services by TJJJ. It was established by SB 103 during the 80th Texas Legislative Session, 2007. It was re-confirmed in SB 653 during the 82nd Texas Legislative Session, 2011

The OIO receives complaints, conducts investigations, and works to resolve disputes. It is the "last resort," which means complainants are expected to engage the services of the OIO Ombudsman only after trying resolve issues and grievances through the TJJJ grievance process and staff.

The Independent Ombudsman will view reports received by the department relating to complaints regarding juvenile probation programs, services, or facilities and analyze the data contained in the reports to identify trends in complaints; and report a possible standards violation by a local probation department to the appropriate division of the department.

## C. Geographic Location and Locations of Service Populations

The Texas Juvenile Justice Department Austin Office headquarters is located at 11209 Metric Boulevard in Austin, Texas, in Building H. The building has one large public hearing room, five medium-sized meeting rooms and two small meeting rooms. There is also a large break room, a warehouse connected to the building and a patio with covered picnic tables. The building is close to the central thoroughfares in the city, with easy access to Mo-Pac and I-35, and only a short drive from all the HHSC agencies in central Austin.

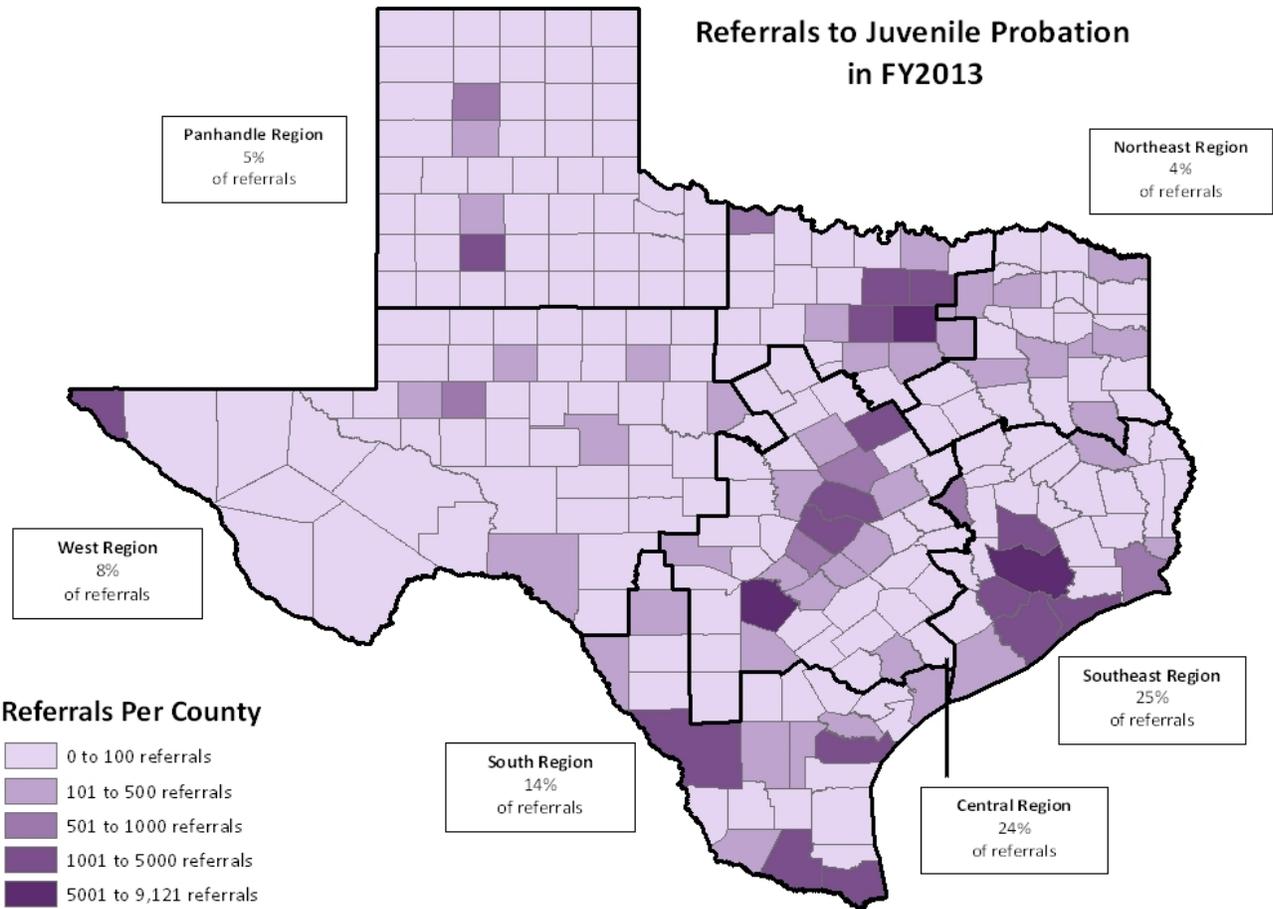
TJJD's central Texas location provides personnel who provide support, oversight and services to juvenile probation departments across the state. In an effort to be responsive to the various regions in Texas, most TJJD training offered to local juvenile probation department personnel is conducted in different locations throughout the state.

The TJJD provides integrated state-operated programs and services to youth throughout Texas at secure facilities, halfway houses and district offices. Parole services are also delivered through satellite offices and contracted parole services. Information and services are provided to parents and guardians throughout the state by caseworkers, physicians and mental health workers and family liaisons at these locations, as well as by personnel at the Austin Office. TJJD maintains a website with information about facilities, programs and information resources.

Additionally, TJJD operates a 24-hour hotline that may be used by youth, family and staff to report allegations of wrongdoing or neglect in both state facilities and local juvenile probation departments and facilities.

The maps on the following pages show juvenile probation referrals by region and state institutional service locations by type of facility, as well as the number of youth committed by county for Fiscal Year 2013.

Figure 8.

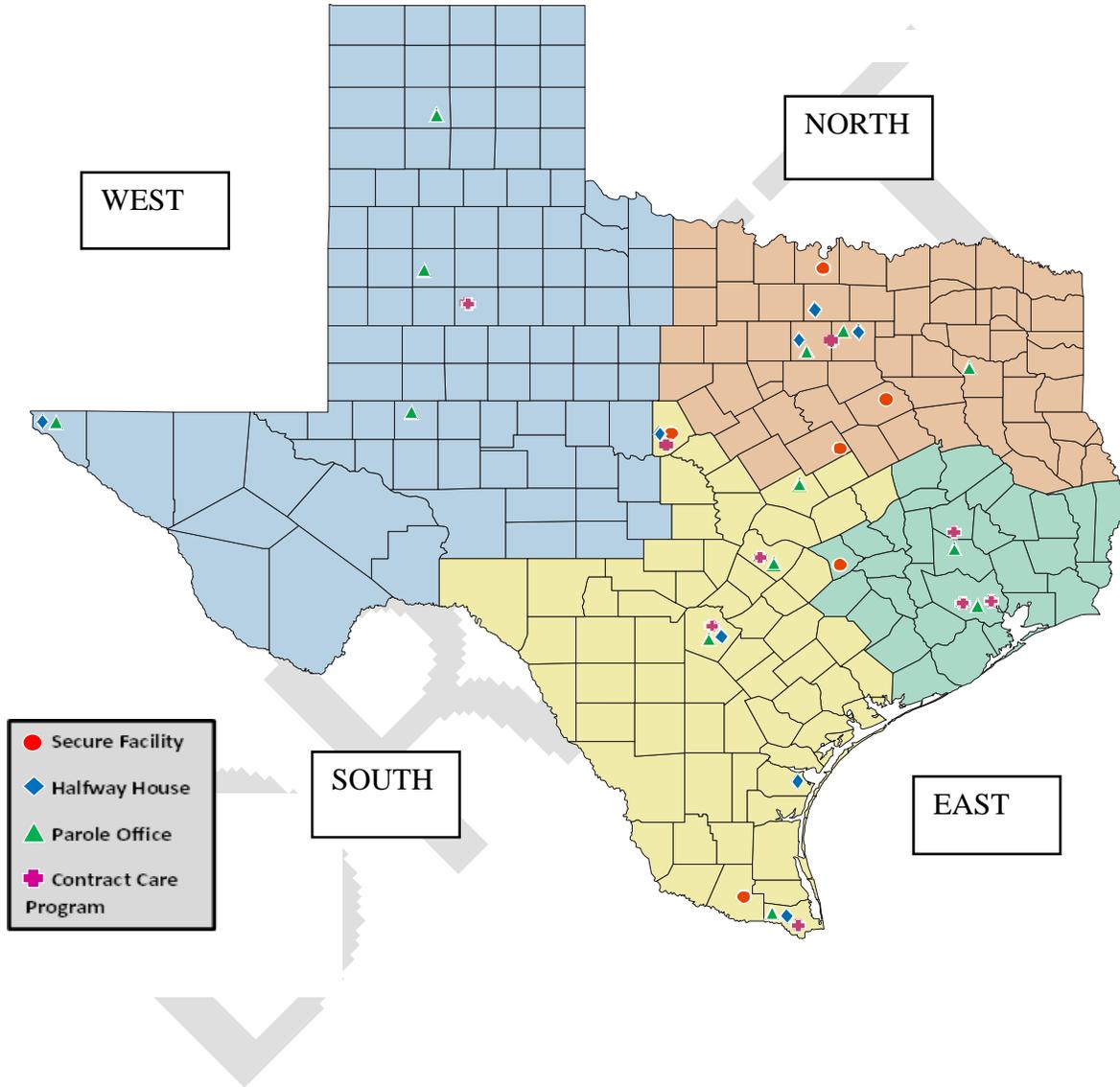


Source: TJJ Data Extract (2013)

Figure 9.

Commitments by Region 2013

\*\*\*\*\*Before final version goes to print, an executive decision needs to be made regarding leaving CRTC on map as secure facility in our network . It is currently added.



**Table 3**

**TJJD Population Summary for 2014**

\*Presently, Corsicana Residential Treatment Center does not reflect a budgeted population.

<b>REGION 1</b>	<b>CITY</b>	<b>BUDGETED CAPACITY</b>
<b>SECURE FACILITIES (530 BEDS)</b>		
Corsicana Residential Treatment Center	Corsicana	--
Gainesville State School	Gainesville	252
McLennan County State Juvenile Correctional Facility McLennan RTC (64) McLennan Long-term (192) Phoenix Program (24)	Mart	278
<b>HALFWAY HOUSES (88 BEDS)</b>		
Cottrell House	Dallas	20
McFadden Ranch	Roanoke	48
Willoughby House	Fort Worth	20
<b>PAROLE OFFICES</b>		
Dallas Parole Office	Dallas	--
Fort Worth Parole Office	Fort Worth	--
<b>CONTRACT CARE RESIDENTIAL PROGRAMS (5 BEDS)</b>		
Specialized Alternatives for Youth (SAFY)	Arlington	5

<b>REGION 2</b>	<b>CITY</b>	<b>BUDGETED CAPACITY</b>
<b>HALFWAY HOUSES (20 BEDS)</b>		
Schaeffer House	El Paso	20
<b>PAROLE OFFICES</b>		
El Paso Parole Office	El Paso	--
<b>CONTRACT CARE RESIDENTIAL PROGRAMS (40 BEDS)</b>		
Garza County Regional Juvenile Center	Post	40

<b>REGION 3</b>	<b>CITY</b>	<b>BUDGETED CAPACITY</b>
<b>SECURE FACILITIES (344 BEDS)</b>		
Evins Regional Juvenile Center	Edinburg	136
Ron Jackson State Juvenile Correctional facility Orientation & Assessment (112) Long-term (96)	Brownwood	208
<b>HALFWAY HOUSES (68 BEDS)</b>		
Ayres House	San Antonio	20
Brownwood House	Brownwood	8
Edna Tamayo House	Harlingen	20
York House	Corpus Christi	20
<b>PAROLE OFFICES</b>		
Austin Parole Office	Austin	--
San Antonio Parole Office	San Antonio	--
<b>CONTRACT CARE RESIDENTIAL PROGRAMS (63 BEDS)</b>		
Abraxas Youth and Family Services	San Antonio	3
Associated Marine Institutes, Inc. (RGMI)	Los Fresnos	20
G4S Youth Services, LLC	Brownwood	20

<b>REGION 4</b>	<b>CITY</b>	<b>BUDGETED CAPACITY</b>
<b>SECURE FACILITIES(208 BEDS)</b>		
Giddings State School	Giddings	208
<b>PAROLE OFFICES</b>		
Houston Parole Office	Houston	--
<b>CONTRACT CARE RESIDENTIAL PROGRAMS (34 BEDS)</b>		
Byrd's Therapeutic Group Home	Houston	10
Gulf Coast Trades Center	New Waverly	10
National Mentor Health care, LLC East intermediate	Various	5
Unity Children's Home	Houston/ Spring	9

TJJD is committed to providing services equitably and efficiently to all juvenile probation departments across the state. Our funding formula uses juvenile-age population and referral histories while adjusting for population trends and other crime data. Statewide, local departments also receive the majority of their operating cost from their individual county. The regional associations in partnership with TJJD regionalize many program and resources to meet the unique needs of the youth in that region. Strategies employed by TJJD to serve the departments include technical assistance, legal assistance, training and monitoring.

TJJD operates facilities in all regions, and youth may be received from any county in the state. During the Fiscal Year 2013, there were 818 new admissions statewide, including 360 from the 6 counties that sent 20 or more.

**Table 4.**

<b>NEW ADMISSIONS BY COUNTY: FY 2013</b>		
<b>COUNTIES WITH 20 OR MORE COMMITMENTS</b>		
<b>COUNTY</b>	<b>NUMBER</b>	<b>%</b>
Harris	119	14.5
Hidalgo	57	7.0
Tarrant	57	7.0
Bexar	52	6.4
Dallas	48	5.9
El Paso	27	3.3
<b>TOTAL</b>	<b>360</b>	<b>44.0</b>

Note that new admissions to TJJD differs slightly from commitments to TJJD as reported in Chapter V, Section Two, as those commitments refer to dispositions of juvenile courts, rather than admissions to state facilities. The latter includes recommitments of youth previously admitted to state facilities. The year of admission could be subsequent to the year of commitment, and a few youth committed receive subsequent dispositions and are never received at a state facility.

## Service Delivery

TJJD utilizes the Risk-Need-Responsivity Model when assigning a program placement. Risk level is determined by static factors, such as age at first offense, frequency and severity of past criminal conduct and prior residential

placement. Needs are determined during the intake and assessment process via actuarial risk assessments and evaluated regularly throughout the youth's stay in TJJD. When assigning a program placement, TJJD takes into consideration individual characteristics such as age, committing offense, gang affiliation, delinquent history, treatment needs, proximity to home, risk of violence and safety of placement for youth vulnerable to assault. Central Placement Unit staff review the treatment needs identified through the intake, orientation and assessment process and the unique characteristics of each youth to choose the most appropriate program placement. Research indicates that low risk youth should be served separately from those with high risk to reoffend and in more open, less restrictive environments. For this reason, some youth are placed directly from the intake unit into contract care or state-operated halfway house programs. Those who begin treatment in secure facilities have less restrictive transition placements identified prior to moving from the orientation unit. This allows the youth's treatment team to plan ahead for community reintegration. Since the youth's progress and needs are regularly assessed for change, program placement assignment is an ongoing process.

Within a facility, the youth is placed according to age (a youth younger than 15 may not be assigned to the same dormitory with youth aged 17 or older). Factors such as gang affiliation, danger to others and vulnerability to assault or predation by others are also considered in dorm and housing assignments within each facility, and those factors are likely to change over time. Placement decisions are evaluated regularly as youth are re-assessed by the multi-disciplinary team for progress and changes in treatment needs. As risk factors are lowered and protective factors increase, youth may qualify to transfer to less restrictive programs and ultimately back to the community on parole status. A primary goal of the TJJD is to move each youth efficiently through the continuum of services to meet the youth's needs in the least restrictive setting possible while protecting public safety.

DRAFT

TABLE 5.

OPERATING BUDGET – POPULATION/SPECIALIZED TREATMENT FY 2014 ALL FACILITIES SPECIALIZED TREATMENT SERVICES									
SPECIALIZED TREATMENT SERVICES BY TYPE	CAPITAL OFFENDER/ART		SEX OFFENDER		MENTAL HEALTH		AOD		
	HIGH	MED	HIGH	MED	HIGH	MED	HIGH	MED	
<b>TJJD SECURE INSTITUTIONS</b>									
Corsicana Residential Treatment Center									
Evins Regional Center		•				•	•	•	
Gainesville State School		•		•		•	•	•	
Giddings State School	•	•	•	•		•	•	•	
McLennan County SJCF RTC		•		•	•	•		•	
McLennan County SJCF Long-Term		•	•	•		•	•	•	
Ron Jackson	•	•	•	•	•	•	•	•	•
<b>HALFWAY HOUSES</b>									
Ayers									
Brownwood House									•
Cottrell						•			
McFadden Ranch		•					•		
Schaeffer House		•				•			
Tamayo		•							•
Willoughby		•				•			
York						•			•

The 81st Texas Legislature (2009) provided funding to counties to use for diversion initiatives in an effort to serve adjudicated youth within their communities. As counties continue to serve more youth with more complex treatment needs, local costs are expected to increase; and as these efforts mature, TJJD will work with state leadership and the counties to find a balance between appropriate and often expensive treatment and local services. Although TJJD strives to serve youth as close to home as possible, the vast majority of youth committed to TJJD require specialized treatment. This goal must be balanced to ensure that the youth are placed in

programs that best meet their needs. While TJJJ has delegated several of the higher cost services into specific facilities for funding efficiencies, all secure programs and most state-operated halfway house programs offer multiple types of specialized treatment services.

Three secure facilities have very specialized populations:

- **McLennan County Residential Treatment Center (MRTC)** operates TJJJ's Mental Health Treatment Program for boys, which provides enhanced psychiatric and psychological assistance along with smaller case manager to youth ratios. The ability to have psychiatric and psychological staff focus on managing the symptoms associated with the mental health issue(s) allows the case managers to focus on the risk reduction and protective enhancement strategies necessary to reduce the risk of reoffending on release. The collaboration between the services allows for individualized treatment for each youth that addresses both the MH issues and the other needs for risk reduction. Those with unstable mental illnesses who are also dangerous to themselves or others receive care at the Crisis Stabilization Unit. The immediate goal for this group is treating the basic mental health problem or illness and allowing the youths to regain control over their behavior. Once this is accomplished, the young person is better prepared to benefit from treatment that focuses on changing the delinquent and criminal patterns of behavior. The final goal concerns reintegrating the young person with his or her family and community in a program that addresses his or her mental health and other risk reduction needs.
- **MRTC also houses the Phoenix program**, which is designed for youth who engage in aggressive behaviors, but do not respond to standard behavioral interventions such as counseling, loss of privileges, skill development groups, Redirect Programs or other individual behavior management plans. The Phoenix Program is designed to be a protective measure that insulates staff and other youth in TJJJ from this small group of youth who engage in serious, aggressive offenses. Additionally, the program will provide an environment targeted to the specific needs of youth placed in the program. This specialized unit provides the structure and interventions required to manage this population, resulting in two major benefits. First, it gives sufficient external controls to protect youth and staff who are targets of aggressive behavior. Second, the program employs interventions designed to help youth to develop the motivation and methods necessary for controlling their aggressive behavior, which in turn allows progress in other areas of treatment.

---

*"TJJJ taught me to use cost and benefits, self-control, and patience. The most important thing I learned in group was empathy for others. Not just my family, but for everyone around me. I learned that my actions affect everyone, even people I don't know. I'm happy with the changes that I've made – I have peace and I'm proud of myself. I never thought I'd do the things I did in TJJJ and group, and with all that positive support everywhere, I'm doing them out here, too!"*

—D.C., Former TJJJ youth

---

- **The Giddings State School** operates a high need Capital and Serious Violent Offender Treatment Program (C&SVOTP) for boys. The C&SVOTP is a dormitory based, structured program designed to facilitate cognitive, emotional and social developmental processes and facilitate empathic development, emotional regulation and appropriate expression of feelings to improve interpersonal functioning. More simply put, the C&SVOTP helps young people connect feelings associated with their violent behavior and to identify alternative ways to respond when faced with risky situations in the future. The Giddings State School also offers sexual behavior treatment and alcohol or other drug treatment of both high and moderate intensity.
- **Ron Jackson State Juvenile Correctional Facility** provides integrated treatment services for girls who require placement in a secure facility. TJJJ expanded services in Fiscal Year 2011 to better respond to the unique needs of adolescent girls. All general and specialized treatment services have been evaluated and modified, as necessary, to ensure gender responsiveness. These services include: Alcohol or Other Drugs, Sexual Behavior Treatment, Capital and Serious Violent Offender Treatment, Trauma Focused-Cognitive Behavioral Therapy, Aggression Replacement Training®, Trauma Resolution groups, Pairing Achievement with Service (PAWS), and Girls Circle. The Girls Circle, an evidence-based program, is a structured support group that focuses discussion on gender-specific topics designed to promote

resiliency and self-esteem. Using canines from the local animal shelter, PAWS teaches empathy and responsibility and supports the community by providing a well-trained dog to a new owner. In addition to providing service to girls, the Ron Jackson facility also serves as the agency's intake, assessment and orientation unit for all youth.

While the average daily population of TJJJ-operated facilities and contract care facilities decreased by 42% from FY 2009 to FY 2012, TJJJ increased the provision of specialized treatment services by 86% in that same time period. More youth than ever before received specialized treatment services within TJJJ. Overall, there was a steady increase in specialized treatment enrollments in FY 2012. Outcomes for youth will be measured and monitored in annual treatment effectiveness reports.

TJJJ contracts with residential providers across the State primarily for transition (step-down) and secure residential services. Two (2) of the ten (10) residential providers operate secure residential programs and receive their certification from TJJJ. The remaining vendors operate non-secure residential services and are licensed by Department of Family and Protective Services (DFPS). The treatment/rehabilitative needs of the TJJJ youth population primarily fits in three DFPS service level categories: moderate facility, specialized facility, and/or intense facility. The rates developed and approved by the Texas Health and Human Services Commission (HHSC) and implemented by DFPS for these categories are \$103.33, \$148.11 and \$260.17 respectively.

## Service to Border Regions

The Texas Government Code, Section 2056.002(b)(8), requires TJJJ to describe its services to specific geographic service regions – the Texas-Mexico and the Texas-Louisiana border regions. In some cases, TJJJ has employed special programmatic measures to serve populations that are disproportionately represented in specific regions. Currently, TJJJ has committed additional resources to the border counties of Cameron, Val Verde and Webb for the operation of Border Children Justice Projects. These projects were originally developed to respond to the needs of juvenile-age Texans and Mexican nationals who violate laws across the border from their country of residence.

The Texas-Mexico border region encompasses 43 South and West Texas counties, which are part of TJJJ Regions 2 and 3. Facilities located in these counties include:

- Evins Regional Juvenile Center in Edinburg
- Edna Tamayo Halfway House in Harlingen
- Schaeffer Halfway House in El Paso
- York Halfway House in Corpus Christi
- District offices in El Paso and Harlingen





Admissions data for the 14 counties that immediately border Mexico show that 125 youth were committed to TJJD from these counties in Fiscal Year 2013. In FY 12, 113 youth were committed to TJJD from these counties, which is an 11% increase between fiscal years. However, when comparing youth committed in the 1st quarter for FY 13 to FY 14, we find a 19% decrease from 31 to 25 youth.

The Texas-Louisiana border region encompasses 18 Northeast Texas counties, all of which are in TJJD Region 1. The TJJD Tyler District Office is located in Smith County. Additional facilities that provide services to youth from these counties include:

- Gainesville State School in Gainesville
- Giddings State School in Giddings
- Mart Juvenile Justice Complex in Mart
- Byrd's Group Home in Houston
- Unity Therapeutic Group Homes in Conroe and Spring
- Gulf Coast Trade Center in New Waverly

Admissions data for the 10 counties that immediately border Louisiana show that 27 youth were committed to TJJD from these counties in Fiscal Year 2013. In FY 12, 35 youth were committed to TJJD from these counties, which is a 23% decrease between fiscal years. However, when comparing youth committed in the 1st quarter for FY 13 to FY 14, we find a 167% increase from 3 to 8 youth.

## D. Human Resource Strengths and Challenges

### Strengths

The agency's human resource strengths are influenced by the agency's commitment to implement innovative recruitment and retention strategies to develop and maintain a highly qualified workforce committed to the agency's mission and purpose.

- An enhanced Juvenile Correctional Officer (JCO) career ladder placement program attracts highly qualified JCO staff by allowing JCO applicants to be hired above the first JCO career ladder pay level based on college credit, military service, or prior related experience.
- Selected applicants for JCO, case manager, teacher, and parole officer positions are required to complete a professional web-based psychological evaluation developed by a contracted vendor. The instrument indicates whether the applicant has the personality traits and attributes consistent with successful performance in direct care positions. An offer of employment is conditioned upon completing the assessment and meeting or exceeding the pre-established threshold.
- The establishment of career paths for positions requiring specialized skills enhances recruitment of entry-level applicants with moderate training or experience in a specialized area and retention of employees as they gain the ability to perform more complex and advanced duties with less supervision.
- The use of licensed or certified employees (e.g., licensed sex offender treatment providers, licensed specialists in school psychology, lead reading instructors) for specialized treatment and education programs provided at the state facilities help ensure that youth with specialized needs are provided the necessary tools for positive outcomes, which in turn has a positive impact on the agency's work environment.
- The TJJJ Employee Handbook provided to newly hired employees during the New Hire Orientation Session and the agency's personnel policies available to employees through the agency's Internet and Intranet websites help ensure that employees understand the various employment-related programs, benefits and services available to them.
- Approximately 82.9 percent of the agency's employees are assigned to one of the agency's secure institutions. Having a human resources office at each of these institutions:
  - provides such employees with easy access to assistance with day-to-day employment-related issues;
  - promotes effective communication and collaboration between institution management and the human resources department regarding strategies to improve the working environment for field staff; and
  - ensures that the institution's supervisory and administrative staff have human resources staff on hand to provide guidance for various HR-related situations that are unique to a secure institution work environment.
- TJJJ reported in its Agency Strategic Plan for Fiscal Years 2013 – 2017 that the labor-intensive automated system for employee timekeeping and leave accounting was a significant challenge for the agency. Shortly after submission of the Strategic Plan, TJJJ requested funding and approval to modify the agency's existing human resources information system (HRIS) by adding an employee time-reporting module. The request was approved. The addition of the employee time-reporting module allowed the agency to simultaneously upgrade its HRIS from the substantially outdated Kronos Workforce Central HR/Payroll Version 5.0 to the latest Kronos Workforce Central Version v6.3 at no

additional charge. TJJD converted to the updated HRIS and implemented the new time-reporting system in January 2014. The significantly enhanced timekeeping and leave accounting system is now an area of strength.

## Challenges

The following human resource challenges have been identified as opportunities for improvements:

- A critical human resource challenge is the recruitment and retention of teachers for the agency's state schools, which provide a fully accredited education program operated under the rules and guidelines of the Texas Education Agency (TEA) to youth assigned to a TJJD high security correctional facility. Unlike public school districts, the agency's state schools are operational every month of the year and teachers do not enter into a contract for employment. In addition, efforts to recruit and retain teachers are affected by the correctional work environment, the considerable educational deficiencies of most youth residing at the facilities, and the struggle to re-engage youth who have given up on the education system.
- The classification of positions responsible for providing treatment and rehabilitation services to juveniles committed to the agency is a human resource challenge. Few available job classes are specific for the juvenile justice field, and many job classes in the social services occupational category do not capture the work being performed at the agency's juvenile facilities. In recent years, a few job classes specific to the juvenile justice work environment have been added to the State Classification Plan. TJJD human resources will continue to research, analyze and request additional job classifications that more closely reflect the work being performed at the agency's juvenile facilities.

## E. Historically Underutilized Business (HUB) Program

### HUB Goal, Objective, and Assessment

TJJD continues to be a proactive participant in the state Historically Underutilized Business (HUB) Program. Its goal is to establish and implement policies governing purchasing and public works contracting that foster meaningful and substantive inclusion of HUBs. TJJD is committed to effectively promoting HUB economic opportunities and strives to increase HUB participation.

In Fiscal Year 2013, TJJD reported total expenditures of \$21.9 million. Of that amount, \$3.8 million (17.21%) were HUB expenditures. This is an increase of 1.5% from the previous reporting period. Listed below are the Agency-Specific Goals adopted for fiscal year 2014 with actual expenditure date for FY13 and expenditures being reported to the Comptroller of Texas for the Semi-annual HUB report for FY14. There is no goal set for Heavy construction as it is reserved for road and bridge construction. TJJD does not perform either.

**Table 6.**

HUB CATEGORY	FY 2014 GOALS	FY 2013	FY 2014 SEMI-ANNUAL
Heavy Construction Other Than Building Contracts	0.0%	N/A	-
Building Construction	18.3	14.5%	
Special Trade Construction Contracts	32.7	22%	
Professional Services Contracts	17.1	11%	
Other Services Contracts	18.7	13.8%	
Commodities Contracts	21.0	21.6%	

### Strategies

The number of Texas Certified HUBs for Professional Services Contracts and Other Services Contracts is significantly low. Many professionals (doctors, attorneys, surveyors, engineers, etc., and licensed, certified, degreed professionals in psychology, education, etc.) consciously choose not to register for the Centralized Master Bidders List (CMBL) or as Texas Certified HUBs, which reduces the pool of Texas Certified HUBs from which to draw. This situation does not exist with all categories.

TJJD is pursuing the following strategies to improve HUB participation:

- Take a leadership role in outreach professionals to encourage them to register with CPA for CMBL and HUB directory.
- Attend HUB seminars, spot bid fairs, conferences and other events throughout the year to disseminate information about our agency and encourage HUB participation in our procurement process.

- Report quarterly to TJJJ management on the progress of meeting HUB goals.
- Conduct workshops during HUB events for professionals.
- Train procurement staff to seek out HUB vendors and to make opportunities available to them, whenever possible.
- Require HUB Subcontracting Plans as appropriate and encourage contractors to subcontract with HUBs.
- Communicate with HUB vendors on their offerings and encourage them to continue to offer products and services to this and other agencies.
- Encourage HUB vendors to participate in the procurement process both as prime contractors and subcontractors.
- Encourage prime contractors to develop mentoring relationships with qualified HUB vendors.

DRAFT

## F. Key Organizational Events and Impacts

The Texas Juvenile Justice Department was created on December 1, 2011 pursuant to Senate Bill 653 of the 82nd Legislature. The agency assumed the roles and responsibilities of two agencies that were abolished on November 30, 2011 – the Texas Youth Commission and the Texas Juvenile Probation Commission.

While TJJD is a new agency, it is informed and governed by numerous key events and decisions in the area of juvenile justice over the past decades that impacted the former TYC and TJPC.

### Events in Probation Services

The state created the Texas Juvenile Probation Commission to replace the Community Assistance Program previously administered by the Texas Youth Commission. During the 1980s, the agency adopted Chapter 341, Texas Juvenile Probation Standards, which sets out a code of ethics for the field of juvenile probation, establishes minimum qualifications for juvenile probation officers and creates an administrative framework for probation services. For the first time in history, all Texas counties have juvenile probation services in place. The Juvenile Statistical Information System is developed to allow juvenile probation departments to collect data and statistical information on referrals. It was renamed CASEWORKER in 1986.

In the mid-1990s, the 74th Legislature mandated that 22 counties begin operating Juvenile Justice Alternative Education Programs (JJAEPs) for certain juvenile offenders. The 74th Legislature also appropriated \$37.5 million for the 1996-1997 biennium to TJPC for the construction of 1,000 secure post-adjudication beds in 19 counties. Also in the 1990s, the agency received funding to expand juvenile non-residential programs in counties with populations below 72,000. Nine counties access the funds (which reimburse up to 40% of total program costs with a \$25,000 cap) and began operating JJAEPs.

In 2002, TJPC began implementation of a comprehensive systemic Agency Reengineering and Reorganization Plan designed to improve the effectiveness and efficiency of TJPC internal and external operations. The key elements of the plan included:

- Comprehensive Standards Revision and Simplification;
- Design and production of a Compliance Resource Manual (CRM);
- Design and documentation of a new Compliance Improvement System (CIS);
- Design and documentation of new Monitoring Methodologies;
- Internal agency process improvements including updated new automated Compliance Monitoring and Enforcement Tracking System (COMETS); updated policies and procedures for all units; implementation of automated Internal Communication Policy and system; and
- Comprehensive training initiative to probation field regarding new systems and processes.

In 2007, juvenile justice policy reforms were enacted by the 80th Legislature resulting in a significant increase (19%) in the Community Corrections line item of TJPC's budget. The new appropriations, totaling more than \$57 million over the biennium, created tremendous opportunities for the creation, expansion and enhancement of community based programs and secure and non-secure residential placements that will divert youth from TYC.

In 2008, a direct reporting system of abuse and neglect allegations was piloted in March and implemented statewide in November. Statewide outreach and education to facilities and juveniles accompanied the new system.

In 2009, the 81st Texas Legislature provided approximately \$46 million for Community Corrections Diversion Programs to provide programs, treatment and services to divert more youth from TYC. The Legislature also provided funding for the Juvenile Case Management System (JCMS), a collaborative development effort of the Texas Conference of Urban Counties TechShare Program involving the TJPC, Bexar, Dallas and Tarrant counties to cooperatively design and build a system to meet the needs of local juvenile probation departments

statewide. By pooling staffing and financial resources, these partners are leveraging their resources to acquire a system that individually they could not afford to develop. JCMS allows for state of the art web-based communication between local juvenile probation departments and TJPC, enhanced case management abilities, and real-time data collection.

In 2010, the Commission launched the Complaint Management and Tracking System (CMTS), a new secure online database designed to centralize the filing of general complaints involving juvenile justice facilities, programs and services in the State of Texas. Any person, including a parent, guardian, custodian or relative of a child being served by a juvenile probation department or a concerned citizen may now submit an online complaint by accessing CMTS via the Commission's website.

A Risk and Needs Assessment (RANA) for youth referred to the juvenile justice system was piloted and implemented statewide. The Risk and Needs Assessment Instrument is designed to identify which juveniles are high, medium, and low risk to become chronic offenders. The needs portion of the instrument identifies which juveniles have high, medium, and low needs for services and supervision.

## State Programs and Facilities

In June 2007, Governor Perry signed SB 103 (Hinojosa/Madden), 80th Legislative Session. SB 103 was an omnibus reform bill that significantly restructured the Texas Youth Commission (TYC), reduced the age of majority for TYC youth to 19, eliminated the misdemeanor offender population from the agency and established the Offices of Inspector General and Independent Ombudsman to investigate, evaluate and secure the rights of youth committed to TYC.

During 2008, the agency continued to implement the reforms of SB 103, began to transition to a new general treatment plan (CoNEXTions©), moved to a regionalized placement model and saw the first significant declines in the youth population. In October 2008, Governor Perry removed the agency from conservatorship and appointed an executive commissioner as the agency's chief executive.

In 2009, the agency continued the reform process, and implementation of SB 103 was completed. Also, the CoNEXTions© general treatment plan was implemented throughout all TYC facilities, cameras and digital recording systems became fully operational at all campuses and numerous improvements were made to the agency's education and specialized treatment programming.

During the 81st Legislative Session, HB 3689 was enacted to build upon earlier reforms. Provisions in this legislation included strengthening collaborations with partners, implementing a new reading improvement program and enhancing the agency's youth re-entry program.

As specified by SB 103, in September 2009 the agency's leadership structure reverted to a governing board appointed by the governor, with a board-appointed executive director in charge of day-to-day operations. Significant changes were also made to the TYC staffing structure. Commensurate with reductions in youth populations, in January 2009 the executive director ordered a series of staffing reductions at facilities throughout the state and in the agency's Austin Office.

In 2010 and 2011, in response to the reduced youth population, the agency closed an additional five secure facilities, leaving six secure institutions and nine halfway houses in 2012 and 2013.

With the passing of Senate Bill 653 in 2011 following the 82nd Legislative Session, the Texas Youth Commission and Texas Juvenile Probation Commission were effectively abolished and merged to create the Texas Juvenile Justice Department on December 1, 2011.

## G. Use and Anticipated Use of Consultants

TJJD is committed to continued agency improvements to conform with nationally recognized best practices and improve youth outcomes. The use of external consultants provides a source of dissociated expertise for program design, guidance and evaluation.

Some examples follow:

- TJJD Division of Education works in consult with the Meadows Center for Preventing Educational Risk (MCPER), at the University of Texas Austin, to provide support to struggling readers. Resources provided include evidence-based research on reading curriculum, data collection and analysis, data for the evaluation of program effectiveness and specialized training for reading teachers, support staff and agency education specialists.
- Texas State University is currently providing consultation to the State Programs and Facilities Department of TJJD in the form of a research project to evaluate the efficacy of extending the Positive Behavior Intervention and Support (PBIS) model facility-wide. This research project will be piloted in two secure facilities and evaluated before being implemented agency-wide. PBIS has already been implemented in the Education programs in TJJD's secure facilities since 2010. TJJD will also be pursuing a contractual agreement with Texas State University to provide onsite training of TJJD's PBIS Coordinator and the secure facility dorm-based management teams to ensure implementation fidelity of the behavior management model.
- To further support the Division of Education's on-going implementation of the PBIS initiative, and to assist in PBIS implementation to facility dorm life, TJJD utilizes services provided by staff and graduate students from Texas State University. Resources include evidence based research on best practices, implementation action plans, a Facility-wide Evaluation Tool (FET) and specialized training for TJJD Staff.
- Dr. Michael Nelson provides additional program design and implementation technical assistance for the agency's PBIS initiative, which is designed to complement the mandated reading program above.
- The University of Texas Medical Branch (UTMB) provides consulting reviews of charts, assessments of implementation of formulary plans for psychotropic medications and quality assurance.
- Sam Houston State University provides program evaluation services for the Gang Intervention Treatment: Re-Entry Development for Youth (GitRedy) grant program. An external consultant is required by the grant to evaluate the effectiveness of the program in meeting its objectives.



# IV. Fiscal Aspects

## A. Appropriations and Expenditures

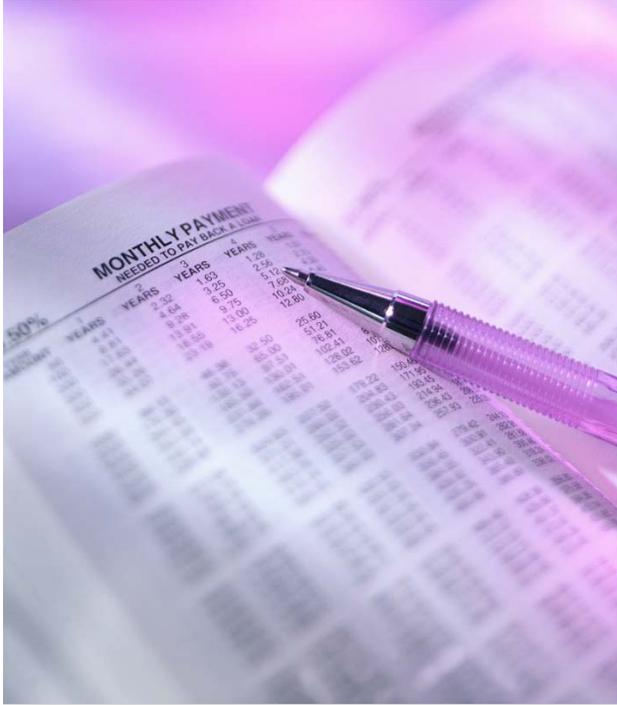
The Texas Juvenile Justice Department (TJJD) was created in 2011 by the 82nd Legislature. The newly created agency commenced the

Pursuant to Senate Bill 653, the Texas Juvenile Probation Commission and the Texas Youth Commission were abolished and the Texas Juvenile Justice Department (TJJD) was formed. TJJD's annualized appropriation for Fiscal Year 2012-2013 is \$664 million which reflects a decrease of \$154.5 million or 18.9% as compared to the two former agencies' appropriations for Fiscal Year 2010-2011. A \$116.9 million decrease in agency appropriations was largely due to a reduction of 640 beds in state-operated facilities. In addition, funding for basic probation and community corrections was also decreased by \$37.6 million.

**Figure 11.**

**Combined Appropriations for TJPC and TYC / TJJD Appropriations, Fiscal Year 2002-2013  
Dollars (in Millions)**





**Table 7.**

**Combined Appropriations for TJPC and TYC / TJJD Appropriations, Fiscal Year 2002-2013  
Dollars (in Millions)**

<b>TJJD</b>	<b>FY 02/03</b>	<b>FY 04/05</b>	<b>FY 06/07</b>
Capital Budget	\$13.6	\$12.5	\$16.4
Operating Budget	\$751.9	\$744.8	\$744.5
<b>Total</b>	<b>\$765.5</b>	<b>\$757.3</b>	<b>\$760.9</b>

<b>TJJD</b>	<b>FY 08/09</b>	<b>FY 10/11</b>	<b>FY 12/13</b>
Capital Budget	\$67.1	\$16.8	\$6.9
Operating Budget	\$813.1	\$801.7	\$657.1
<b>Total</b>	<b>\$880.2</b>	<b>\$818.5</b>	<b>\$664.0</b>

TJJD retained the funding for previously appropriated capital items: Automated Risk Assessment and Data Sharing Data Center Consolidation and Acquisition of Information Resource Technologies – Education in the respective biennial amounts of \$1.6 million, \$3.6 million and \$1.7 million.

## B. Method of Finance

The agency received \$604.2 million in General Revenue funding for Fiscal Year 2012 and 2013 combined. This funding is allocated to all of the agency's strategies in direct support of community and statewide priority goals. Appropriations included \$26.7 million in federal funds, which supplements state funding for nutritional and educational services for youth. In addition to general revenue funds and federal funds, TJJJ will receive interagency contracts totaling \$29.6 million. These funds are primarily School Foundation per Capita Apportionment funds, Juvenile Justice Alternative Education Program funds and funds received from the Department of State Health Services. Article V of the General Appropriations Act also provided unexpended balance authority and existing General Obligation bonds for the repair and rehabilitation of existing facilities.

**Table 8.**

<b>METHOD OF FINANCE FY 2012-2013</b>	<b>BIENNIAL TOTALS</b>	<b>PERCENTAGE</b>
General Revenue Funds	\$604,163,470	91%
Federal Funds	\$26,714,361	4%
Appropriated Receipts	\$3,437,827	1%
Interagency Contracts (including pass-through Federal)	\$29,636,189	4%
Bond Proceeds – General Obligation Bonds	\$0	0%
<b>Total Method of Financing</b>	<b>\$663,951,847</b>	<b>100%</b>

**Table 9.**

Ten States with Highest Adult Correctional Budgets*		Ten States with Highest Juvenile Justice Budgets*	
California	\$9,006,553,000	Florida	\$605,435,911
New York	\$3,800,751,833	California	\$316,397,000
Texas	\$3,119,197,031	Georgia	\$310,501,877
Florida	\$2,393,174,673	Maryland	\$275,114,287
Michigan	\$2,007,483,600	Ohio	\$269,549,569
Pennsylvania	\$1,694,319,000	Virginia	\$232,472,407
Ohio	\$1,599,803,511	Texas	\$232,371,288
North Carolina	\$1,518,223,693	Wisconsin	\$199,863,700
Illinois	\$1,134,879,600	Oregon	\$161,333,639
Georgia	\$1,130,117,828	Louisiana	\$147,580,597

Source: American Correctional Association (ACA) Directory, 2011

## C. Comparison to Other State Budgets

The table below shows a comparison of states with the largest adult correctional and juvenile justice budgets. Texas ranks third in correctional budgets and fifth in juvenile justice budgets.

## D. Budgetary Limitations

The TJJD budget is primarily driven both by youth populations at local county departments and youth populations at state-operated programs and services for general and specialized treatment. The agency's youth population continued to decline due to previous legislative reforms and lower juvenile crime rates. The population targets reflected in the agency's performance measures in the General Appropriations Act are based on projections published by the Legislative Budget Board. In the Fiscal Year 2012-13 biennium, the agency's institutional bed capacity cannot exceed 1,600 beds beginning January 1, 2012.

In response to the appropriation reductions, the agency decided to close three secure facilities: Ron Jackson State Juvenile Correctional Complex Unit II, Al Price State Juvenile Correctional Facility and Crockett State School and consolidate the operations of Mart I and Mart II into one facility. In addition, cost effective reallocation of scarce resources required reductions at central office and district parole offices.

Appropriation reductions have also impacted local funding provided to counties for juvenile probation activities. Since 2008, aggregate juvenile probation department local expenditures have been reduced by \$2 million to \$5 million per year.

TJJD did not receive new general obligation bond proceeds for capital repairs to existing facilities for the Fiscal Year 2012-13 biennium. The agency is relying on unexpended balances from the 80th and 81st legislative sessions for critical repair items that include life and safety code compliance. Other schedule repairs continue to be deferred. These balances expire at the end of August 31, 2012 for bond funds appropriated in the 2008-2009 biennium and on August 31, 2013 for bond funds appropriated in the 2010-2011 biennium. The projected request for Fiscal Year 2014-15 will be roughly \$15 million to \$20 million due to the closure of three facilities and continuation of needs being deferred and new issues developing.



Although the capital expenditure threshold increased from \$25,000 to \$100,000 for the biennium, TJJD did not receive new funding for vehicles or business information technology items. Any planned expenditures for these items will require reallocation of current resources.

The agency has certain limitations that prohibit the transfer of funds for any other purpose than specified in the rider. One example, \$19.5 million was appropriated for diversion programs in each year of the biennium. TJJD cannot transfer funds from Goal A, – Community Juvenile Justice to Goal B, – State Services and Facilities unless admissions to the agency from juvenile courts during Fiscal Year 2012 exceed 1,111 and upon approval of the Legislative Budget Board and the Comptroller of Public Accounts. In addition, agencies are prohibited from transferring funds into a line item of appropriation that are part of a Goal for Indirect Administration.

During the Fiscal Year 2012-13 biennium, agencies were required to reduce general revenue appropriations in accordance with Article IX provisions for data center services, payroll contribution for group health insurance, and reduction to state appropriations. These required cuts total \$3.9 million.

## E. Current and Expected Budgetary Needs

Appropriations from the 82nd Texas Legislature were based on reduced bed capacities at the remaining six facilities. Current budgetary needs are constrained due to the across the board decreases between Fiscal Year 2010-11 and Fiscal Year 2012-13 for TJJD as compared to the former agencies TJPC and TYC. These include legislative general revenue reductions in Fiscal Year 2010-11; Article IX Fiscal Year 2012-13 Payroll Contribution for Group Health Insurance transfers, estimated to be 1% of payroll expenditures; Article IX Fiscal Year 2013 Reduction to State Appropriations, estimated to be 0.5% of total appropriations; and a 3% General Revenue reduction in Fiscal Year 2012-13 appropriations in Community Juvenile Justice Grants. These grants are also indirectly affected by reductions in other Texas Human Services and Education functions.

The agency's budget structure effective December 1, 2011 included the new Prevention and Intervention strategy. Although no funding was appropriated for this strategy, the agency transferred funds from the Indirect Administration strategy as well several direct care strategies in which realizing savings due to low population levels.

In 2011, the agency made the decision to close three secure facilities. The Ron Jackson Unit II was transferred to Brown County in April 2012. The remaining facilities, Al Price State Juvenile Correctional Complex and Crockett State School have not been sold or transferred to an external entity. The agency continues to incur costs for property maintenance and security coverage. This is necessary in order to maintain the facility structure for potential transfer or sale. For Fiscal Year 2012, the agency is projected to spend an estimated \$600,000 in maintenance closure costs.

With the current increases in mentally ill juvenile offenders, local juvenile probation departments continue to need more funding and access to mental health services. Previous language in the Special Needs Diversionary Program rider specifically required the former TJPC agency to expend certain funds for specialized mental health caseloads. In addition, it required the agency to work in coordination with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) and local mental health services agencies to provide specialized supervision caseloads to youth with mental illness. The revised rider that was effective December 1, 2011 changed the requirement to optional.

### Prevention and Early Prevention

Since March 2012, 24 juvenile probation departments have participated in prevention and early intervention demonstration grants. Additional funding would strengthen and enhance the continuum of effective youth services provided by local juvenile probation departments and community-based juvenile justice partners.

### Continuum of Mental Health Services

The chief juvenile probation officers across the state continue to identify the most critical issue needing to be addressed is the lack of community mental health services and residential mental health services. An increasing number of youth under supervision have a diagnosable mental health disorder. Since fiscal year 2002, juvenile probation departments have been required to conduct mental health screenings on each juvenile referred to a department or detained in a secure pre-adjudication facility. Funding is needed to strengthen enhance the provision of effective mental and behavioral health programs, services and treatment for youth being served in community-based juvenile justice system.

### Aftercare/Reentry

The agency anticipates the need for additional funds to enhance re-entry and parole services, including an increase in Functional Family Therapy, Family Reunification, and community collaboration.

## Facility Repairs

The agency anticipates requesting capital budget funding for major repairs and deferred maintenance items identified by previous facility assessments and new need developments. Continued funding will ensure compliance with life safety codes, reliable operation of critical security systems, preservation of state asset life-cycles, and energy efficiency. The agency was not appropriated any funding for repair of existing facilities in Fiscal Year 2010-2011. The agency requested \$51 million in Fiscal Year 2012-13 for identified physical plant repair and maintenance needs. With facility closures the request will now be \$15 million to \$20 million due to previously identified needs being deferred and new issues developing and the downsizing of the number of institutions.

## Information Resources

The agency anticipates requesting capital budget funding for a new scheduling and timekeeping software for JCOs which is critical for staff retention and overtime usage. Appropriate tools for this element will allow the agency to gain significant operational efficiencies with employee time and attendance tracking, time-off approvals, FMLA form automation, and support JCO schedule and staffing.

The agency will continue to take advantage of leading edge strategies by migrating appropriate platforms such as electronic mail (E-Mail) to cloud based services.

The agency will continue to modernize systems by migrating legacy applications such as the Correctional Care System (CCS) and the county Caseworker application to leading edge information systems such as the Juvenile Case Management System (JCMS).

The agency will continue to support statewide data sharing initiatives by developing business intelligence/data warehouse systems.

The agency will increase use of mobile computing devices, allowing for a more mobile workforce.

The agency will continue to upgrade and refresh overall IT infrastructure including voice systems, data network and two way radios equipment.

## F. Capital and Lease Needs

### Institutional Facilities

At mid-Fiscal Year 2012, TJJJ was operating six secure institutions at six locations around the state with a total of more than 1.6 million square feet and 217 buildings.

The Texas Human Resources Code, Section 242.052, gives TJJJ the authority to design, construct, equip, furnish, and maintain buildings and improvements at facilities in its jurisdiction. The services for construction project management, architect and engineer selection assistance, change orders, and project inspections are provided by TJJJ construction staff. Because of the constant use of buildings on each campus, propensity for damage by youth, and the age of physical plant assets, repair and rehabilitation of existing facilities are a critical budget need. Repairs and rehabilitation include general maintenance, replacements, improvements, and upgrades to existing buildings to maintain current building codes, standards, and operational levels.

The agency's mission to provide a safe and secure environment for youth and staff can only be accomplished when the infrastructure is well-maintained and supportive of the rehabilitative programs. The TJJJ facility infrastructures are assessed for condition at least every five years. The assessment includes consideration of the current and future business needs of each facility. The assessment is the driving force in defining necessary projects.

The agency's capital plan for physical plant structures and infrastructure, funded with general obligation bonds, is a detailed five-year plan submitted to the Bond Review Board in the same biennium as the strategic plan. Facility maintenance and construction costs are defined in three categories: new construction; repair and renovation; and operational costs. The first two categories are required by the Bond Review Board's Master Plan. The Master Plan provides scope of work, timeline, and cost information at the individual project level.

TJJJ received no new bond funding for the 2012-2013 biennium.



### Leases: Halfway Houses, District Parole Offices

The total square footage of TJJJ leased space for 13 leased locations for halfway houses and parole offices is 106,751 square feet at an annual cost of \$1,308,202 for the fiscal year ending August 31, 2011. Applying a 3.2% increase for the Consumer Price Index change for Fiscal Year 2011 to 50% of base lease cost, TJJJ expects to pay an additional \$20,931 in lease payments for Fiscal Year 2012. The agency has an inter-local agreement with Cameron County for \$3,600 annual maintenance fees on 2,000 square feet of space.

**Table 10.****Schedule of Space Occupied For the Fiscal Year Ended August 31, 2011**

Location	Address	Lessor	Usable Sq. Ft.	FTEs	Cost per Sq. Ft.	Cost per Month	Actual Annual Cost
<b>DISTRICT PAROLE OFFICES</b>							
Austin	6400 Martin Luther King Blvd. (Hwy 969)	Austin 1825 Fortview, Inc.	5,050	14	\$1.48	\$7,474	\$89,688
Fort Worth	2462 E. Long Avenue	Patterson Group Enterprises, L.L.C.	5,001	15	\$1.69	\$8,442	\$101,305
Houston	10165 Harwin Drive, Suite 180A	Effective 4/1/12, Interra-Habitat Point West, L.L.C.	8,412	25	\$1.16	\$9,764	\$117,166
Dallas	1575 W. Mockingbird Lane, Suite 650	Oakbrook Plaza, Ltd.	2,935	9	\$1.44	\$4,220	\$50,640
Harlingen1	1102 South Commerce (Bridge Building)	Cameron County Juvenile Justice Department	2,000	6	\$0.15	\$300	\$3,600
			31,685	69		\$30,200	\$362,399
<b>HALFWAY HOUSES</b>							
San Antonio	17259 Nacogdoches Rd.	South New Braunfels 47 Ltd	7,285		\$1.75	\$12,746	\$152,952
McAllen	4513 W. Business 83	Patterson Group Enterprises, LLC	7,899		\$1.00	\$7,929	\$95,146
Dallas	600 N. Pearl St. Ste. 1600, Dallas 7201	W O Davis Realty, LP	7,203		\$0.94	\$6,770	\$81,238
Harlingen	1438 N. 77th Sunshine Strip	Bill Burns	7,548		\$0.77	\$5,823	\$69,876
Roanoke	3505 N. Haynes Rd	Lena Pope Home, Inc.	15,820		\$0.93	\$14,670	\$176,037
El Paso	12451 Garment Road	BAM Joint Venture	8,497		\$1.49	\$12,645	\$151,738
Austin	7308 Cameron Road	M.G. Investments	6,385		\$0.71	\$4,535	\$54,416
Fort Worth	8100 W. Elizabeth Ln.	W O Davis Realty,	6,363		\$0.97	\$6,159	\$73,903

		LP by RCC Equities Management, LLC				
Corpus Christi	422 S. Enterprize Pkwy	Devary Durrill Foundation	8,066	\$0.97	\$7,841	\$94,096
			75,066		\$79,117	\$949,403
<b>Total Cost</b>					<b>\$109,317</b>	<b>\$1,311,802</b>

<sup>1</sup> This is not a lease; this is a maintenance fee paid to Cameron County through an inter-local agreement.

In Fiscal Year 2011, the agency leased nine halfway house facilities with a total of 75,066 square feet of usable space at an annual cost of \$948,671 for youth residential services. The cost for the same space will increase in Fiscal Year 2012 to \$949,403 because of escalation clauses in those contracts. TJJD halfway houses are located in Austin, Corpus Christi, Dallas, El Paso, Harlingen, San Antonio, Ft. Worth, Roanoke, and McAllen. These halfway houses have a total budgeted capacity of 218 beds.

Leased office space for district parole offices is administered through the Texas Facilities Commission (TFC). In Fiscal Year 2011 district parole offices were reduced from twelve to six, with four operating in leased space, with a total capacity of 31,685 square feet. The cost for that leased space was \$440,579.16 annually. TJJD currently leases four district parole offices through TFC (Austin, Fort Worth, Houston, and Dallas) with a total usable space of 21,398 square feet at an annual rate of \$358,799 (monthly rate of \$36,714.93 X 12). An additional 2,000 square feet of office space is provided by Cameron County with an annual janitorial fee of \$3,600 (monthly rate of \$300.00 x 12).

## Information Resources

As a result of HB 1516 passed in 2005, TYC is one of 28 agencies participating in the DIR-sponsored outsourcing of data center operations. This includes consolidating multiple data centers into two physical locations. To achieve the economies of scale envisioned by the Texas Legislature, TJJD's technology direction will align itself with the overall technology plan of the consolidation. This will include application remediation to adhere to minimum release levels of hardware and software supported by the outsourcer. It may also include abandoning unique agency hardware/software platforms in favor of common platforms shared among multiple agencies. NOTE: These services are currently being re-procured and as a result, true costs are not yet known.

TJJD received \$1,817,223 in FY 2012 and \$1,739,758 in FY 2013 for the funding of the data center services, hardware upgrades, as well as maintenance for the expanded SAS software, which was purchased in 2009. All of the Data Center Consolidation (DCS) agencies are challenged with management of their capital authority. DCS costs are based on past projections and also include unanticipated charges impacting the agency. The unanticipated charges related to DCS have limited the agency's ability to fund needed information technology initiatives including computer refresh.

In order to keep up with rising demand for application development initiatives, TJJD will need professional services funding to assist with staff augmentation. Other initiatives include automating a manual procurement/contracts system, upgrading the video conference equipment to provide distance education and telemedicine services, and data warehouse/integration as well as Business Intelligence system enhancement.

The agency will continue modernizing its technology systems and applications to support mission critical operations that provide public access to information and services while maintaining an effective operating environment. Planned initiatives include: Migrate existing financial systems to State Comptroller CAPPs ERP system. Migrate existing Human Resources system to State Comptroller CAPPs ERP system. Continue enhancement and deployment of Juvenile Case Management System (JCMS) to participating counties. Migrate existing mainframe based case management system (CCS) to client server or web based application. Migration of agency applications to cloud based offerings when possible. Develop enterprise data warehouse/business intelligence offering. Develop means to allow a more mobile agency workforce. Consolidate agency telecommunications systems.

## Transportation

Agency capital needs include the replacement of motor vehicles throughout the TJJJ system. Vehicles are used for youth transportation, security surveillance in and outside the fence for 50 secure facilities, apprehension, maintenance, and staff training. TJJJ's managed health care contracts require the transportation of youth to hospitals located at The University of Texas Medical Branch in Galveston and to local health care providers. Youth transport vehicles also are used to transfer youth between TJJJ facilities and to the Texas Department of Criminal Justice, local restitution projects, and court hearings. To prevent the interruption of operations and unsafe conditions, and consistent with established state benchmarks, vehicles used to transport youth off-campus should be replaced when usage exceeds 100,000 miles, six years of age, or when the repair costs exceed the value of the asset or are no longer efficient in preserving the vehicle. Older and high-mileage vehicles are used on campuses where breakdowns do not jeopardize public, staff, or youth safety.

In Fiscal Year 2011, the agency operated under a state fleet cap of 343 vehicles. For the 2012-13 biennium, the agency has made plans to reduce the fleet to 260 units. The table below displays a snapshot of the state of the TJJJ fleet in early Fiscal Year 2010:

**Table 11.**

**TJJJ Fleet Snapshot (Spring 2012)**

Type	Number	Average Mileage	Average Age (in years)
Sedans	68	55,745	4
SUVs	10	59,903	4
Vans	138	44,775	5
Lt Trucks	29	58,673	11
Med Trucks	7	66,672	6
Hvy Trucks	5	92,951	30
Mini-vans	4	100,223	6
Buses	4	8,182	1
<b>TOTALS</b>	<b>265</b>	<b>51,454</b>	<b>5.8</b>

The fleet is being downsized to 260 units. Although the current fleet is at 265, 5 vehicles are in the queue to be sold or transferred. The agency currently has 29 vehicles with over 100,00K miles.

---

No new vehicles are planned for Fiscal Year 2012 or Fiscal Year 2013; however, due to losses from accidents and vehicles that cannot be repaired at a reasonable cost, some new vehicles may be required as replacements for passenger vans used for youth transport.

DRAFT

# V. Population and Demographics

---

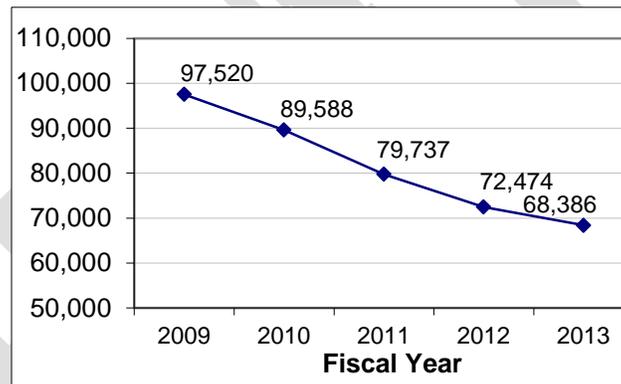
## A. Population Characteristics and Demographics

### Juvenile Probation Population

As defined by the Texas Family Code, local juvenile probation departments serve youth who are between the ages of 10 and 16 at the time of offense. Youth 17 and over fall under the jurisdiction of the juvenile justice system only if their alleged offense was committed when the youth was 16 years old or younger. Juveniles may be under supervision with juvenile probation departments until their 18th birthday. While local juvenile probation departments focus primarily on serving juvenile offenders, services are also provided to the juvenile's family and victims.

**Figure 12.**

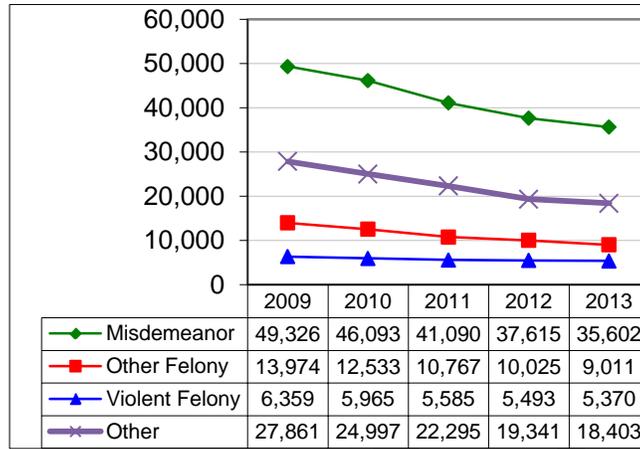
**Referrals to Juvenile Probation Departments  
FY 2009-FY 2013**



In Fiscal Year 2013 there were 68,386 formal referrals to juvenile probation departments. Referrals to juvenile probation departments have steadily decreased, from 97,520 in Fiscal Year 2009 to 68,386 in Fiscal Year 2013, a decrease of 30%. Between 2009 and 2013 referrals for felony, misdemeanor and CINS and violation of probation offenses all declined between 28% and 34% with CINS and violation of probation offenses having the largest decline. The majority of referrals in Fiscal Year 2013 were for misdemeanor offenses (52%), while felony offenses accounted for 21% of referrals, violations of probation for 16%, and CINS offenses for 11%.

**Figure 13.**

**Juvenile Probation Referrals by Offense Type  
FY 2009- FY 2013**



Juveniles referred in Fiscal Year 2013 were primarily male (72%). The average age of juveniles referred to probation departments was 15-years-old. Hispanic juveniles accounted for 49% of those referred with African Americans accounting for 24% and Anglo youth accounting for 26% of referrals. For 84% of referrals, the juvenile was attending school at the time they were referred, while for 10% of referrals the juvenile was attending school in a disciplinary setting (DAEP or JJAEP). In 20% of referrals the juvenile had a known substance abuse problem; in 27% of referrals the juvenile had an identified mental health need. Juveniles referred during Fiscal Year 2013 had, on average, one prior referral to juvenile probation.

Juvenile probation departments, prosecutors and juvenile courts disposed 70,282 cases in Fiscal Year 2013. A juvenile whose case is disposed of may receive a supervisory caution, be placed on deferred prosecution or probation supervision, be committed to state custody or be certified as an adult. Juveniles may also have their cases dismissed, dropped or consolidated with another court disposition. As shown in Table 12, in Fiscal Year 2013, commitments to TJJD accounted for 1.2% of total dispositions, down from 1.6% in Fiscal Year 2009, while juveniles certified as adults accounted for three-tenths of one percent of dispositions, similar to 2009.

A juvenile referred to a juvenile probation department may be placed under supervision in the community through a deferred prosecution or probation sentence. Deferred prosecution is a voluntary supervision where the child, parent/guardian, prosecutor, and the juvenile probation department agree upon conditions of supervision. Deferred prosecution can last up to six months and can be extended an additional six months by the court. If the child violates any of the deferred conditions, the department may elect to proceed with formal court adjudication and place the child on probation. Juveniles placed on deferred prosecution are eligible to receive any services and/or programming a juvenile department offers, including placement into non-secure residential facilities.

Juveniles placed on adjudicated probation receive court-ordered supervision and must abide by the conditions of supervision stipulated in their court order. Juveniles are most often placed on probation for a term of one year but may be placed on probation until their eighteenth birthday. Juveniles on probation are provided with available and appropriate services and programming, including placement in both secure and non-secure residential facilities.

**Table 12.**  
**Juvenile Probation Dispositions**  
**FY 2009- FY 2013**

<b>DISPOSITION</b>	<b>FY 2009</b>	<b>%</b>
Drop/Dismiss	21,576	21.3%
Supervisory Caution	22,132	21.9%
Deferred Adjudication	23,850	23.6%
Probation	24,577	24.3%
TJJD Commitment	1,589	1.6%
Certified as an Adult	231	0.2%
Consolidated	7,159	7.1%
<b>Total</b>	<b>101,114</b>	<b>100.0%</b>

<b>DISPOSITION</b>	<b>FY 2010</b>	<b>%</b>
Drop/Dismiss	19,952	21.2%
Supervisory Caution	20,563	21.8%
Deferred Adjudication	22,629	24.0%
Probation	22,497	23.9%
TJJD Commitment	1,119	1.2%
Certified as an Adult	234	0.2%
Consolidated	7,136	7.6%
<b>Total</b>	<b>94,130</b>	<b>100.0%</b>

<b>DISPOSITION</b>	<b>FY 2011</b>	<b>%</b>
Drop/Dismiss	18,345	21.5%
Supervisory Caution	17,943	21.0%
Deferred Adjudication	20,296	23.8%
Probation	20,815	24.4%
TJJD Commitment	991	1.2%
Certified as an Adult	180	0.2%
Consolidated	6,749	7.9%
<b>Total</b>	<b>85,319</b>	<b>100.0%</b>

<b>DISPOSITION</b>	<b>FY 2012</b>	<b>%</b>
Drop/Dismiss	14,290	19.0%
Supervisory Caution	15,813	21.0%
Deferred Adjudication	19,185	25.5%
Probation	19,177	25.5%
TJJD Commitment	875	1.2%
Certified as an Adult	166	0.2%
Consolidated	5,647	7.5%
<b>Total</b>	<b>75,153</b>	<b>100.0%</b>

<b>DISPOSITION</b>	<b>FY 2013</b>	<b>%</b>
Drop/Dismiss	13,479	19.2%
Supervisory Caution	14,621	20.8%
Deferred Adjudication	17,920	25.5%
Probation	18,028	25.7%
TJJD Commitment	810	1.2%
Certified as an Adult	206	0.3%
Consolidated	5,128	7.3%
<b>Total</b>	<b>70,192</b>	<b>100.0%</b>

**Figure 14.**

**Average Daily Population of Juveniles on Probation and Deferred Supervision  
FY 2009- FY 2014**

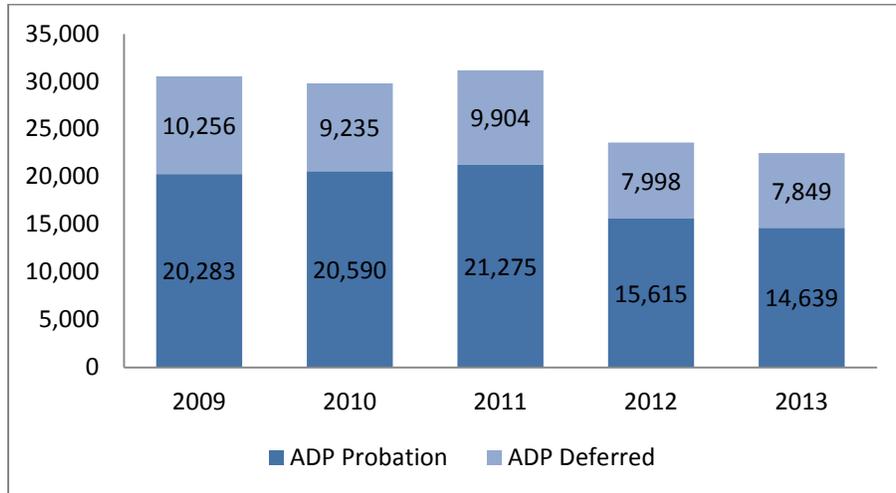
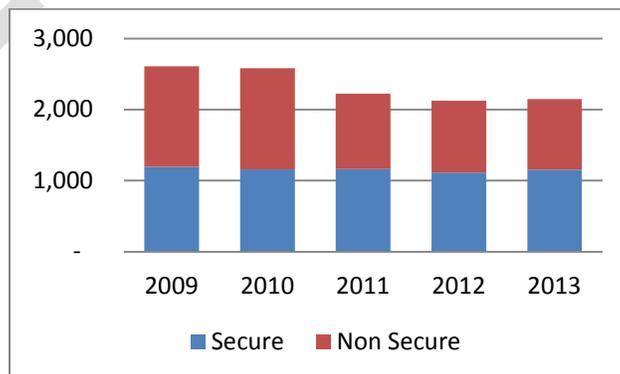


Figure 14 shows the average daily populations (ADPs) of youth on probation and on deferred supervision. In Fiscal Year 2013, 33,836 juveniles began a deferred prosecution or probation sentence while a total of 53,400 juveniles were served on deferred prosecution or probation supervision throughout the year. The ADP of juveniles on probation supervision in Fiscal Year 2013 was 14,639. The ADP of juveniles on deferred adjudication in Fiscal Year 2013 was 7,849.

Juveniles on probation or deferred prosecution supervision may also be placed in a residential facility in cases where there is a great need for specialized services or the juvenile's offense or prior history warrant a more severe sanction than can be provided in the community. More than 3,400 secure post-adjudication placements began in Fiscal Year 2013. An additional 2,512 non-secure placements began in the year. The ADP of youth in secure post-adjudication placement in Fiscal Year 2013 was 1,154. This represents a 3.4% decrease from the Fiscal Year 2009 ADP of 1,194. For non-secure placements, the ADP was 994 juveniles. This is a 30% decrease from the ADP of 1,414 in Fiscal Year 2009. Figure 15 shows the ADP of juveniles placed in residential facilities from Fiscal Year 2009 to Fiscal Year 2013.

**Figure 15.**

**Average Daily Population of Juveniles in Secure and Non-Secure Placements  
FY 2009- FY 2013**



## Community Corrections Commitment Diversion Program

In 2009, the 81st Legislature created the Community Corrections Diversion Program grant (Grant C) through Rider 21 in the General Appropriations Act. Created with the purpose of providing funding for an array of rehabilitation services for juvenile offenders including, but not limited to, community-based programs and services, residential placement and transitional and aftercare programs and services, Grant C funding is intended to divert appropriate youth from state commitment to suitable programs and services in local communities. All juvenile probation departments were eligible to receive Grant C funds during Fiscal Year 2013; however, 12 departments declined funding. In Fiscal Year 2013, 7,596 juveniles were served by the Grant C in either a placement, program, or on a specialized caseload. Ten percent of juveniles served by the program received more than one grant-funded service. Nearly half (43%) were on probation or deferred prosecution supervision for a felony-level offense at the time they received grant-funded services. In Fiscal Year 2013, 120 juveniles who received grant-funded services were committed to TJJD in the fiscal year.

Commitment Corrections Diversion funding, in conjunction with other state funding targeting juvenile probation offenders in the community, has impacted the number of juveniles committed to Texas Juvenile Justice Department facilities. In Fiscal Year 2009, 1,596 juveniles were committed to state custody compared to 810 juveniles in Fiscal Year 2013 (see Figure 16), a 49% decrease.

It should be noted that commitments to TJJD differ slightly from new admissions to TJJD, as commitments reflect dispositions of the juvenile courts, rather than new admissions to state facilities.

**Figure 16.**

### **Juveniles Committed to TJJD Custody FY 2009- FY 2013**

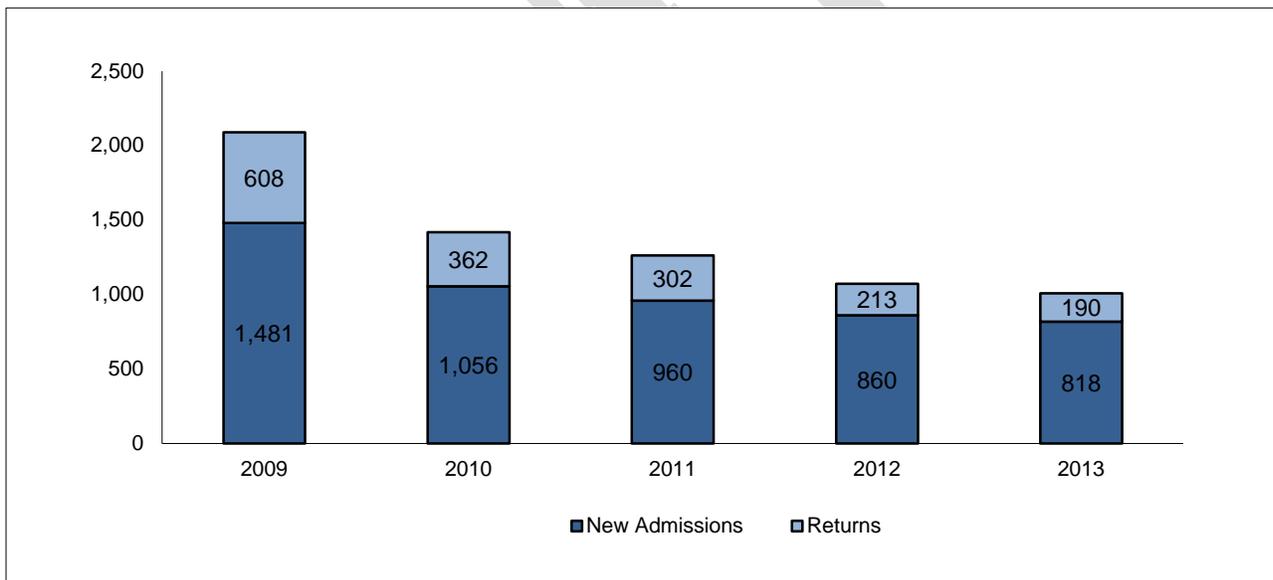
## Juveniles Admitted to State Facilities

TJJD provides a range of services from secure institutions to community-based residential services. Youth can be committed to TJJD for felony offenses, including violation of felony probation, occurring when the youth is at least 10 years old and under age 17. In addition to disallowing the commitment of youth for misdemeanor offenses, the 80th Texas Legislature, through SB 103, lowered the maximum age through which TJJD may maintain supervision over a youth from age 21 to 19. Depending on the type of commitment and individual progress, youth may remain under the custody of the agency, in a residential or parole setting, until 19 years of age. In Fiscal Year 2013, TJJD provided residential or parole services to 2,955 youth who were committed by Texas juvenile courts.

One of the primary drivers of the agency's population is the number of new admissions to state facilities it receives. A new admission is distinct from commitment by a juvenile court because a few youth are committed by the court that do not ultimately come to a state facility, and the fiscal year of the court commitment could be prior to the fiscal year of the new admission. Youth can also be recommitted by a juvenile court after admission. The number of new admissions has decreased from Fiscal Year 2009 (1,481) through 2013 (818) as shown in Figure 17. The number of youth returning because of recommitment, parole revocation, or other negative movement has also decreased, contributing to the lowest number of intakes in many years.

**Figure 17.**

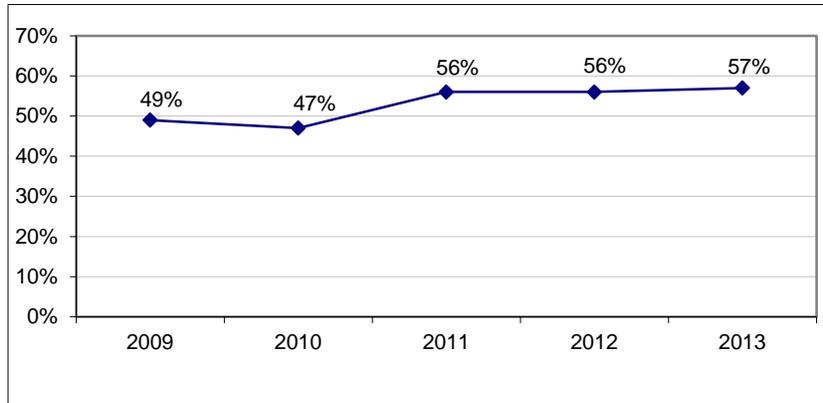
### Intakes/New Admissions FY 2009- FY 2013



TJJD has received 328 new admissions for the first five months of Fiscal Year 2014. If this trend continues, TJJD will receive approximately 790 new admissions to state facilities for the year, slightly more than one-half the number of new admissions in Fiscal Year 2009. While new state facility admissions have decreased 45% from Fiscal Year 2009 to 2013 as the result of the prohibition of commitment of misdemeanor youth by SB 103 and efforts by some counties to divert youth from state commitment, the percentage of youth admitted for an offense against a person has increased from 49% in 2009 to 57% in 2013, as shown in Figure 18.

**Figure 18.**

**New State Facility Admissions for Offense Against a Person  
FY 2009- FY 2013**



The profile of youth admitted to state facilities for the first time is shown below in Table 13.

**Table 13.**

**Profile of State Facility New Admissions  
FY 2013**

<b>New Admissions</b>	<b>818</b>
Committed for Felony Offense	100%
Offense Dates for Felony or Misdemeanor (3 or more)	76%
Adjudications for Felony or Misdemeanor (2 or more)	67%
<b>TJJ Risk Assessment Score</b>	
Low	33%
Moderate	62%
High	5%
<b>Severity of Committing Offense</b>	
Low	39%
Moderate	39%
High	22%
<b>Males</b>	<b>92%</b>
Females	8%
<b>Age 10-14</b>	<b>12%</b>
Age 16-17	63%
Age 17-18	25%
On Probation at Commitment	76%
Prior Out-of-Home Placement	64%
<b>Need for Treatment by a Licensed or Specially Trained Provider</b>	
Capital and Serious Violent Offender / Aggression Replacement Training®	62%
Sexual Behavior	14%
Alcohol or Other Drug	82%
Mental Health (includes low need)	48%

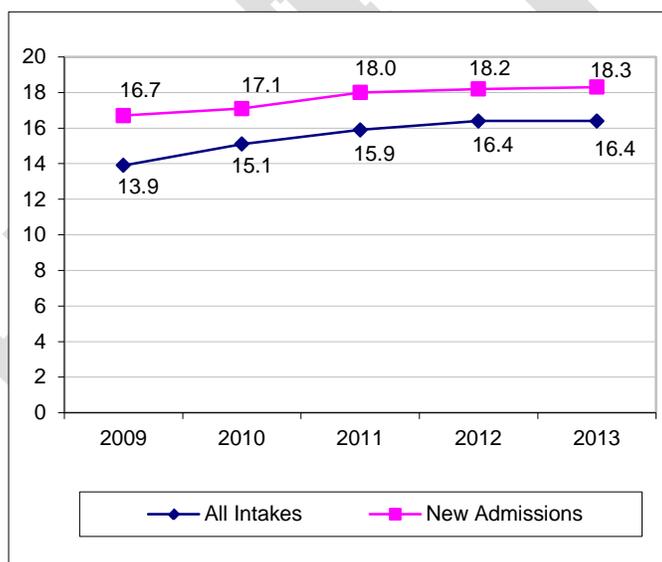
Special Education Eligible	30%
Median Reading Achievement Behind	5.2 years
Median Math Achievement Behind	5.5 years

- Of youth admitted to state facilities in Fiscal Year 2013, 36% had more than one felony adjudication.
- TJJJ youth are predominately male, 16 years old, on probation at commitment, placed out of the home previously, and five years behind his peers in reading and math achievement.
- In Fiscal Year 2013, approximately 98% of new admissions had a need for treatment by a licensed or specially trained provider for capital or serious violent offenses/Aggression Replacement Training®, substance abuse problem, mental health related issue, or sexual offense.

The average length of stay in state residential programs decreased following significant agency reforms in Fiscal Years 2007-2008 (release of misdemeanor youth, lower age of majority, and creation of release review panels). For youth admitted on or after February 1, 2009, the initial minimum length of stay for non-sentenced offenders is based on the severity of the committing offense and an assessment of the danger the youth poses to the community. Since implementation of this policy, the average length of stay for new admissions and has remained approximately 18 months for the last three fiscal years. (see Figure 19).

**Figure 19.**

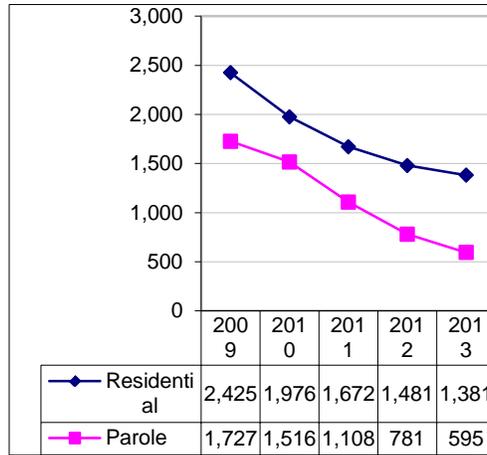
**Average Length of Stay of Juveniles in State Facilities in Months  
FY 2009- FY 2013**



As a result of the decrease in the number of new admissions and other intakes and the average length of stay, the agency's average daily population decreased 43% from Fiscal Year 2009 to Fiscal Year 2013.

**Figure 20.**

**Average Daily Population of Juveniles Receiving State Services  
FY 2009-FY 2013**



### Interstate Compact

TJJD also serves youth through the Interstate Compact on Juveniles. These services include return of non-delinquent runaways, probation and parole absconders, escapees, and juveniles charged as delinquent; cooperative supervision of probationers and parolees; and provision of airport surveillance services to youth traveling unaccompanied through major airports in Texas. In Fiscal Year 2013, local juvenile probation departments and TJJD provided supervision and services to 2,012 youth through the Interstate Compact on Juveniles.

## B. Future Trends and Impacts

### Projections

#### COMMUNITY JUVENILE JUSTICE

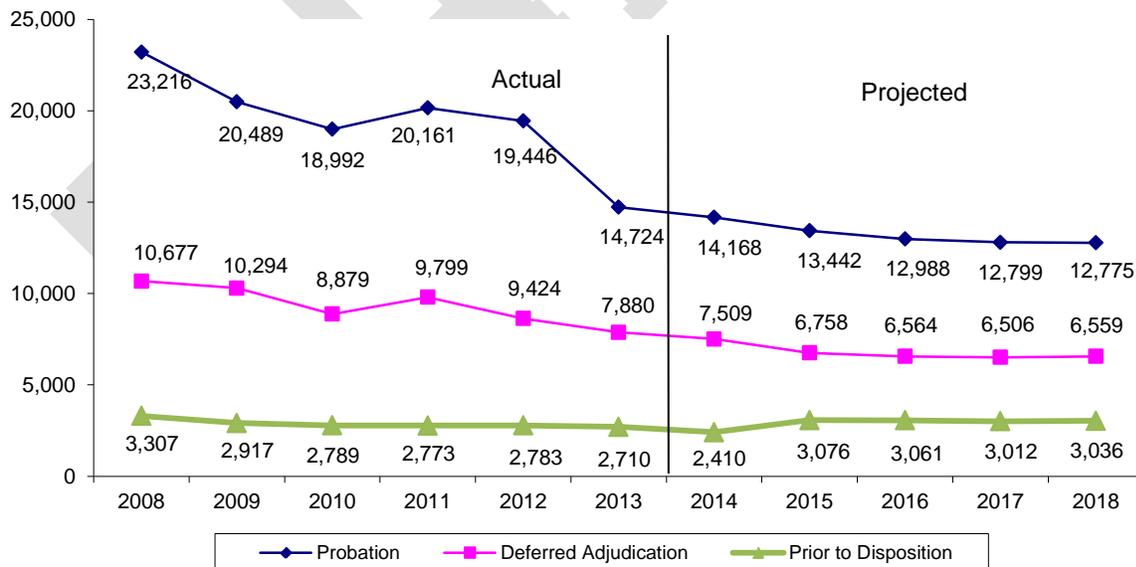
The Legislative Budget Board’s (LBB) statistical projections for the juvenile justice system were presented in the report, “Adult and Juvenile Correctional Population Projections Fiscal Years 2013-2018”, published in January 2013. For community juvenile justice, the LBB projects the population of juveniles served on probation, deferred adjudication and prior to disposition supervision. Projections are based on individual-level data provided by the state’s 166 juvenile probation departments and simulate the movement of juveniles through the community juvenile justice system. As shown in Figure 21, the juvenile probation population is projected to decrease for Fiscal Years 2013 through 2018.

#### STATE SERVICES AND FACILITIES

The Texas Legislative Budget Board projects the residential population for TJJD state services and facilities. The projection is based on movement of youth into, through, and out of TJJD taking into account age, offense type, historical average length of stay, and recent policy changes. Figures 22 and 23 are based on the LBB’s January 2013 projections.

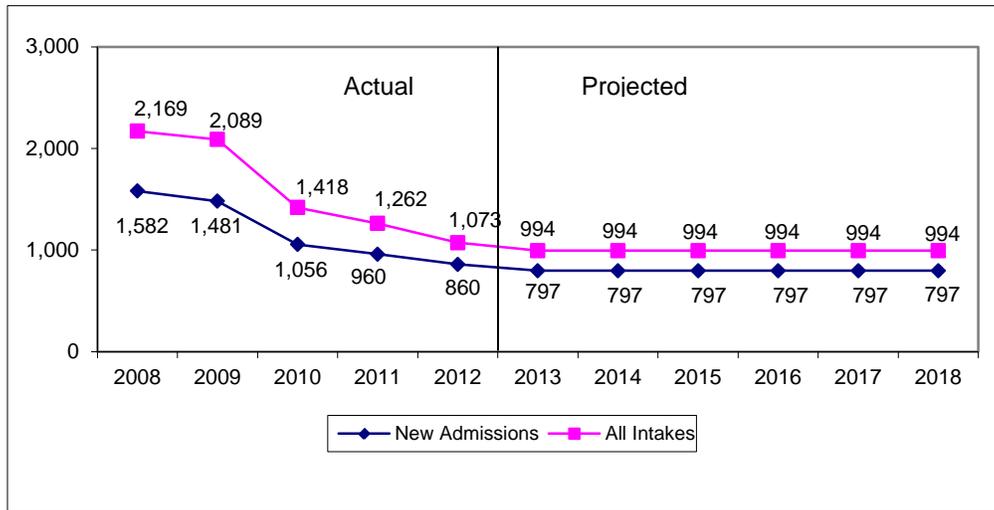
**Figure 21.**

**Projected Juvenile Probation Supervision Populations by Supervision Type**



**Figure 22.**

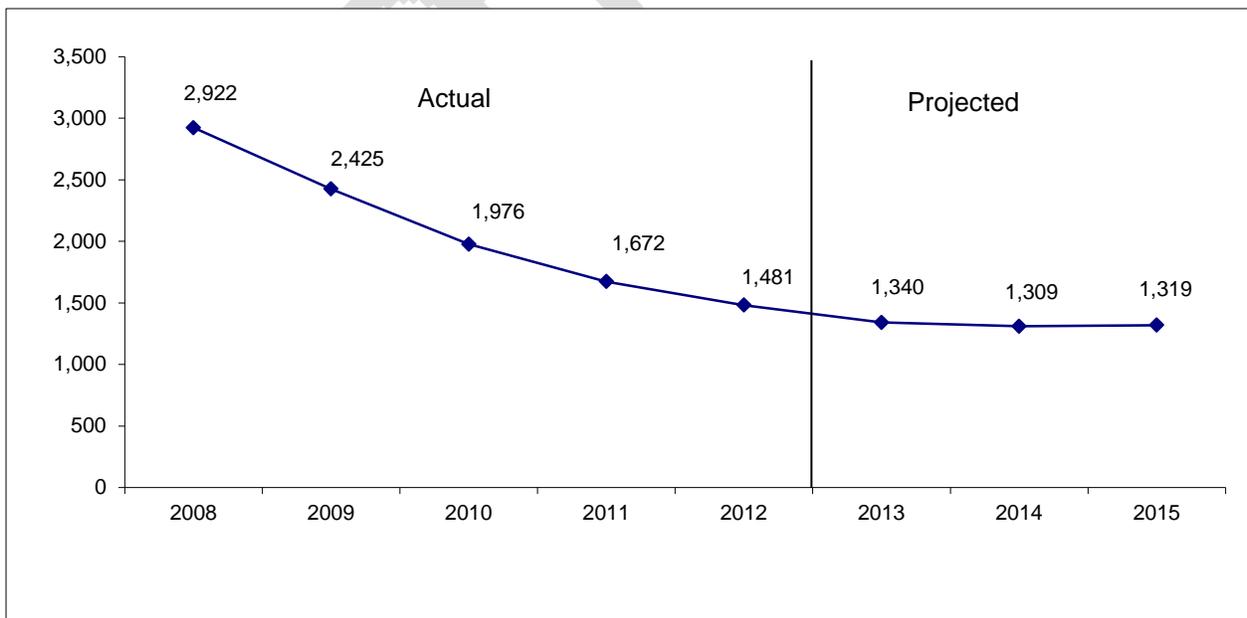
**Projected TJJD Intakes for State Services and Facilities**



Total intakes are projected by the Legislative Budget Board to be reduced from 1,073 in 2012 to 994 per year for Fiscal Years 2013 through 2018.

**Figure 23.**

**Projected TJJD Average Daily Population for State Services and Facilities**



Appropriations for TJJD's state-funded residential capacity were based on 1,356 institutional, 218 halfway house, and 125 contract care beds, for a total capacity of 1,699 for Fiscal Year 2013.

# VI. Technologies Development

---

## A. Impact of Technology on Current Agency Operations

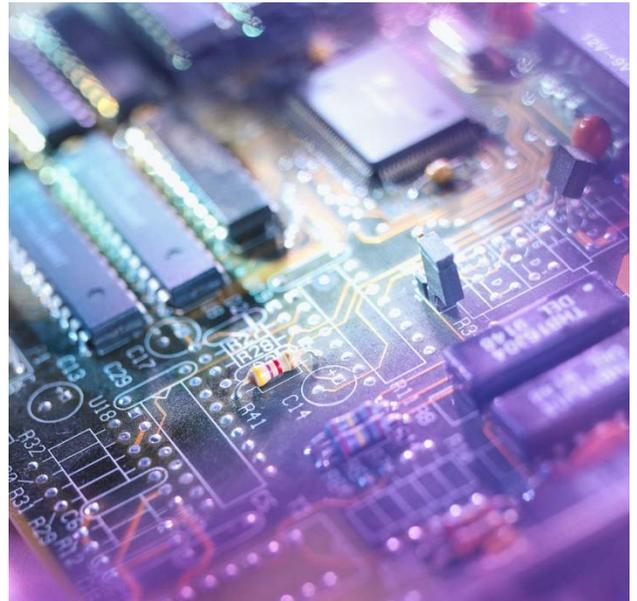
The agency relies on many aspects of technology for direct support of agency operations, programs, and business processes. Technology applications, delivered via a stable network infrastructure, are key components in the support of the agency mission; and specifically to the sharing of information. The continued development and use of a robust set of technologies allow automated and collaborative data collection with both internal and external systems. The secure, effective collection and storage of information, coupled with the ability to analyze collected data through a variety of reporting tools, are key services to TJJD youth, staff, and the public. Sharing statistical data with other state agencies, as well as other governmental entities, is advantageous to the agency. The agency has formed strong partnerships with locally run Juvenile Probation Departments across the state and only by leveraging a wide array of technology based solutions is it able to fully realize the true value of this partnership. Web-enabled applications are vital user interfaces to collect information. Web applications and other internet-related tools, such as e-mail, social networking and video conferencing, can be used to access agency data and provide for collaborative work sessions with agency and county staff. The agency is heavily research-focused and therefore relies on technology to continue to effectively deliver data in meaningful ways.

## B. Impact of Anticipated Technological Advances

As technologies continue to evolve at a rapid pace, TJJD will continue to seek the appropriate applications and systems to support business needs and, ultimately, the overall mission of the agency. In order to maximize the use of its funding, TJJD continues to support technology advances that allow it to operate more effectively and efficiently. All technology upgrades will be dependent upon the availability of state funds, and cost and return on investment will continue to guide technology purchases.

As a result of Senate Bill (SB) 653, the Texas Juvenile Probation Commission and the Texas Youth Commission functions were combined into the Texas Juvenile Justice Department. As a result of this merger, the new agency has a need to combine technological resources and an opportunity to migrate to new and more advanced platforms especially in the areas of Finance and Human Resources (HR). Additionally, House Bill (HB) 1516 (79th Legislature, 2005), states that TJJD is one of 28 agencies participating in the Department of Information Resources (DIR) sponsored outsourcing of data center operations to the private sector.

This included consolidating multiple data centers into two physical locations. TJJD will continue to support those efforts, provide assistance and guidance whenever and wherever needed and seek options to more fully



leverage the resources offered under this cooperative arrangement. TJJD will continue to explore ways to leverage advances in mobile device technology by developing applications that are mobile device enabled.

## C. Degree of Agency Automation

The Texas Juvenile Justice Department utilizes a robust and wide range of applications that operate on web client, mainframe, client-server and thin-client platforms. The agency is completing the deployment of a new Human Resources and Timekeeping system and has begun the final round of prototyping to transition its current mainframe financial applications to the Comptroller's Centralized Accounting and Payroll/Personnel System (CAPPs) platform. TJJD continues to partner with local juvenile probation departments to facilitate the ongoing rollout of the Juvenile Case Management System (JCMS). Approximately fifty percent of all juvenile probation departments across the state are now fully functional utilizing the JCMS application and the list continues to expand. The goal is to migrate all county probation departments by the end of Fiscal Year 2015. TJJD has implemented a Voice over Internet Protocol (VoIP) phone system within its Austin office and will be preparing a Legislative Appropriation Request to expand this capability to all agency locations. This will greatly reduce the cost and centralize the administration, security and maintenance of the statewide system. TJJD is currently seeking to leverage cloud-based solutions where appropriate, including Microsoft's Office 365 Cloud solution.

New systems have increased the requirement for additional network infrastructure and bandwidth. Without expanded Legislative funding the agency may face financial difficulties providing the necessary network infrastructure to effectively support these new systems.

## D. Anticipated Need for Automation

The agency has implemented an automated Point of Sale (POS) system for food services within the institutions. This program is used to meet the requirement of a nutrition program implemented by the federal government. The use of this system provides the agency a more accurate method of tracking the food our student population consumes and ensures the agency meets the requirements of the federal program.

The agency intends to procure and implement an ITIL-compliant Service Desk Management system to function as the foundation of its IT Service Management efforts. The system will provide not only call center services for issue reporting but also feature robust issue management, escalation and reporting capabilities and will serve as the core component to an enterprise change management process.

Software and hardware refreshes relating to data, infrastructure systems (data collection and reporting, networking, radio communication, telecommunications, video communications, and surveillance systems) and end-user computing devices will continue to be a significant impact area as the agency strives to provide the tools necessary to maintain effective and efficient operations and provide the services needed for the care and education of the youth within its facilities. Continued funding will be required to maintain existing technology systems and improve overall operations over the next biennium.

TJJD will continue to enhance and update its technology systems and applications to support mission-critical operations that provide public access to information and services while maintaining an effective operating environment. The agency continually reviews and maintains its current technology and computing environment while evaluating purchases to ensure best value for TJJD and the state.

Improving the overall security posture of the agency will be one of the primary focus items in the IT Legislative Appropriations Request (LAR). A recent review by Gartner, Inc. identified a number of opportunities for TJJJ to improve its systems, processes and overall security status enabling the agency to more fully ensure the integrity and resilience of its data and systems across the enterprise. TJJJ is committed to leveraging technological innovations and updated methodologies to increase the value of our services to our youth, while affording greater overall protection of the agency's information and assets.

TJJJ is committed to providing the most secure education possible to our students. The agency continually seeks to leverage advances in educational service delivery to provide students access to the educational material needed to continue their education. The goal of these efforts is not to just have these students get by with a base level education but to provide opportunities for them to excel and develop new skills that will lead them to be productive contributors within their communities in the future.

DRAFT

## VII. Economic Variables

---

The seasonally adjusted unemployment rate for the State of Texas has dropped from 8.2% in February 2010 to 7.1% in February 2012. The economic indicators shown above suggest that the unemployment rate will continue to drop through 2017, closer to unemployment rates prior to 2009. National juvenile justice literature suggests a positive relationship between local unemployment rates and juvenile crime, even when statistically controlling for other socio-economic factors. The juvenile crime rate in Texas has generally decreased in Texas since 2007, and if unemployment in Texas continues to decline and the state economy improves, the juvenile crime rate may not increase over the next five years.

The unemployment rate in Texas varies by locality, as does the number of youth admitted to TJJD. The range of unemployment in Texas Standard Metropolitan Statistical Areas (SMSAs) is from 3.8% in the Midland area to 11.1% in the McAllen-Edinburg-Pharr area. The four counties contributing the most admissions to TJJD in Fiscal Year 2011 were Dallas (12%), Harris (10%), Bexar (9%) and Tarrant (8%). The February 2012 unemployment rates in the SMSAs for these counties are similar to the overall state rate: Houston-Sugarland-Baytown (7.2%), Dallas-Fort Worth-Arlington (7.1%), and San Antonio-New Braunfels (6.8%).

A potential larger problem is that admissions to TJJD state facilities are partially dependent upon the local juvenile probation departments' economic ability to provide or contract for costly services instead of admitting youth to TJJD, which results in no cost to the counties. Any funding cuts effecting TJJD and the state's ability to fund juvenile probation programs and services may impact the number of juveniles committed to state facilities.



Changes in health care delivery models may also impact health care services. Tightening restrictions for Medicaid eligibility, and possibly reduced reimbursements to providers, may result in diminishing access to health care in the community, especially for youth with mental health care needs. This may lead to increased recidivism as access to the continuity of mental health care may be jeopardized. It may also have a negative impact TJJD's health care budget because the agency will be compelled to expand access to health care services to meet basic needs of the youth that should have been provided to them prior to TJJD admission. It will also result in increased TJJD health care costs related to unaddressed chronic illnesses health care needs.

Table 16.

## Texas Economic and Population Forecast Fiscal Years 2010 - 2017

Year	2010	2011	2012	2013	2014	2015	2016	2017
Gross State Product (Billion Current Dollars)	\$1,270.99	\$1,327.17	\$1,382.72	\$1,452.60	\$1,532.33	\$1,617.08	\$1,702.92	\$1,790.98
Annual Percent Change for Gross State Product	3.90%	4.40%	4.20%	5.10%	5.50%	5.50%	5.30%	5.20%
Personal Income (Billion Current Dollars)	\$979.07	\$1,023.73	\$1,067.01	\$1,114.39	\$1,182.87	\$1,257.94	\$1,340.06	\$1,422.75
Annual Percent Change for Personal Income	2.10%	4.60%	4.20%	4.40%	6.10%	6.30%	6.50%	6.20%
Nonfarm Employment (Thousands)	10,300.80	10,447.00	10,652.40	10,911.50	11,180.40	11,455.70	11,720.10	11,965.80
Annual Percent Change for Nonfarm Employment	-1.00%	1.40%	2.00%	2.40%	2.50%	2.50%	2.30%	2.10%
Unemployment Rate (%)	8.30%	8.20%	7.70%	7.10%	6.50%	6.00%	5.70%	5.40%
Taxable Oil Price (Dollars per Barrel)	\$72.75	\$70.73	\$67.97	\$70.04	\$73.62	\$78.97	\$83.10	\$86.78
Total State Population (Thousands)	24,330.6	24,692.2	25,056.0	25,421.6	25,788.9	26,156.7	26,525.3	26,894.5
Annual Percent Change for Total State Population	1.50%	1.49%	1.47%	1.46%	1.44%	1.43%	1.41%	1.39%
State Population 17 and under (Thousands)	2,751.8	2,779.5	2,815.5	2,859.6	2,906.4	2,960.7	3,017.3	3,071.6
Annual Percent Change for State Population 17 and under	0.03%	1.01%	1.29%	1.57%	1.64%	1.87%	1.91%	1.80%

\* Sources: Texas Comptroller of Public Accounts and Texas State Data Center

# VIII. Impact of State and Federal Regulations

---

## Federal Court Considerations

In 1984, the Texas Youth Commission entered a settlement agreement in the case *Morales v. Turman*, 383 F. Supp. 53 (E.D. Tex. 1974). As the successor agency to the Texas Youth Commission, Texas Juvenile Justice Department state-operated facilities are required to comply with all terms of the agreement that address:

- the constitutional right to treatment for juveniles, including educational, vocational training, extracurricular activities, psychiatric and psychological services, individualized case management plans and case management services, and health care;
- the provision of sufficient numbers of adequately qualified staff;
- standards for rules of conduct and discipline;
- the use of security units and isolation;
- a youth's right to voice complaints through a youth grievance system;
- a youth's right to due process prior to major disciplinary consequences; and
- a youth's right of access to counsel and the courts, visitation, mail, and phones.



## Federal Law Considerations

With regard to federal legislation, below are laws that generally apply to TJJJ and guide TJJJ policy:

- Youth may bring lawsuits alleging violations of their constitutional rights under 42 U.S.C. §1983. The United States Department of Justice may conduct investigations and initiate litigation relating to violations of constitutional rights under 42 U.S.C. §1997a, the Civil Rights of Institutionalized Persons Act (CRIPA).
- The Prison Rape Elimination Act (PREA) of 2003, 42 U.S.C. §15601 et seq., addresses the problem of sexual abuse of juveniles in the custody of public or private correctional institutions and sets a zero-tolerance standard for sexual assault of juveniles while in custody.
- TJJJ complies with all PREA requirements related to reporting allegations of sexual abuse within state-operated facilities. To meet PREA standards, the agency strengthened policies, procedures, and rules for the operation of state juvenile facilities and for staff training. In an effort to protect against sexual abuse at county-operated facilities, TJJJ is working with the Advisory Council on Juvenile Services to develop PREA-compliant rules for use at the county level. As always, reports of sexual conduct between youth and between staff and youth are aggressively investigated by TJJJ and its Office of the Inspector General.
- The Individuals with Disabilities Education Act (IDEA) and the Americans with Disabilities Act (ADA) require reasonable accommodations for disabled youth, including providing special education where appropriate, to allow those youth to benefit from educational programs to the same extent as all other youth.

The Sex Offender and Registration Notification Act (SORNA), 42 U.S.C. §16911 et seq., otherwise known as Title I of the Adam Walsh Act, established new baseline sex offender registration requirements for state-level sex offender registration programs and created a federal felony offense for failing to register as a sex offender as required by SORNA. To date, Texas has not passed legislation related to the adoption of the requirements in SORNA.

## State Law Considerations

In addition to TJJD's enabling legislation contained in the Texas Human Resources Code, agency operations are influenced by various provisions of state law.

- The Texas Family Code governs the process for judicial hearings relating to juvenile misconduct, the rights of victims of crime, access to and confidentiality of youth records and information, the operation of facilities and placement of youth in various types of juvenile facilities, and the interstate agreement for cooperative supervision of youth in the juvenile justice system. The Family Code also establishes a recommended system of progressive sanctions for youth referred to juvenile court.
- Sections 21.402 and 30.101, et seq. of the Texas Education Code set minimum salary levels for TJJD-employed teaching staff; apportion school funds for youth committed to TJJD and for the operation of Juvenile Justice Alternative Education Programs; and require TJJD, the Texas Workforce Commission, and the Texas Workforce Investment Council to adopt a memorandum of understanding that establishes the responsibility of those entities' job training and employment assistance programs with respect to youth committed to TJJD.
- Section 531.055 of the Texas Government Code establishes Community Resource Coordination Groups (CRCGs) and requires CRCGs to have a memorandum of understanding with TJJD to assist the agency in providing community-based services to youth transitioning from institutions or parole.
- In accordance with the Texas Internal Auditing Act (Chapter 2102, Texas Government Code), TJJD has established an Internal Audit Department whose director is appointed by and reports to the governing board and is charged with developing and executing audit plans and programs designed to assess TJJD's operations, consistent with internal auditing standards.

## Recent State Legislation Affecting the Agency

During the 83rd Texas Legislature, several bills were enacted that had an impact on TJJD.

### SENATE BILL 157

From 1993 to 2012, TJJD (and formerly TYC), in its role as trustee of the Parrie Haynes Trust, leased the Parrie Haynes Ranch to the Texas Parks and Wildlife Department (TPWD). During that time, TPWD used the ranch in a variety of different programs geared towards helping underprivileged children. Additionally, TPWD oversaw the care of the ranch. As part of the 2009 TPWD Sunset Bill (H.B. 3391), TPWD and TJJD were required to request representation from the Office of the Attorney General in seeking court approval to broaden the purposes of the trust and transfer the trust from TJJD to TPWD. In 2011, however, TPWD encountered funding issues due in part to statewide wildfires and drought conditions. As a result, TPWD informed the Office of the Attorney General that it was no longer able to take on the responsibility of the Parrie Haynes Trust. TPWD also informed TJJD that it was no longer able to continue operation of the Parrie Haynes Ranch and terminated its lease with TJJD in 2012.



Senate Bill 157 provided for this change in the relationship between TJJJ and TPWD by repealing a portion of H.B. 3391 from the 81st Texas Legislature so that TJJJ and TPWD are no longer required to jointly seek representation from the Office of the Attorney General for transfer and modification of the terms and conditions of the Parrie Haynes Trust.

#### SENATE BILL 511

Senate Bill 511 allows Travis County to commit youth to a county-run post-adjudication secure correctional facility as a pilot program, as an alternative to committing youth to TJJJ.

#### SENATE BILL 1517

Senate Bill 1517 requires TJJJ to collect data from locally-operated secure juvenile facilities regarding the frequency and duration of their disciplinary seclusion practices. Secure juvenile facilities must report their seclusion numbers during the annual registration process.

#### SENATE BILL 1, RIDER 34 OF TJJJ BUDGET

Rider 34 requires TJJJ to adopt employee disciplinary and grievance procedures that are substantially similar to those established by the Texas Department of Criminal Justice. These procedures must allow a TJJJ employee to be represented by a designee chosen by the employee to participate in a hearing on behalf of an employee charged with any type of disciplinary violation.

#### HOUSE BILL 1968

House Bill 1968 required TJJJ to transfer the Al Price State Juvenile Correctional Facility to Jefferson County. This facility was no longer utilized by TJJJ. The bill required the transfer to occur before January 31, 2014. TJJJ has completed the transfer.

#### HOUSE BILL 2733

House Bill 2733 contains a number of substantive provisions that modify the TJJJ enabling legislation. The purpose of the bill includes the following:

1. Gives TJJJ access to criminal history record information for:
  - a. Youth in TJJJ custody;
  - b. Individuals residing in homes as part of the home assessments when TJJJ is releasing a youth to a home; and
  - c. Individuals requesting access to TJJJ facilities for visitation purposes.
2. Requires TJJJ to destroy criminal history record information on individuals seeking certification as juvenile detention or supervision officers after the individual is certified but does allow the use of criminal history information for the purpose of criminal hearings and TJJJ hearings on an officer.
3. Amends the Public Information Act to exempt from disclosure information that relates to the home address, home telephone number, emergency contact information, and the social security number of juvenile probation and detention officers, employees of juvenile programs or facilities and employees of

TJJD. This change is consistent with current law that protects the same information for others who work in the criminal justice and law enforcement field.

4. Designates the director of state programs and facilities for the TJJD as a member of the Advisory Council on Juvenile Services.
5. Removes the three-term limit for the Independent Ombudsman appointment.

#### HOUSE BILL 2862

House Bill 2862 contains clean-up amendments relating to the adjudication and disposition of juvenile conduct under Title 3 of the Family Code and related statutes, including the following:

1. Clarifies Family Code to allow the juvenile court to retain jurisdiction in cases when a petition to certify the respondent to stand trial as an adult has been filed prior to the respondent's 18th birthday and all other criteria are met.
2. Allows counties that operate non-secure correctional facilities but do not operate certified secure detention facilities to detain a child in a non-secure correctional facility that has been certified and registered with TJJD. The facility must comply with the short-term detention standards adopted by TJJD and be designated by the county juvenile board as a non-secure correctional facility. The child may only be detained in that location until the first detention hearing; if the child must be detained after that time, it must be at a certified secure detention facility.
3. Provides guidelines for detaining witnesses younger than 17 years of age for 30 days or longer.
4. Specifies which records will be considered part of an individual's adult record when an individual is certified to stand trial as an adult.
5. Removes the definition of non-secure correctional facility. As defined, the facilities were limited to being used for children on probation, but by removing the definition, that limitation goes away.
6. Confirms that TJJD's community-based and institutional statistical data are exempt from sealing.
7. Requires TJJD to collect data regarding use of disciplinary seclusion.
8. Authorizes the release of restricted access records to the subject of the record with a court order under certain circumstances.
9. Clarifies that a person under 17 years of age who is held in adult jail must be sight and sound separated from adults pursuant to Family Code Section 51.12.
10. Clarifies that when a child turns 17 years old and is in juvenile detention pending trial, the judge in the adult district court must order him moved to adult jail on his or her 17th birthday.

#### SENATE BILL 1769

Senate Bill 1769 required the Texas Juvenile Justice Department (TJJD) to create a fingerprint advisory committee. The advisory committee will develop a plan to end the practice of fingerprinting children referred to a juvenile probation department for delinquent conduct, other than felony conduct.

#### SENATE BILL 1356

Senate Bill 1356 requires TJJD to provide pre-service and in-service training on trauma informed care to TJJD employed juvenile corrections officers (JCO) and juvenile probation officers. JCO's are also required to receive training on identifying victims of human trafficking.

#### SENATE BILL 1 SECTION, 17.10

Senate Bill 1 Section 17.10 requires the Department of Family and Protective Services, the Juvenile Justice Department, the Texas Education Agency, and the Adjutant General's Department shall coordinate the delivery of juvenile delinquent prevention and dropout prevention and intervention services. The bill requires each agency listed above to coordinate services with others to prevent redundancy and ensure optimum service delivery to youth who are at risk for engaging in delinquent and or dropping out of school.

No later than October 1 of each year beginning in 2014, the agencies shall provide to the Legislative Budget Board, detailed monitoring, tracking, utilization outcomes, and effectiveness information on all juvenile delinquency prevention and dropout prevention and intervention services for the preceding five fiscal year period.

#### SENATE BILL 1003

Senate Bill 1003 requires TJJD to collect data during annual registration of pre-adjudication, short-term, and post-adjudication secure detention facilities on administrative segregation. The data shall be divided by residents segregated for more than 90 minutes but less than 24 hours, residents segregated for 24 hours but less than 48 hours, and residents segregated for more than 48 hours. An independent third party will be selected upon receiving available funds to present recommendation on reducing administrative segregation, diverting persons with mental illness from segregation, and decreasing the time a person spends in administrative segregation.

# IX. Self-Evaluation

---

## Supporting the Secure Facility Work Environment

Employees in JCO positions comprise slightly more than 50% of the agency's workforce, and their responsibilities include maintaining a secure agency-operated residential facility and providing for the safety, personal conduct, care, and rehabilitation of youth who cannot be safely served in another setting. JCOs are a key factor in maintaining a facility's strong foundation of safety and security. Such a foundation affects the agency's overall work environment and the performance of duties by all direct-care staff, including education staff and case managers. Therefore, the agency must make every effort to continually support successful recruitment of highly-qualified JCO applicants and retention of tenured JCO employees to ensure effective housing and rehabilitation of these youthful offenders.

The agency has successfully implemented enhanced JCO career ladder placement recruitment strategies to recruit applicants with higher education, military experience, a Texas Commission on Law Enforcement (TCOLE) license, prior juvenile justice experience, or correctional institution experience. Of the 576 JCO I – IV employees hired at the agency's secure facilities in FY 2013, approximately 55% were eligible for an enhanced JCO career ladder placement.

- 78 (13.5%) have a Bachelor's degree
- 63 (10.9%) have an Associate's degree or 60 college credit hours
- 75 (13.0%) have military experience
- 21 (3.6%) have a TCLEOSE license
- 83 (14.4%) have prior juvenile justice or correctional institution experience.

Although TJJJ JCOs supervise youth with felony convictions that cannot be safely housed in other settings, TJJJ JCOs are excluded from the additional retirement benefits provided to other Texas law enforcement and correctional officers. Similarly employed state employees at five other state agencies including the Department of Criminal Justice, Board of Pardons and Paroles, Department of Public Safety, Alcoholic Beverage Commission, Parks and Wildlife Department, and the Office of the Inspector General at TJJJ are all eligible for participation in the supplemental Law Enforcement and Custodial Officer Supplemental Retirement Fund (LECOSRP).

The 83rd Legislature required the Employees Retirement System of Texas (ERS), by passing SB 1459, to conduct an interim study on the feasibility of adding custodial officers employed by TJJJ to the class of employees eligible to participate in the LECOSRP. The ERS must report the findings of the study to members of the legislature not later than September 1, 2014. The expansion of this supplemental retirement fund to include TJJJ JCOs and other positions performing direct-care duties for TJJJ youth would demonstrate the state's appreciation for their service and would be a significant recruitment and retention incentive.

Additional strategies to maintain a JCO applicant pool and further reduce JCO attrition are provided in the Agency Workforce Plan (Appendix E).

SECTION 3

# Agency Goals, Objectives, and Strategies

---

DRAFT

## TJJD Strategic Planning and Budget Structure

### Fiscal Years 2014-2015

The TJJD Strategic Planning and Budget Structure for Fiscal Years 2014 and 2015 had not been approved by the Legislative Budget Board and the Governor's Office at the time of printing for this plan. As a result, the structure and performance measures included in Section Three and Appendices C and D are as submitted for approval.

#### GOAL A: COMMUNITY JUVENILE JUSTICE

To ensure public safety, offender accountability and the rehabilitation of juvenile offenders through a comprehensive, coordinated, community-based juvenile justice system by providing funding in partnership with juvenile boards and probation departments. To assist local juvenile probation departments in developing programs and services to divert youth from commitment to the Department of Juvenile Justice. To provide an alternative for children who have been expelled from public school for certain offenses.

##### **OBJECTIVE A.1: Grants for Community Juvenile Justice Services**

Provide funding and support to local juvenile probation departments to maximize the development of community-based programs to divert offenders from the Texas Juvenile Justice Department, resulting in no more than 5% of eligible juveniles committed to the Texas Juvenile Justice Department for each year through Fiscal Year 2017.

##### *Outcome Measures:*

- 1.1.1 Rate of Successful Completion of Deferred Prosecution
- 1.1.2 Rate of Successful Completion of Court-Ordered Probation
- 1.1.3 Re-Referral Rate
- 1.1.4 Adjudication Rate
- 1.1.6 Total Number of New Admissions to TJJD
- 1.1.7 Rate of Successful Completion for Youth Served by Prevention and Intervention Programs
- 1.1.8 Referral Rate of Eligible Youth Served by Prevention and Intervention Programs

##### **STRATEGY A.1.1: Prevention and Intervention**

Provide funding and support for community-based delinquency prevention and early intervention programs and services such as mentoring, school-based interventions for youth with disruptive behaviors, family-focused interventions, including parenting training, truancy intervention programs, individual counseling, safe and structured afterschool activities, life skills development, gang intervention, and character development programming.

##### *Output Measure:*

- 1.1.1.1 Youth Served in Prevention and Intervention Programs

##### **STRATEGY A.1.2: Community Probation Services**

Provide funding to juvenile probation departments for the provision of programs and services.

*Sub-strategy A.1.2.1: Community Programs and Services*

Provide funding to juvenile probation departments for the provision of juvenile probation programs and services.

*Sub-strategy A.1.2.2: Local Residential Facilities*

Provide funding to juvenile probation departments for the provision of programs and services in non-secure and secure correctional facilities for youth.

*Output Measures:*

- 1.1.2.1 Average Daily Population of Residential Placements
- 1.1.2.2 ADP: Youth Supervised Under Deferred Prosecution
- 1.1.2.3 ADP: Youth Supervised Under Court-Ordered Probation

*Efficiency Measures:*

- 1.1.2.1 Cost Per Day Per Youth for Residential Placement
- 1.1.2.2 Average State Cost Per Juvenile Supervised Per Day

*Explanatory/Input Measures:*

- 1.1.2.1 Total Number of Delinquent Referrals

**STRATEGY A.1.3: Commitment Diversion Initiatives**

Provide funding to juvenile probation departments for diversion of juveniles from commitment to the Texas Juvenile Justice Department.

*Sub-strategy A.1.3.1: Commitment Diversion Programs*

Provide funding to juvenile probation departments for the provision of programs for youth diverted from commitment to the Texas Juvenile Justice Department.

*Sub-strategy A.1.3.2: Commitment Diversion Placements*

Provide funding to juvenile probation departments for the provision of programs and services in non-secure and secure correctional facilities for youth diverted from commitment to the Texas Juvenile Justice Department.

*Output Measure:*

- 1.1.3.1 Youth Served in Commitment Diversion Initiatives

**STRATEGY A.1.4: Juvenile Justice Alternative Education Programs**

Provide funding for juvenile justice alternative education programs.

*Output Measures:*

- 1.1.4.1 Number of Mandatory Students Entering JJAEPs
- 1.1.4.2 Mandatory Student Attendance Days in JJAEP During the Regular School Year

*Explanatory/Input Measure:*

- 1.1.4.1 Number of Non-mandatory Students Entering JJAEPs

**STRATEGY A.1.5: Harris County Leadership Academy**

Provide funding for the juvenile Leadership Academy in Harris County.

**GOAL B: STATE SERVICES AND FACILITIES**

To protect the public by providing a safe and secure correctional environment for youth.<sup>1</sup> To deliver a continuum of needs-based services that reduce delinquent or criminal behavior, provide individualized opportunities for education, and facilitate successful community reintegration.<sup>2</sup>

**OBJECTIVE B.1: Provide State-Operated Programs and Services**

To reduce the one year rearrest rate to 40 percent by the end of Fiscal Year 2017.

*Outcome Measures:*

- 2.1.1 Turnover Rate of Juvenile Correctional Officers
- 2.1.2 Constructive Activity Rate
- 2.1.3 Diploma or GED Rate (JJD-operated Schools)
- 2.1.5 Industrial Certification Rate in JJD-operated Schools
- 2.1.6 Rearrest/Re-referral Rate
- 2.1.7 One-year Rearrest/Re-referral Rate for Violent Felony Offenses
- 2.1.8 Reincarceration Rate: Within One Year
- 2.1.9 Reincarceration Rate: Within Three Years
- 2.1.10 Reincarceration Rate: Felonies or Misdemeanors
- 2.1.13 Median Math Gain Per Month of Instruction
- 2.1.14 Median Reading Gain Per Month of Instruction

**STRATEGY B.1.1: Assessment, Orientation and Placement**

Provide a system of assessment and orientation which is culturally competent and accurately determines the relative security risk and treatment needs of admitted youth so they are placed in appropriate programs.

<sup>1</sup> Texas Family Code, Section 51.01(1),(2), (3), and (4) and Human Resources Code, Sections 242.009, 242.102(a)

<sup>2</sup> Texas Human Resources Code 201.202(2)(d), 244.001(a), 244.002, 244.006(a)(1)(2)(3), 244.007, 245.0535(a)

*Output Measure:*

- 2.1.1.1 Average Daily Population: Assessment and Orientation

*Efficiency Measure:*

- 2.1.1.1 Assessment and Orientation Cost Per Youth Day

**STRATEGY B.1.2: State-Operated Secure Operations**

Provide TJJD-operated secure correctional programs under conditions that promote the youth's positive development and the interests and safety of the public, youth, and staff.

*Output Measure:*

- 2.1.2.1 Average Daily Population: Institutional Programs

*Efficiency Measure:*

- 2.1.2.1 Capacity Cost in Institutional Programs Per Youth Day

*Explanatory/Input Measure:*

- 2.1.2.1 Youth Per Direct Supervision JCO Staff Per Shift

**STRATEGY B.1.3: Education**

Provide or facilitate year-round preparation programs for GED, high school diploma, post-secondary education, and workforce opportunities that support successful transition to communities after release from institutions.

*Output Measures:*

- 2.1.3.1 Average Daily Attendance in JJD-operated Schools
- 2.1.3.9 Number of Industrial Certifications Earned by Youth

*Efficiency Measure:*

- 2.1.3.1 Education and Workforce Cost in JJD operated Schools

**STRATEGY B.1.4: Halfway House Services**

Provide TJJD-operated non-secure correctional programs under conditions that promote the youth's positive development and the interests and safety of the public and youth.

*Output Measure:*

- 2.1.4.1 Average Daily Population: Halfway House Programs

*Efficiency Measure:*

- 2.1.4.1 Capacity Cost in Halfway Houses Per Youth Day

**STRATEGY B.1.5: Health Care**

Provide health care to address a youth's medical and dental needs while in residential care.

Output Measure:

- 2.1.5.1 Average Daily Population: Health Care

Efficiency Measure:

- 2.1.5.1 Cost of Health Care Services Per Youth Day

**STRATEGY B.1.6:**

Provide, through individualized, evidenced-based interventions, a competency-based, integrated treatment program appropriate to youth of all cultures, including the specialized treatment programs for youth with needs, to include capital or serious violent offense history, sexual offense history, alcohol or other drug abuse or dependency history, or mental health related issues.

Output Measure:

- 2.1.6.1 Average Daily Population: Integrated Treatment
- 2.1.6.2 Average Daily Population: Specialized Treatment
- 2.1.6.3 Average Daily Population: Capital & Serious Violent Offender Treatment
- 2.1.6.4 Average Daily Population: Sexual Behavior Treatment
- 2.1.6.5 Average Daily Population: Alcohol and Other Drug Treatment
- 2.1.6.6 Average Daily Population: Mental Health Treatment
- 2.1.6.7 Specialized Treatment Equity Ratio

Efficiency Measure:

- 2.1.6.1 Integrated Treatment Cost Per Youth Day

**STRATEGY B.1.7: Contracted Capacity**

Provide additional secure and nonsecure residential capacity through contracts with private service providers that promote the youth's positive development and the interests and safety of the public and youth.

Output Measure:

- 2.1.7.1 Average Daily Population: Contract Programs

Efficiency Measure:

- 2.1.7.1 Capacity Cost in Contract Programs Per Youth Day

**STRATEGY B.1.8: Parole Services**

Provide a system of re-entry services to youth on parole who are placed at home and remaining under TJJD jurisdiction.

Output Measures:

- 2.1.8.1 Average Daily Population: Parole

- 2.1.8.3 Average Daily Population: Specialized Aftercare Services

*Efficiency Measure:*

- 2.1.8.1 Parole Cost Per Youth Day

**OBJECTIVE B.2: Conduct Oversight of State-Operated Programs and Services**

Conduct fair and impartial investigations of criminal allegations that will lead to 900 completed cases each year through Fiscal Year 2017.

**STRATEGY B.2.1: Office of the Inspector General**

Conduct criminal investigations related to allegations of crime committed by TJJD employees and crimes at TJJD-operated and contracted facilities. Locate and apprehend TJJD youth who have escaped or absconded from TJJD-operated or contracted facilities, or who have violated a condition of TJJD parole.

*Output Measure:*

- 2.2.1.1 Number of Completed Criminal Investigative Cases
- 2.2.1.3 Number of Apprehended JJD Youth

*Explanatory/Input Measure:*

- 2.2.1.1 Number of Allegations Reported to the Office of Inspector General

**STRATEGY B.2.2: Health Care Oversight**

Provide administrative oversight of health and mental health services.

**OBJECTIVE B.3: Maintain State Facilities**

Maintain state facilities at 100% compliance with current life safety, health, and fire codes and standards at all times.

**STRATEGY B.3.1: Construct and Renovate Facilities**

Provide ongoing maintenance and repair of facilities to ensure a safe and secure environment for youth and staff, and to prevent the deterioration of buildings and infrastructure.

*Efficiency Measure:*

- 2.3.1.1 Change Orders & Add-ons as % of Budgeted Const. Costs

**GOAL C: OFFICE OF THE INDEPENDENT OMBUDSMAN**

To provide assistance to TJJD youth and ensure that systems of services are appropriate and equally accessible.

**OBJECTIVE C.1: Office of the Independent Ombudsman**

Meet with youth, families, employees, and advocacy groups such that youth contacts are increased by 15% by Fiscal Year 2017.

**STRATEGY C.1.1: Office of the Independent Ombudsman**

Investigate, evaluate, and secure the rights of youth admitted to TJJD, including youth on parole. Review and track incident reports from county detention facilities and to report to the appropriate entity any trends or problems.

*Output Measure:*

- 3.1.1.1 Number of Youth Directly Served through the Office of Independent Ombudsman

**GOAL D: JUVENILE JUSTICE SYSTEM**

To provide necessary services for both Community Juvenile Justice and State Services and Facilities functions.

**OBJECTIVE D.1: Juvenile Justice System**

To monitor 100% of local and TJJD secure and non-secure juvenile facilities by Fiscal Year 2017.

**STRATEGY D.1.1: Training, Certification, Monitoring, Interstate Compact**

Provide training, certification, monitoring and interstate compact services and investigate administrative allegations at community juvenile justice and state services and facilities.

*Output Measures:*

- 4.1.1.1 Number of Local Facility Inspections Conducted
- 4.1.1.2 Number of Annual Comprehensive Monitoring Reviews Conducted and Accomplished as a Completed Process
- 4.1.1.3 Total Number of Officers Certified
- 4.1.1.4 Number of Completed Administrative Investigative Cases
- 4.1.1.5 Youth Served through Interstate Compact

**GOAL E: INDIRECT ADMINISTRATION**

To provide necessary services for both Community Juvenile Justice and State Services and Facilities functions.

**OBJECTIVE E.1: Provide Administrative Management**

To monitor 100% of local and TJJD secure and non-secure juvenile facilities by Fiscal Year 2017.

**STRATEGY E.1.1: Central Administration**

**STRATEGY E.1.2: Information Resources**

SECTION 4

# Technology Resource Planning

---

DRAFT

## A. Technology Assessment

Goal 1 – Strengthen and Expand the Use of Enterprise Services and Infrastructure		
Strategy	Initiatives	Going Forward
1.1 Enhance Capabilities of the Shared Infrastructure	Data Center Infrastructure	TJJD is one of 28 agencies participating in the Data Center Services Consolidation initiative. TJJD remains committed to the success of the effort and the agency is looking forward to the re-procurement of services and what that could mean to the overall success of the initiative.
	Communications Technology Infrastructure	TJJD continues to enhance the voice and data network infrastructure in support of the agency mission and in compliance with DIR standards and practices.
	Statewide Portal Infrastructure	TJJD currently does not have any portal-type.
	Infrastructure	TJJD will continue to enhance the overall technology infrastructure in order to support future services and better ensure the integrity of the agency’s data resources.
1.2 Leverage Shared Applications	Enterprise Resource Planning (ERP)	TJJD is actively migrating its ERP systems to the CPA CAPPs system.
	Email Messaging	TJJD is currently working on migrating its e-mail platform to the Microsoft Cloud-based offering through the Department of Information Resources contract.
1.3 Leverage the State’s Purchasing Power	Product and Services Portfolio Expansion	TJJD is an active participant in use of Department of Information Resource’s contracts and procurement. TJJD will assist Department of Information Resources in any effort to expand the portfolio of services.

**GOAL 2 - SECURE AND SAFEGUARD TECHNOLOGY ASSETS AND INFORMATION**

Strategy	Initiatives	Going Forward
2.1 Align the State's Approach To Enterprise Security with Other State and National Strategies	State Enterprise Security Plan	The TJJD Information Security Officer works closely with DIR and has aligned agency policies and procedures with DIR and state goals.
	Vulnerability to Cyber Attacks	TJJD has added a number of security devices in the past biennium and will continue to work closely with DIR in reporting and assisting with identifying security threats.
	Response and Recovery Capabilities	TJJD follows Department of Information Resources best practices in minimizing attacks by utilizing DIR recommendations in recovering from security incidents.
2.2 Integrate Identity Management, Credentialing, and Access Privileges	Identity Management Services	Since this is an exploratory effort TJJD will participate as appropriate with this research initiative.

**GOAL 3 - SERVE CITIZENS ANYTIME, ANYWHERE**

Strategy	Initiatives	Going Forward
3.1 Expand and Enhance Access to Agency Services	Multi-Channel Access	TJJD will continue to develop multiple means to access agency systems and data.
	Rural Broadband Expansion	TJJD is highly interested in this effort as juvenile probation partners, clients and parents are negatively impacted in the receipt of TJJD services and information due to lack of broadband access.
3.2 Facilitate Open and Transparent Government	Best Practices for Information Assets	Due to the nature of TJJD's mission and client base, security and confidentiality of information is always a key consideration. TJJD currently posts allowable information on the public website. TJJD is committed to open and transparent government. To that end, the agency will determine methods to expand current access to public information. TJJD will also consider policy changes and technology implementations that will allow the agency to give the public access to high value data.

**GOAL 4 - PURSUE EXCELLENCE AND FOSTER INNOVATION ACROSS THE ENTERPRISE**

Strategy	Initiatives	Going Forward
4.1 Link Technology Solutions to Workplace Innovations	Workplace Productivity and Collaboration	TJJD is currently utilizing many mobile computing technologies and based on funding is motivated to expand upon the base. Due to TJJD's statewide locations the agency is keenly interested in audio and video conferencing technologies for staff, clients and families and will continue to seek inexpensive alternatives. Additionally, TJJD plans to expand its video teleconferencing network to include regional locations throughout the state to incorporate community corrections aspects of the agency client base.
4.2 Pursue Leading-Edge Strategies for Application Deployment	Cloud Computing	TJJD is actively engaged with in the transition of its e-mail platform to a cloud based solution. Additionally, TJJD and many of its partners in the county probation offices are leveraging the Juvenile Case Management System as a private cloud solution.
	Specifications, Toolkits, and the Application Marketplace	TJJD will consider compatibility with other state data sharing systems when planning and developing the application suite.
	Legacy Systems Modernization	Like numerous other entities, TJJD has a large base of applications operating on legacy platforms. The agency has recently completed the implementation of a new Human Resources and Timekeeping system and is actively engaged in the prototyping of the CPA CAPPS system as a replacement for its legacy Financial applications. The agency continues to work closely with local juvenile probation departments across the state on the implementation of its new cloud-based Juvenile Case Management System (JCMS) which facilitates the retirement of the legacy Caseworker application system.
4.3 Optimize Information Asset Management	Best Practices for Managing Digital Information	TJJD has a number of mandated records that it must retain and will work closely with the records management interagency coordinating council in implementing common practices resulting from this effort.
4.4 Promote the Use and Sharing of Information	Health Information Exchange	TJJD will be an active participant in the Health Information Exchange effort led by Human Health Services Commission (HHSC). The agency is committed to providing any assistance as our youth are impacted by the quality of the healthcare information passed between TJJD and HHSC agencies.
	Statewide Communications Interoperability	TJJD is a participant in the Texas Radio Coalition (TRC) and has been involved in an active project over the last few years ensuring that our radio infrastructure is in compliance with interoperability standards.
	Justice Information System Integration	TJJD will be a participant as projects and tasks are needed and identified.
	Enterprise Geospatial Services	TJJD has no current or future needs in the area of enterprise geospatial services.

## B. Technology Initiative Alignment

	<b>Technology Initiative</b>	<b>Agency Objective</b>	<b>SSP Strategy</b>	<b>Current or Planned</b>	<b>Anticipated Benefit</b>	<b>Innovation, Best Practice, Benchmarking</b>
1	Continued transformation and consolidation of agency data center operations into the State Data Center.	All Objectives	1-1	Current	Replacement of outdated mainframe and servers, enhanced disaster recovery capabilities.	Statewide Initiative
2	Migrate existing financial systems to State Comptroller CAPPs ERP system.	All Objectives	1-2	Current	Increase overall functionality within the financial system.	Statewide initiative.
3	Migrate existing Human Resources system to State Comptroller CAPPs ERP system.	All Objectives	1-2	Planned	Increase overall functionality within the HRIS system.	Statewide initiative. Innovation: Track staffing ratios
4	Continue enhancement and deployment of Juvenile Case Management System (JCMS) to participating counties.			Current	Replace aging application and allow for better data sharing between counties.	Innovation
5	Migrate existing mainframe based case management system (CCS) to client server or web based application.	All Objectives		Planned	Replace aging application and increase overall performance and functionality.	Innovation
6	Migration of agency applications to cloud based offerings when possible.	All Objectives		Planned	Increased performance and functionality.	Innovation
7	Develop enterprise data warehouse/business intelligence offering.	All Objectives		Planned	Increase availability to deliver meaningful data sets to internal and external users.	Innovation
8	Develop means to allow a more mobile agency workforce.	All Objectives		Planned	Increase application delivery to users.	
9	Upgrade and refresh agency IT infrastructure.	All Objectives		Planned		
10	Consolidate agency telecommunications systems.	All Objectives		Planned	Increased functionality and decreased overall cost.	Innovation
11	Network security and monitoring enhancements through hardware and staff training expenditures.	All Objectives	2-1	Current	Improvement of network security and safeguarding of confidential information.	Best Practices: TAC 202
12	Replacement and upgrades of older radio technologies.	All Objectives	1-1	Current	A Texas DPS grant to improve interoperability between agencies is funding this effort.	Best Practices
13	Modernization and standardization of legacy software applications.	All Objectives	2-1	Planned	Remediation of reliance on outdated legacy platforms and systems.	Best Practices



## SECTION 5

# Appendices and Attachments

---

AGENCY PLANNING PROCESS

TJJJD ORGANIZATIONAL CHART

FIVE-YEAR OUTCOME PROJECTIONS

PERFORMANCE MEASURE DEFINITIONS

WORKFORCE PLAN

SURVEY OF EMPLOYEE ENGAGEMENT

WORKFORCE DEVELOPMENT SYSTEM STRATEGIC PLANNING

CUSTOMER SERVICE REPORT

## A. Agency Planning Process

---

## B. TJJJ Organizational Chart

---

## C. Five Year Outcome Projections

---

## D. Performance Measure Definitions

---

# E. Workforce Plan

---

## CONTENTS

### **INTRODUCTION E – 3**

#### **I - AGENCY OVERVIEW E – 3**

Agency Mission E – 3

Strategic Goals and Objectives E – 4

Organizational Structure E – 4

Impact of Agency’s Mission, Goals, and Objectives on Workforce Initiatives E – 6

#### **II – CURRENT WORKFORCE PROFILE (SUPPLY ANALYSIS) E – 6**

Demographics and Statistics E – 6

Critical Workforce Skills E – 9

#### **III – FUTURE WORKFORCE PROFILE (OUTLOOK ANALYSIS) E – 10**

Critical Functions E – 10

Expected Workforce Changes E – 12

Anticipated Decrease/Increase in Required Number of Employees E – 12

Future Workforce Skills Needed E – 12

#### **IV – GAP ANALYSIS E – 12**

Anticipated Surplus or Shortage in Full-time Employees (FTEs) E – 12

Anticipated Surplus or Shortage of Skills E – 13

#### **V – STRATEGY DEVELOPMENT E – 16**

Succession Planning E – 16

Gap Elimination Strategies E – 17

### **CONCLUSION E - 17**

## Introduction

The TJJJ Agency Workforce Plan is developed in compliance with the Texas Government Code, Section 2056.0021. The statute requires state agencies to conduct a strategic staffing analysis and develop a workforce plan, according to guidelines developed by the state auditor, to address critical staffing and training needs of the agency. In addition to being included in the Agency Strategic Plan, the Agency Workforce Plan is submitted to the State Auditor's Office State Classification Team as a stand-alone document.

### I. AGENCY OVERVIEW

The Texas Juvenile Justice Department (TJJJ) is the state's juvenile justice agency. TJJJ was created effective December 1, 2011 by the 82nd Legislature, and the powers and duties of the former Texas Youth Commission and the Texas Juvenile Probation Commission were transferred to TJJJ.

TJJJ works in partnership with local county governments, the courts, and communities to promote public safety by providing a full continuum of effective supports and services to youth from initial contact in the juvenile justice system through termination of supervision. TJJJ promotes delinquency prevention and early intervention programs and activities for juveniles and prioritizes the use of community-based or family-based programs and services for youth over the placement or commitment of youth to a state-operated secure facility.

TJJJ employs program specialists, investigators, and training specialists with job duties that focus on developing delinquency prevention and early intervention programs, monitoring and enforcing established standards for community-based programs and county detention facilities, and certifying and training juvenile probation and detention officers. However, the majority of the agency's employees have job duties related to operation of the agency's secure residential facilities housing the youthful offenders that cannot be safely served in another setting, providing multifaceted and integrated treatment programs to such youth, and performing job duties related to the agency's re-entry system and parole programs for youth who have completed their stay in a secure facility.



TJJJ operates secure residential facilities and halfway house programs. Some youth committed to TJJJ are assigned directly to a halfway house; however, the majority of youth are assigned to a halfway house as a transitional assignment after they have completed their stay in a secure facility. The agency also contracts with private or local government providers for a wide range of services to TJJJ offenders. On any given day, of the

youth in a residential facility, approximately 82% are assigned to a TJJD secure facility, 11% to a TJJD halfway house, and 7% to a facility run by private providers.

Specialized residential treatment includes programs and services designed for youth with serious violent offenses, sex offenses, alcohol and other drug abuse or dependency, and mental health and mental retardation impairments. In addition, TJJD operates year-round educational programs within each of its secure facilities. At TJJD halfway houses and some contract facilities, TJJD has memorandums of understanding with local independent school districts to provide education services. Youth under the agency’s jurisdiction in residential programs are also provided care for their basic needs, such as food, clothing, shelter, safety, medical care, legal rights, parenting, and spiritual needs.

**Agency Mission**

The primary mission of the TJJD is to create a safer Texas through the establishment of a continuum of services that promotes positive youth outcomes through:

- Organizational excellence and integrity that earns and promotes public trust;
- Evidence-based performance and accountability that produces results;
- Collaboration and teamwork that builds on partnerships with youth, families and local communities; and
- Innovation and technology that results in efficient systems and services
- 

**Strategic Goals and Objectives**

<b>GOAL A: COMMUNITY JUVENILE JUSTICE</b>
To ensure public safety, offender accountability and the rehabilitation of juvenile offenders through a comprehensive, coordinated, community-based juvenile justice system by providing funding in partnership with juvenile boards and probation departments. To assist local juvenile probation departments in developing programs and services to divert youth from commitment to the Department of Juvenile Justice. To provide an alternative for children who have been expelled from public school for certain offenses.
<b>OBJECTIVE A.1 Grants for Community Juvenile Justice Services</b>
Provide funding and support to local juvenile probation departments to maximize the development of community-based programs to divert offenders from the Texas Juvenile Justice Department, resulting in no more than 5% of eligible juveniles committed to the Texas Juvenile Justice Department for each year through Fiscal Year 2017.

<b>GOAL B: STATE SERVICES AND FACILITIES</b>
To protect the public by providing a safe and secure correctional environment for youth. <sup>3</sup> To deliver a continuum of needs-based services that reduce delinquent or criminal behavior, provide individualized opportunities for education, and facilitate successful community reintegration. <sup>4</sup>

<sup>3</sup> Texas Family Code, Section 51.01(1),(2), (3), and (4) and Human Resources Code, Sections 242.009, 242.102(a)

**OBJECTIVE B.1 Provide State-Operated Programs and Services**

To reduce the one year rearrest rate to 40 percent by the end of Fiscal Year 2017.

**OBJECTIVE B.2 Conduct Oversight of State-Operated Programs and Services**

Conduct fair and impartial investigations of criminal allegations that will lead to 900 completed cases each year through Fiscal Year 2017.

**OBJECTIVE B.3 Maintain State Facilities**

Maintain state facilities at 100% compliance with current life safety, health, and fire codes and standards at all times.

**GOAL C: OFFICE OF THE INDEPENDENT OMBUDSMAN**

To provide assistance to TJJD youth and ensure that systems of services are appropriate and equally accessible.

**OBJECTIVE C.1 Office of the Independent Ombudsman**

Meet with youth, families, employees, and advocacy groups such that youth contacts are increased by 15% by Fiscal Year 2017.

**GOAL D: JUVENILE JUSTICE SYSTEM**

To provide necessary services for both Community Juvenile Justice and State Services and Facilities functions.

**OBJECTIVE D.1 Juvenile Justice System**

To monitor 100% of local and TJJD secure and non-secure juvenile facilities by Fiscal Year 2017.

**GOAL E: INDIRECT ADMINISTRATION**

To provide necessary services for both Community Juvenile Justice and State Services and Facilities functions.

**OBJECTIVE E.1 Provide Administrative Management**

To monitor 100% of local and TJJD secure and non-secure juvenile facilities by Fiscal Year 2017.

<sup>4</sup> Texas Human Resources Code 201.202(2)(d), 244.001(a), 244.002, 244.006(a)(1)(2)(3), 244.007, 245.0535(a)

## Organizational Structure

The Texas Juvenile Justice Department is governed by a thirteen-member Board appointed by the Governor with the advice and consent of the Texas Senate. In addition, the Governor appoints a TJJJ Independent Ombudsman that reports directly to the Governor.

The Executive Director is the administrative head of the agency and is selected by and reports to the TJJJ Board. The Office of Inspector General (OIG) and the Office of Internal Audit also report directly to the TJJJ Board.

- The Chief Inspector General oversees the OIG, which is responsible for the criminal investigation of crimes involving TJJJ interests; location and apprehension of TJJJ youth who have escaped, absconded, or violated a condition of their release from TJJJ; Contraband Prevention, Detection, and Interception within TJJJ facilities; Investigations Analytics and Research; operation of the 24-hour Incident Reporting Center to receive and document allegations of criminal activity as well as reports of abuse, neglect, and/or exploitation of TJJJ youth; and Use of Force monitoring.
- The Chief Auditor oversees the TJJJ Internal Audit Department, which is responsible for evaluating and assessing agency services, operations, and processes; providing consultation to agency management regarding design and implementation of internal controls; and coordinating external audit activities.

The following staff report directly to the Executive Director:

- The Chief of Staff provides direction and guidance to the executive director and executive management in strategic operations and planning, the establishment of functional and organizational relationships to achieve and advance the agency's goals and objectives, and executive level projects related to the oversight of agency operations. In addition, the Chief of Staff manages and provides direct oversight of the departments and program areas responsible for external affairs and media relations, for monitoring and inspection of agency and county juvenile justice facilities and operations; and for administrative investigations regarding allegations of youth abuse, neglect, and exploitation in county-operated, state-operated and state contract-care programs and facilities.
- The Senior Director for State Programs & Facilities manages and oversees the departments responsible for ensuring the security and maintenance of TJJJ secure facilities and halfway houses and the delivery of rehabilitation and treatment programs and services to youth assigned to such facilities or assigned to agency contracted facilities. The programs and services include intake; assessment and placement; general, specialized, and mental health treatment; recreation programs; faith-based services; programs involving community volunteers; programs to encourage and support family involvement in the rehabilitation process; and re-entry services.
- The Senior Director of Education Services directs and oversees the agency's education program operated under the rules and guidelines of the Texas Education Agency (TEA) at each of the agency's secure facilities. The TJJJ Division of Education Services ensures that all students have the opportunity to achieve high school diplomas, industry certifications, and GED certificates. In addition, this position oversees monitoring activities related to on-site contracted educational services provided to youth assigned to a TJJJ halfway house or a TJJJ contract care facility and oversees management of the agency's re-entry workforce development programs that prepare youth for career training or job searches upon re-entering the community.
- The Senior Director for Probation & Community Services manages and oversees the departments and program areas responsible for providing prevention and early intervention services to at-risk youth; monitoring performance accountability of Juvenile Justice Alternative Education Programs; administering and monitoring Federal Title IV-E Foster Care Program contracts for the agency and

participating juvenile probation departments; and providing a continuum of care and supervision for TJJD youth released to parole.

- The Medical Director provides administrative oversight of all the clinical services, including medical, dental, and psychiatric direct care provided by the University of Texas Medical Branch (UTMB) providers. This position helps to coordinate and integrate mental health services provided by TDCJ psychology staff and psychiatric services provided by UTMB staff. In addition, this position oversees all aspects of food and nutrition services at facilities.
- The General Counsel oversees the Office of General Counsel (OGC), which provides in-house legal services for TJJD. Such services include providing legal counsel to the TJJD Board and agency management, including counsel regarding rules, policies, practices and proposed legislation; overseeing the publication of rules and policies; managing the youth grievance system; reviewing and preparing responses to youth appeals relating to grievance responses, disciplinary hearing findings, or the findings of abuse, neglect, and exploitation investigations; managing the functions of the release review panel, which makes decisions regarding release to parole, discharge from TJJD custody, or extended lengths of stay; conducting administrative due process hearings for youth and employees; maintaining youth records; responding to all public information requests; and overseeing any litigation involving the agency.
- The Senior Director of Administration & Training oversees the management of several programs and functions. The agency's Juvenile Justice Training Academy (JJTA) provides training not only to TJJD employees but also to local juvenile probation departments and other juvenile justice practitioners. The Legal Education and Technical Assistance program area provides legal and technical assistance to juvenile justice practitioners across the state and publishes updates to the agency's legal treatise Texas Juvenile Law. The certification program area certifies juvenile probation and supervision officers and regulates such certifications in compliance with state law. The agency's Office of Interstate Compact for Juveniles (ICJ) ensures compliance with ICJ laws and rules relating to juveniles traveling or relocating across state lines. The human resources department performs all employment-related functions for the agency. The business and staff services program area is responsible for the Austin Office building management, vehicle fleet management for the agency, and other business support functions and services.
- The Chief Financial Officer oversees the agency's functions relating to budget, general accounting, payroll accounting, financial claims and services, contracts and procurement, purchasing, inventory, construction services, and community juvenile justice grants. In addition, this position oversees the agency's research and planning department, which is responsible for collecting and analyzing data and information regarding youth involved in the juvenile justice system with a goal to identify and assist in planning effective programs and services.
- The Chief Information and Technology Officer oversees all functions of the Information Technology (IT) Division, which include ensuring a secure statewide information infrastructure for the agency; maintaining and supporting various technological components at all agency locations, including the secure facilities and halfway houses; and developing, maintaining, and supporting custom applications used by agency employees, county-based juvenile probation departments, and other external partners in the juvenile justice field.

### **Impact of Agency's Mission, Goals, and Objectives on Workforce Initiatives**

The agency does not anticipate future significant changes to the TJJD mission, goals, or objectives. However, the agency's workforce initiatives could be affected by achievement of the agency's goal to increase reliance on

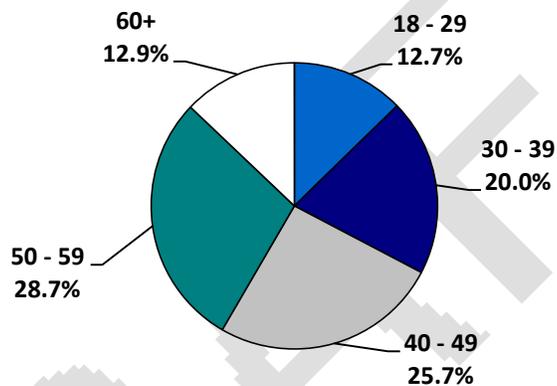
alternatives to placement and commitment to secure state facilities, which would further reduce the youth population assigned to the agency's secure facilities.

## II. CURRENT WORKFORCE PROFILE (SUPPLY ANALYSIS)

### Demographics and Statistics<sup>5</sup>

#### *TJJD Workforce by Age*

Approximately 40% of the TJJD workforce is in the 50+ age range, approximately 25% is in the 40-49 age range, and approximately 33% is under 40 years of age.



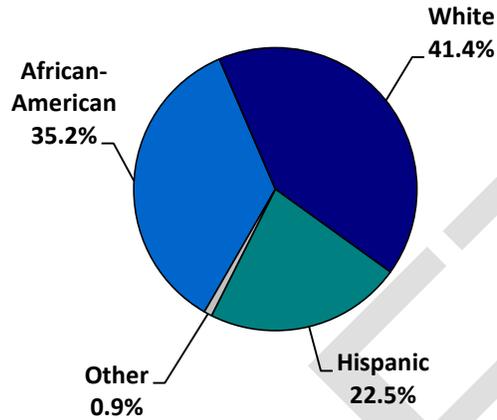
#### **TJJD Workforce by Gender**

The TJJD workforce has a slightly higher percentage of female employees than male employees.

<sup>5</sup> Source: Uniform Statewide Payroll System; queries run February 2014

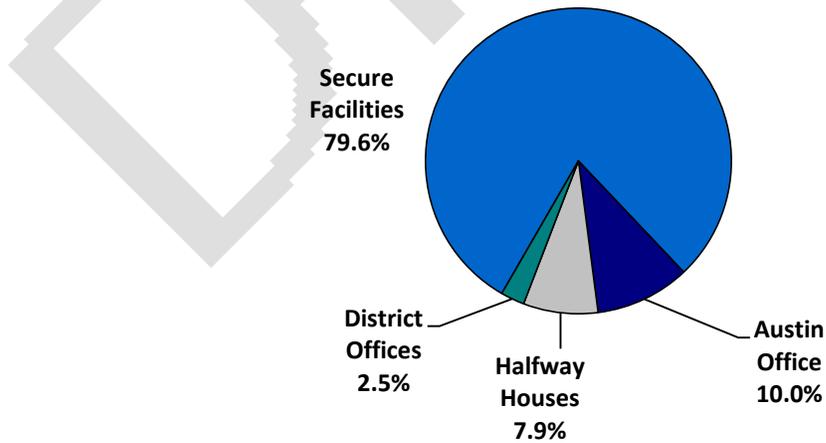
### TJJD Workforce by Ethnicity

When compared to the overall State of Texas workforce, TJJD has a higher percentage of African-American employees and a lower percentage of employees in other racial groups.



### TJJD Workforce by Location

Almost 80% of TJJD employees are assigned to the agency's secure state-operated facilities [2024 full-time employees (FTEs) and 5 part-time employees (PTEs)], and slightly more than 10% of TJJD employees are assigned to state-operated halfway houses (202 FTEs) or the agency's district offices (64 FTEs). Only 10% of employees are assigned to the TJJD Austin Office (254 FTEs and 1 PTE).



## TJJD Workforce by State Classification Plan

*Occupational Categories* This profile uses the occupational categories identified in the Fiscal Year 2014 - 15 SAO Job Classification Index.

Table 1 on the following page identifies specific state job titles included in the criminal justice, social services, and education occupational categories. The majority of these positions involve direct care of youth.

Table 1 also identifies the specific state job titles in the medical and health occupational category. The table does not include the UTMB contract nurses assigned to TJJD facilities.

Table 2 identifies additional specific SAO occupational categories containing more than 10 employees. The "other" category includes the total number of employees in an occupational category containing fewer than 10 employees.

**Table 1.**

### Occupational Categories with Job Titles (# Employees (as of 2/1/2014))

<b>Criminal Justice</b>	
JCO I – VI	1346 FTEs, 4 PTEs
Dorm Supervisor	28 FTEs
Superintendents and Assistant Superintendents	27 FTEs
Parole Officer I – IV	25 FTEs
<b>Social Services</b>	
Case Manager	145 FTEs
Chaplain	4 FTEs
Human Services Specialist	30 FTEs
Social Worker	9 FTEs
<b>Volunteer Service Coordinator</b>	7 FTEs
<b>Education</b>	
Education Specialist	5 FTEs
Teacher <sup>1</sup>	124 FTEs
Educational Diagnostician	6 FTEs
Academic Counselor – Assessment / Scheduling Specialist	5 FTEs
Teacher Aide	35 FTEs
Reading Specialist and Lead Reading Instructor	5 FTEs
Principal and Assistant Principal	10 FTEs
<b>Medical and Health</b>	
Physician III <sup>2</sup>	1 FTEs
Dietetic and Nutrition Specialist <sup>2</sup>	1 FTEs
Nurse <sup>2</sup>	2 FTEs
Health Specialist	36 FTEs
Psychologist	1 FTEs

<sup>1</sup>Includes 9 special education teachers

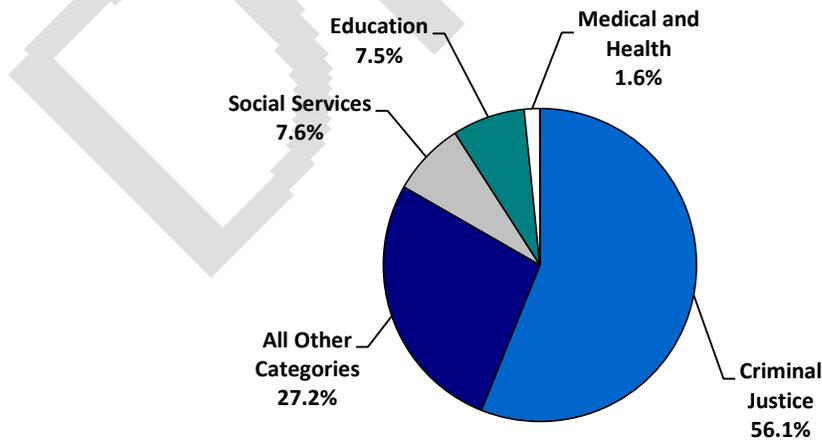
<sup>2</sup>Oversight positions

**Table 2.**

**All Other Occupational Categories  
# Employees (as of 2/1/2014)**

Accounting, Auditing & Finance	21 FTEs
Administrative Support	171 FTE, 1 PTE
Custodial & Domestic	81 FTEs
Human Resources (includes trainers for TJJD employees and for other juvenile justice practitioners)	49 FTEs
Information Technology	43 FTEs, 1 PTE
Investigators	53 FTEs
Legal	14 FTEs
Maintenance	56 FTEs
Program Management <sup>1</sup>	156 FTEs
Property Management and Purchasing	21 FTEs
Other	18 FTEs

<sup>1</sup>Includes non-supervisory program specialists.



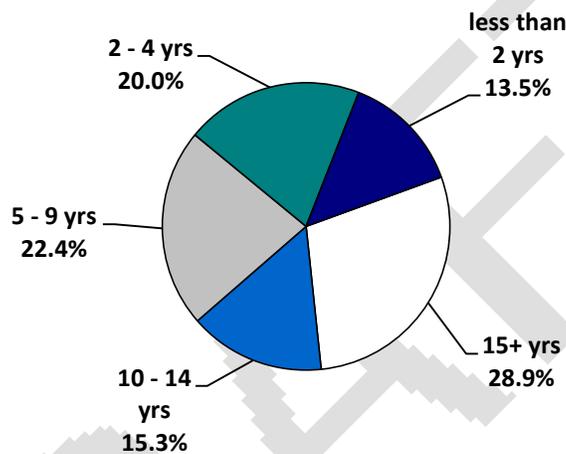
### *Projected Fiscal Year 2014 JCO and Case Manager Turnover Rates*

The projected Fiscal Year 2014 turnover rate for JCOs is 31.6%. This rate is slightly higher than the key performance goal of a 30% JCO turnover rate.

The projected Fiscal Year 2014 turnover rate for Case Managers is 26.1%

### **TJJJ Workforce by State Tenure**

No TJJJ employee has TJJJ tenure prior to December 1, 2011; therefore, the following indicates tenure for all state employment rather than just TJJJ employment.



### **Critical Workforce Skills**

The majority of the agency's positions perform duties that involve:

- establishing partnerships with, monitoring certain functions of, and providing training to local county governments and other agencies providing delinquency prevention or early intervention programs, operating county detention facilities, or operating other community-based programs;
- interacting directly with youth assigned to a state-operated secure facility or halfway house or on parole and with the families of such youth;
- managing the operations of state-operated facilities or the programs and services provided at the facilities.

Critical workforce skills to perform these functions include the skill to:

- establish program goals and objectives;
- identify problems, evaluate the strengths and weaknesses of alternative solutions, and implement effective solutions;
- develop and evaluate policies and programs;
- interpret and apply rules and regulations and provide technical assistance to stake-holders;

- identify measures or indicators of program performance, conduct reviews of performance, and assess the findings;
- assess training needs and provide training;
- maintain adequate and accurate records;
- review technical data and prepare or direct the preparation of technical and management reports;
- use high level data and informational reports as an administrative management tool;
- perform job duties in a correctional setting with potentially aggressive / combative youth;
- work with youth in an empathetic and understanding demeanor;
- foster the cooperation of youth in the rehabilitation and treatment process;
- communicate effectively with youth and explain their progress to family members and other treatment staff;
- intervene and correct behavior and facilitate group discussions and counseling sessions;
- perform verbal and physical crisis intervention/de-escalation techniques;
- develop and implement case plans;
- conduct reading intervention and other learning needs intervention;
- direct and facilitate individual and group activities;
- maintain order and discipline;
- act quickly in emergencies; and
- implement specialized treatment programs (e.g., mental health, sex offender, alcohol and other drug treatment).

### III. FUTURE WORKFORCE PROFILE (OUTLOOK ANALYSIS)

#### **Critical Functions**

The agency anticipates that the following functions will continue to be critical over the next five years.

*Provide a Full Continuum of Effective Supports to Juvenile Probation Departments and Other Local Authorities throughout the State*

The support provided by TJJD to juvenile probation departments and other local authorities include:

- certifying juvenile probation officers and monitoring professional responsibilities related to such certification
- providing educational training and technical assistance to promote compliance with established standards and assist the local authorities in improving the operation of probation, parole, and detention services
- investigating allegations of abuse, neglect, or exploitation of juveniles on probation or assigned to a juvenile detention facility
- monitoring operations of juvenile detention facilities
- facilitating interagency coordination and collaboration among juvenile probation departments, school districts, and the Texas Education Agency
- monitoring performance accountability for juvenile justice alternative education programs

- maintaining and expanding comprehensive integrated juvenile case management systems that record the history and details of juvenile referrals, offenses, placements, programs, and supervision and enables standardized juvenile case management among county probation departments.

*Provide each Youth Assigned to a State-Operated Facility with Access to a Spectrum of High Quality and Individualized Treatment*

- The agency's rehabilitative strategy includes a behavior component based upon the Positive Behavioral Interventions & Supports (PBIS) model and addresses treating the "whole child." The rehabilitative strategy includes not only treatment programs, but also education, vocational training, medical care, skills building programs, case management with service continuity, family involvement, community re-entry planning, and re-integration assistance. Services are matched to individual youth assessed needs in a way that increases staff responsiveness to the youth's characteristics. Treatment resources focus on the youth who are at the highest risk to reoffend, providing them with the appropriate length and intensity of treatment using proven interventions.

The strategy emphasizes general rehabilitative and specialized treatment programs, leisure skill building groups, greater family involvement, education and vocational training, a multidisciplinary and case planning team, and a progressive system from entry to parole. A multidisciplinary team comprised of the youth's case manager, an assigned educator, and JCOs who work with the youth on a regular basis, the youth, and the youth's parent/guardian meet regularly to assess the youth's progress, determine next steps, and develop a re-entry plan. As youth near completion of their minimum lengths of stay, case managers, parole officers, youth, and their parents or guardians formalize individualized Community Re-entry Plans for transition. These plans include the elements required for the youth to be successful upon return to the community. Medical input is also provided to ensure any medical issues are properly addressed in daily living and in case planning.

- Specialized treatment is provided for youth identified with a significant need in a specific area. The agency's specialized treatment programs are: Mental Health Treatment Program, Capital and Serious Violent Offender Treatment (C&SVO) Program, Alcohol and Other Drug Treatment, and Sexual Behavior Treatment Program. Youth entering TJJD for the first time or returning to TJJD present complex and intense needs for a range of specialized treatment. Only the most serious juvenile offenders are sent to a secure state-operated facility. These offenders are often characterized by multiple severe needs for mental health services, sex offender treatment, alcohol and drug treatment, and treatment for violent behavior. In Fiscal Year 2013, the percentage of new admissions to state-operated facilities committed for an offense against a person was 57%.

Youth who successfully complete a specialized treatment program or who develop a specialized treatment need once returning to the community will receive specialized aftercare on an outpatient basis as needed and as available in the community. The specific aftercare needs are identified and recommended by the youth's specialized treatment provider and the multidisciplinary team. Some youth may not complete specialized treatment before release from a high restriction facility. In these situations, linkages with specialized treatment are made in halfway houses or community placements. Efforts are made to match the needs of the youth with the services available in the community.

*Prepare Youth Assigned to a State-Operated Facility for Effective Re-entry into Schools and Communities at their Maximum Potential*

The agency's education services are a crucial element in the successful performance of this critical function. Education services within TJJJ include the following curriculum to allow for a seamless transfer of coursework within TJJJ schools and into the communities:

- A comprehensive reading skills program to significantly increase reading comprehension
- An aggressive general education diploma (GED) program
- Vocational certification programs
- Opportunities for youth who have obtained a GED and/or High School Diploma to receive advanced vocational training and industry certification through Career Academies.
- Special education initiatives
- Use of education and workforce development liaisons for youth at halfway houses or on parole to help ensure that a high percentage of TJJJ youth enroll in local schools, industry programs, or college upon return to the community
- An emphasis on teacher professional development relating to intervention skills to help ensure early, effective assistance to youth with learning difficulties

#### *Maintain the Safety of Youth and Employees Assigned to State-Operated Facilities*

When youth feel safe, they are more likely to actively engage in treatment and educational services. When employees feel safe, their effectiveness is increased and the resulting greater job satisfaction is reflected in lower employee turnover rates. This, in turn, benefits youth by establishing an atmosphere of stability with familiar role models. The following describes various actions that the agency has taken to help ensure youth and staff safety.

- The agency implements an injury prevention plan and monitoring system. The plan's main initiative is the Applying Behavioral Intervention (ABI) training, which is one of five modules included in the agency's Use of Force training and included in the agency's pre-service and annual training program. In addition, secure facilities initiate local plans to assist in lowering staff injuries, which consist of improving incentives and privileges for youth for good behavior, holding youth accountable for inappropriate behavior, and emphasizing verbal intervention.
- Each state-operated facility has an accident/physical restraint review board (ARB). The ARB is responsible for reviewing and analyzing all incidents of youth aggression resulting in injury to staff and incidents involving physical restraint. The purpose of the review is to identify causes and contributing factors in order to reduce or prevent reoccurrence. The facility trainers are members of the ARB to help identify training enhancements that could help prevent such incidents. The ARB's review findings are documented on the Accident Review Board Report. The report identifies whether the accident or injury was preventable or non-preventable, the underlying "root" cause, and reoccurrence preventive action.
- In FY 2014, the agency reallocated resources to add an additional trainer position to each of the state-operated secure facilities for the purpose of further enhancing the delivery of training initiatives that promote a safe and secure environment for youth and staff.
- TJJJ is committed to compliance with the standards for juvenile facilities instituted by the Prison Rape Elimination Act (PREA) Commission to promote the safest environment for youth. TJJJ has designated an agency-wide PREA coordinator to develop, implement, and oversee the agency's efforts to comply with the PREA standards in all TJJJ facilities and designated a PREA compliance manager at each state-operated secure facility and halfway house to coordinate the facility's efforts to comply with PREA standards. In addition, TJJJ conducts a safe housing assessment for each youth upon arrival to intake,

prior to facility transfer and at specified intervals thereafter as the youth moves through the continuum of rehabilitation and treatment services.

- The behavioral component of the agency's rehabilitation strategy is designed to bring out the best in youth, offering them incentives and positive reinforcement to behave in ways that contribute to a safe, therapeutic culture.

Maintaining a safe environment for youth and employees assigned to secure facilities will always be a challenge due to the potentially aggressive/combatative youth assigned to TJJJ custody. However, the agency's efforts to ensure employee safety resulted in a significant reduction in the employee injury rate for FY 2013 when compared to previous fiscal years. The trend of reduced injury rates has continued into FY 2014 to date. The agency will continue conducting an ongoing analysis of the various factors influencing the employee injury rate and considering various actions to maintain and further improve the reduced injury rate.

### **Expected Workforce Changes**

The agency's workforce could reflect a progressively increased emphasis on the agency's role in studying the effectiveness of services provided or regulated by the agency and monitoring the use, operations, and performance of community-based or family-based programs and services for youth.

### **Anticipated Decrease/Increase in Required Number of Employees**

At this time, it is difficult to predict changes in the required number of employees because the number is largely dependent on whether the youth population of state-operated facilities will decrease as the use of community-based services for juveniles increases.

### **Future Workforce Skills Needed**

It is anticipated that the critical skills previously identified in the supply analysis section of this plan will continue to be critical in the future. A greater emphasis may be placed on advanced information technology skills, research skills, and skills required for identifying measures or indicators of program performance.

## **IV. GAP ANALYSIS**

### **Anticipated Surplus or Shortage of Full-time Employees**

The agency is not currently experiencing a shortage of employees, and the legislatively authorized five percent increase for JCO staff for the FY 2014 – 2015 biennium was a significant JCO recruitment/retention strategy. However, it is anticipated that recruiting and retaining employees in JCO and case manager positions and avoiding potential shortfalls in these two job classes will remain a challenge for the agency. The work performed by these positions is very emotionally demanding and requires the ability to always be ready to perform verbal and physical crisis intervention/de-escalation techniques.

Due to several factors described below, it is also becoming increasingly difficult to compete with local school districts for educator positions.

- Efforts to recruit and retain teachers are affected by the correctional work environment, the considerable educational deficiencies of most youth residing at the agency's facilities, and the struggle to re-engage youth who have given up on the education system.
- Although the TJJD student population is more similar to the population of an urban juvenile justice alternative education program than the local school district's general student population, state law prohibits the salary rates for TJJD state schools from exceeding the salary rates of like positions at the local school district (e.g., a TJJD math teacher's salary cannot exceed the salary of a math teacher at the local school district).
- Unlike public school districts, the agency's state schools are operational every month of the year and teachers do not enter into a contract for employment.
- As reported in a recent article published in the Texas Association of School Boards (TASB) HR Exchange, Texas is experiencing a significant decline in the number of initial Texas teaching certificates issued to new teachers and in the pool of prospective educators.

### **Anticipated Surplus or Shortage of Skills**

#### *Skills Related to Direct Care of Youth Assigned to State-Operated Facilities and on Parole*

It is anticipated that the use of community-based or family-based programs will continue to be prioritized over the use of state-operated facilities. Therefore, the agency does not anticipate a future surplus or shortage of skills necessary to fulfill the agency's functions involving direct interaction with TJJD youth and their families.

Another factor ensuring that potential gaps in such skill levels are averted is the agency's ongoing training assessment process. This process involves reviewing feedback from field-based administrators, training advisory committees throughout the agency, pre-training and post-training assessments, on-the-job observations, and evaluations from course participants, as well as an annual formal needs assessment. The process ensures that the agency develops or modifies training programs to meet current training needs in a timely manner and employees obtain and reinforce the knowledge and skills required for performance of the agency's critical functions. A recent outcome of the training needs assessment is the development of the JCO VI Leadership course and the Exemplary Leadership course, which are described in greater detail later in this section.

In addition to using the training assessment process to avoid a gap in skills for direct-care staff, the agency avoids gaps by establishing specific training requirements that direct-care staff must complete to be eligible for continued employment. The current specific pre-service training requirements for JCOs, case managers, teachers, and parole officers are described in the following sections.

### **JCO Training Requirements**

All JCO staff must complete 320-hours of training prior to being certified for sole supervision of TJJD youth. This training includes two weeks of classroom and four weeks of on-the-job training conducted at the JCO's assigned facility and two additional weeks of classroom training conducted at the TJJD Pre-Service Training Academy. Training modules presented during the first two weeks at the facility include a basic understanding of juvenile justice youth, Texas juvenile justice system, employment discrimination, ethics and professional boundaries, youth rights, gang awareness, HIV/AIDS awareness, suicide prevention, first aid and CPR certification, juvenile health, safety, victim rights, youth movement on campus, rehabilitation treatment (CoNEXTions©) overview, and cultural diversity. Additional training modules that are provided during the pre-service training and/or during annual training include the following:

- **Interpersonal Communication (IPC) Training.** This 12-hour course covers the vital communication skills needed to effectively manage youthful offenders. The IPC model includes three basic components: Basics, Add-Ons and Applications. Each component contains specific skills addressing basic and strategic communication strategies with youth. Participants apply the skills through practice demonstrations during the class.
- **Behavior Management Training.** The 24-hour course entitled Positive Behavior Change System (PBCS) is closely aligned with the CoNEXTions© rehabilitation strategies. Direct care employees are provided instruction in the use of cognitive behavioral approaches to assist youth with learning skills that will help them solve problems and manage emotions leading to negative behaviors. Participants learn the common language and general philosophy of the CoNEXTions© treatment approach, the mechanics of processing a thinking report, and how to conduct check-ins and behavior groups. Other topics include the characteristics of effective staff and basic approaches to managing undesirable behaviors within a residential setting. This topic is further addressed in on-the-job training with practice in supervision of youth, operational strategies for youth movement about the campus, and security measures to use when youth behavior is outside acceptable bounds.
- **Prison Rape Elimination Act (PREA) and Preventing Sexual Misconduct.** Annual training for tenured employees includes a 2 hour course that reviews the information covered during the new hire training to again emphasize the importance of keeping youth and staff safe from sexual misconduct. The information reviewed includes TJJD policies and Texas laws relating to sexual misconduct and inappropriate relations, staff professionalism, characteristics of vulnerable staff, manipulation techniques used by youth, and how staff and youth can protect themselves from harm.
- **Use of Force Modules.** The Use of Force training includes five modules totaling 28 hours. The Policy Training module includes an overview of the TJJD use of force policy and plan. The Handle with Care© module is designed to give participants an overview and understanding of the self-defense tactics that can be used for self-protection during an altercation with a youth and to provide the opportunity for practicing such tactics. The Applying Behavior Intervention module is a specific curriculum for verbal intervention and de-escalation, which includes threat assessment techniques, rapid assessment, effective communication, active listening, and diffusion techniques. The other two Use of Force modules relate to use of mechanical restraints and OC Spray.
- **Incident Report Writing.** This course is designed to teach staff the four keys to successful report writing and the basic components of a well-written Incident Report and Use of Force Report. Participants view samples of quality Incident Reports and practice writing an Incident Report.
- **Trauma Informed Care.** This course educates juvenile justice staff about the impact of trauma on the development and behavior of youth in the juvenile justice system by providing knowledge and skills needed to respond appropriately to the behavioral and emotional challenges of traumatized youth and help traumatized youth develop the ability to recognize trauma or loss reminders, recognize and develop their strengths, recognize survival coping strategies, and develop positive, coping strategies needed to grow into a healthy, productive, and functional adult with skills to take care of himself/herself and seek support from others.

### **Case Manager Training Requirements**

Case managers receive a minimum 380-hours of training upon hire, which includes many of the same courses required for JCOs. These courses include CoNEXTions© overview, cultural diversity, ethics and professional boundaries, first aid and CPR certification, gang awareness, incident report writing, interpersonal communication skills, juvenile health, PREA and preventing sexual misconduct, safety, suicide prevention, Texas juvenile justice system, understanding TJJD youth, use of force training, victim rights, youth rights, and group

facilitation basics. Case managers also receive extensive specialized training regarding re-entry planning. Other specialized training courses for case managers include the following:

- Motivational Interviewing. This course teaches techniques designed to enhance intrinsic motivation to change through exploration of ambivalence. The techniques teach participants to deal with resistance in a non-judgmental manner while influencing the client's willingness to consider change.
- Positive Achievement Change Tool (PACT). This training includes practical instruction on the purpose and use of the PACT assessment tool. The PACT is part of the CoNEXTions© integrated treatment approach and is designed to improve assessment of individual risk and protective factors in order to enhance treatment interventions and, ultimately, improve youth outcomes. Participants learn basic guidelines and process for developing effective case plans and the process for conducting meaningful case planning sessions with the youth, how to write goals and action steps using SMART (Specific, Measurable, Achievable, Realistic and Time-framed) criteria, strategies for developing successful Community Re-Entry Plans, how to correlate the Community Re-Entry Plan with the "Making it Happen" plan, and how to incorporate skills and challenges identified within the "Making it Happen" plan within the case review process.
- CoNEXTions Stages/MDT/Community Reintegration Plan. This course outlines the Stages of CoNEXTions including the goals and indicators for each Stage. The training provides a structure for how the components of CoNEXTions work together to address youths individual needs. Participants gain an understanding of the role of the Multi-Disciplinary Team (MDT) in assessing Stage progress and assigning privileges. Participants also explore how the "Making It Happen" plan evolves throughout the Stages to form an individualized plan for successful community reintegration.
- Developing Effective Case Plans. Participants learn basic guidelines and process for developing effective case plans and the process for conducting meaningful case planning sessions with the youth. They incorporate knowledge gained during PACT training and Motivational Interviewing to case planning. Participants learn and write goals and action steps using SMART (Specific, Measurable, Achievable, Realistic, and Time framed) criteria. Participants correlate the Community Re-entry Plan (CRP) with the "Making it Happen" plan and incorporate skills and challenges identified within the "Making it Happen" plan with the CRP.
- OJT (On the Job) Training. The JJTA and the State Operated Programs & Facilities Division are collaborating in the development of an on-the-job training module for Case Managers, which the agency anticipates implementing in early FY 2015. The OJT training will require case managers to study and complete an Application Guide with guidance and oversight provided by a case manager mentor or supervisor. The agency is estimating that completion of the guide will require approximately 100 hours.

### **Teacher Training Requirements**

Teachers are required to complete a minimum 76 hours of TJJD training courses upon hire, which includes several of the same courses required for JCOs. These courses include CoNEXTions© overview, cultural diversity, ethics and professional boundaries, first aid and CPR certification, gang awareness, incident report writing, juvenile health, PREA and preventing sexual misconduct, safety, Texas juvenile justice system, suicide prevention, understanding TJJD youth, use of force, victims' rights, youth movement on campus, and youth rights.

### **Parole Officer Training Requirements**

Parole officers are required to complete a minimum 116 hours of TJJJ training courses upon hire. The courses include cultural diversity, ethics and professional boundaries, first aid and CPR certification, gang awareness, incident report writing, interpersonal communications, safety, suicide prevention, Texas juvenile justice system, use of force training, understanding TJJJ youth, victims' rights, youth rights, and PREA and preventing sexual misconduct training courses. Parole officers also receive extensive specialized training regarding their duties, and these training courses include a specialized parole CoNEXTions® overview, training regarding due process hearings, safety during office and field visits, sexual offender registration, working with sentenced offenders on parole and youth with mental health issues, and custody transportation.

### **Skills relating to Supervisory/Management Functions**

In addition to training that provides the agency's direct-care employees with the knowledge and skills necessary to perform their job duties, training that promotes supervisory effectiveness is a key component to lower employee turnover rates and maintain a skilled workforce.

In FY 2013, the agency implemented several leadership initiatives using the CAPSSY Grant. One of the initiatives included piloting a Senior Management Leadership Team Training encompassing three TJJJ secure facilities. The agency plans on applying again for the grant funds and implementing similar training at all facilities on an ongoing basis.

The following supervisory and management training courses are current courses available to TJJJ supervisors and managers.

- Introduction to TJJJ Supervision. This 40-hour course is required for all newly hired or promoted TJJJ supervisors. The course covers both the administrative requirements of a TJJJ supervisor along with an introduction to performance management, communication, teamwork, and cultural diversity.
- Teamwork and Conflict Resolution. This course is participant-centered, using many interactive activities to facilitate cooperation and build trust. Participants explore the attributes of effective teams, methods for resolving conflict, and how to interpret non-verbal cues that others may use in difficult situations.
- Correctional Management Institute of Texas (CMIT) Mid-Management Leadership Program. In an effort to assist agencies in succession planning and to prepare personnel in supervisory and mid-management positions for greater responsibility, CMIT offers a week-long Mid-Management Leadership Program several times throughout the year for criminal justice professionals at the George J. Beto Criminal Justice Center.
- Classes consist of employees selected, by nomination only, from adult and juvenile probation departments, the TJJJ, divisions of the Texas Department of Criminal Justice and Texas Sheriff's Departments. Agency Directors may nominate, as program candidates, employees in a supervisory position with potential for promotion or who possess the potential to be promoted into a supervisory position.
- CMIT Senior Level Leadership Program. CMIT, in collaboration with Sonoma State University and the Vera Institute of Justice, offers a week-long program aimed to capture and present significant insight and knowledge into the understanding, recognition, and impact of senior level decision making with an emphasis on applying strategic/critical based thinking with a core focus on the fundamental platform of principles associated with cost benefit analysis. This training is offered quarterly for criminal justice professionals at the George J. Beto Criminal Justice Center.
- Classes consist of employees selected, by nomination only, from adult and juvenile probation departments, the TJJJ, divisions of the Texas Department of Criminal Justice and Texas Sheriff's Departments. Agency's executive management may nominate, as program candidates, employees with

potential for promotion into a senior level position or who possess the potential to be promoted into a senior level position.

- Exemplary Leadership. This four hour course explores the four quadrants of emotional intelligence; self-awareness, self-management, social awareness and social skills as well as the five practices of credible leadership, modeling, inspiring a shared vision, challenging the process, enabling others to act, and encouraging the heart, which while discussed separately, go hand-in-hand to develop a credible leader.
- JCO VI Leadership. This specially designed mandatory course for newly hired or promoted first-line JCO VI supervisors was implemented in FY 2014 and consists of four separate two-hour modules for a compilation of 8 total training hours. Session one focuses on the individual using the Myers-Briggs Type Indicator (MBTI<sup>®</sup>) tool to allow the participant to reflect inwardly and learn his/her own style of leadership and communication. Session two leads the JCO VI through an exercise of identifying broken systems in the workplace and uses a problem based learning technique to teach participants how to evaluate possible solutions. With a base knowledge from the first two sessions, the last two sessions drill to more specific issues that a JCO VI or any other first line supervisor faces with problem employees. This training is also being provided to JCO VI employees hired or promoted prior to the implementation of this training course in FY 2014.

### **Other Job-Related Professional Skills**

Although the training assessment process is primarily used to identify needed changes to pre-service and annual training requirements, it also results in the development and offering of non-compulsory professional development training courses. The non-compulsory training courses provide employees the opportunity to further enhance specific skills. An example of such a course is the recently developed Legal Liabilities training course.

The Legal Liabilities course provides participants with an overview to the legal liabilities related to their work with youth. Participants examine common “slippery slopes” leading to liability for juvenile justice staff and strategies to limit that liability. In addition, this course provides participants with the knowledge to distinguish between critical and serious incidents, identifying those incidents meeting the definitions of abuse, neglect and exploitation, and the mandatory reporting requirements and procedures for each, including agency required time frames.

## **V. STRATEGY DEVELOPMENT**

### **Succession Planning**

The agency’s supervisory, management, and leadership training programs (described above in the discussion regarding anticipated surplus or shortage of skills) are a vital factor in the agency’s succession planning efforts. The programs are designed to help ensure that TJJD supervisors and mid-management personnel have the skills and knowledge required to assume greater responsibilities when vacancies occur through normal attrition. When employees compete for promotion to management positions, their leadership, teambuilding, and program development skills are critical components in the selection process.

TJJD reported in its Agency Workforce Plan for Fiscal Years 2013 – 2017 that a gap existed in succession planning for superintendent and assistant superintendent positions for state-operated secure facilities, which are key mission critical positions. At that time, the agency’s organizational structure for secure facilities included dorm

supervisors supervising the JCO staff for the assigned dorm and two levels of program supervisor positions supervising the facility's dorm supervisors and case managers.

In January, 2014, the agency streamlined the organizational structure of the secure facilities. The dorm supervisor position now supervises not only the JCOs assigned to the dorm but also the case managers assigned to the dorm. In addition, the new organization structure eliminated the program supervisor III positions and reclassified the previous program supervisor V positions to manager I positions with a broader range of responsibilities. The secure facility reorganization not only streamlines the facility organizational structure but also enhances succession planning for the secure facilities. Employees in the manager and dorm supervisor positions are now required to possess and continue to strengthen their cross-disciplinary skills, which will make them more qualified to promote and assume greater responsibilities when vacancies occur in the superintendent and assistant superintendent positions.

### **Gap Elimination Strategies**

Based on the agency's critical functions and staffing requirements, the agency must continue to implement aggressive recruitment strategies and strengthen retention strategies to avoid potential staff shortages in JCO, case manager, and educator positions. These strategies include the following:

- Continued implementation of JCO recruitment strategies relating to advanced placement upon hire for applicants with higher education, military service, or relevant experience.
- Begin hiring teachers through the recently developed partnership with Teach for America.
- Develop a partnership with Texas State Technical College (TSTC) to contract for vocational instructors.
- Continue to increase participation in job fairs and other recruitment events for educators and explore new recruitment strategies.
- Conduct periodic reviews of the case manager career path to ensure it continues to remain an effective retention strategy.
- Research, analyze and consider requesting additional job classifications that more closely reflect the work being performed at the agency's juvenile facilities instead of continuing to use job classes more reflective of social work.
- Ongoing identification and reinforcement of strategies to improve the quality of the work environment (e.g., consistent and fair application of HR policies and practices, reduction of staff injuries).
- Continued assessment of training curriculum to ensure that newly hired JCOs, case managers, and educators have the necessary skills to perform their duties in the agency's unique work environment.
- Continued enhancement of supervisory and leadership training to increase supervisory effectiveness.

### **CONCLUSION**

The agency will avoid workforce staffing and skill gaps through its commitment to implement strategies to attract applicants who have the necessary knowledge, skills and abilities to perform critical functions and to provide training that allows employees to continue acquiring and maintaining necessary skills.

# F. Survey of Employee Engagement

---

DRAFT

# G. Workforce Development System

## Strategic Planning

---

Activities and programs the agency is implementing or plans to implement regarding the agency's efforts to coordinate and collaborate with other workforce system partners as related to workforce programs, services and initiatives designed to address the critical business issues outlined in Advancing Texas.

To enhance the agency's initiative to align career and technical education (CTE) courses (approved by the Texas Education Agency) with industry-recognized certifications, TYC will:

- TJJD collaborated with TEA to implement a High School Equivalency Program which provided the basis on which our Career Academies were created. Career Academies offer a unique opportunity for students that have attained a GED or high school diploma and wish to continue developing vocational/employment skills and earning industry certifications. Students are enrolled in a Career Academy pathway and will spend up to five hours immersed in content specific, project based learning. Career Academies are aligned with national and state career clusters made up of courses that create a clear pathway to industry certification and/or a college degree.
- Work to increase Career Academy offerings so that students at all secure facilities have an opportunity to participate. Currently only Career Academies are implemented at three secure facilities. Coordinate dual credit opportunities with for students enrolled in vocational classes.
- Through enhanced technology classes, provide the opportunity for youth to obtain certificate of completions in various Adobe courseware and introduce skill development in the area of Video Game Design.
- Continue to ensure that vocational endeavors are aligned with industry certification, where applicable. Collaboration with national or state certifying or licensing entities is ongoing to ensure the quality of programs and instructor training

Additional efforts to help enhance the community reentry experience for youth and improve their chances for successful transition are the staff and services dedicated to assisting youth to prepare and implement their employment, vocational and or educational goals in aftercare.

Education Re-entry Liaisons are available to assist students who are transitioning to halfway houses or their community from institutional status with the understanding and development of education/vocational goals. They assist youth in obtaining appropriate employability, life and advocacy skills training, and assist case-managers, family liaisons, WD Reentry Liaisons, HWH and parole staff with the development and execution of transition planning regarding education and vocational goals and objectives. Additionally, they provide information and assistance regarding available financial aid for higher education and vocational training opportunities.

ERLs will administer new online curriculums for employability skills and college readiness will be implemented to further address skill deficiencies that may hinder student reentry success.

Workforce Development Re-entry Specialists (WDRS) continue to assist with expanding and enhancing reentry assistance for TJJD youth in the area of employment, vocational training and educational needs once the youth transitions to halfway house or parole status. The responsibility of these staff are to specifically work with youth to provide assistance with obtaining and maintaining employment, to access occupational skills training, to work as a part of a re-entry team providing linkages and referrals for youth regarding support service needs, and to work with community organizations to help build a network of resources that will aid in providing comprehensive services. WDRS collaborate with local workforce centers around the state to coordinate employment, training, educational and GED services utilizing WIA Youth Program, paid work experience, summer youth employment and other federally/state funded employment and training programs. WDRS also seek additional collaborations with community and faith-based programs such as ResCare Youth Program, WIA programs, Local DARS Agencies, local community Colleges, local Goodwill Industries Agencies, and local YouthBuild programs.

DRAFT

# H. Customer Service Report

---

DRAFT

**THIS PAGE LEFT BLANK INTENTIONALLY**



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Mike Meyer, Chief Financial Officer

Kenneth Ming, Director of Business Operations and Contracts

Subject: Contract items requiring Board approval: Architectural/Engineering services contracts

Date: March 18, 2014

---

Per General Administrative Policy, GAP385.1101, paragraph d.1, any contract for Architectural/Engineering (A/E) Services will be presented to the TJJJ Board for approval.

TJJJ staff have developed a construction plan for repair and rehabilitation projects for TJJJ institutions, and submitted it to the Legislative Budget Board (LBB) for approval. Materials related to a request for bond financing, provide detailed information including a list of projects. In anticipation of this funding being approved we would like the Board to approve the Executive Director to negotiate and award several contracts with top qualified A/E firms selected through a competitive Request for Qualifications (RFQ) process used for awarding professional services contracts. Having these A/E contracts in place when the construction funding is approved will save time in the overall construction services acquisition process.

Therefore we respectfully request your consideration and approval to begin the process of executing contracts for professional services associated with FY 2014 appropriated funding.

FY 2014 contracts:

- **Award several A/E contracts**

**Not to Exceed \$400,000**



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION TO REQUEST APPROVAL FOR THE EXECUTIVE DIRECTOR TO NEGOTIATE AND  
AWARD CONTRACTS WITH TOP QUALIFIED ARCHITECTURE AND ENGINEERING FIRMS**

On this **28th day of March, 2014**, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:			Second:		

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

**WHEREAS**, the General Administrative Policy, GAP 385.1101, paragraph d.1, requires a majority of the Board to approve in an open meeting all Architecture and Engineering Firm contract awards and any other contract deemed appropriate for Board approval as determined by the Executive Director; and

**WHEREAS**, TJJD has developed and submitted a construction plan to the LBB for approval of repair and renovation projects for TJJD institutions; and

**WHEREAS**, TJJD anticipates construction repair and renovation projects to be approved by the LBB .

**NOW, THEREFORE BE IT RESOLVED THAT** the Board approves the Texas Juvenile Justice Department’s Executive Director to negotiate and award one or more contracts for architect and engineering services to top ranked firms selected through the competitive Request for Qualifications process for a combined total not to exceed the amount of \$400,000.

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

**Signed this 28th day of March, 2014.**

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Mike Meyer, Chief Financial Officer

Kenneth Ming, Director of Business Operations and Contracts

Subject: Contract items requiring Board approval: Purchase of DVR equipment for the state operated facilities DVR Project, \$165,000

Date: March 18, 2014

---

Per TJJJ's Procurement Procedures Manual Purchase Approval Matrix, all purchases exceeding \$150,000.00 are required to have TJJJ Board for approval.

It is necessary for the agency to upgrade or replace all legacy systems, DVRs included, to be compliant with Windows7. Since Windows XP will no longer be supported by Microsoft, TJJJ's DVR systems must have the hardware upgraded.

Therefore staff respectfully requests your consideration and approval for the following FY2014 purchase, funded by receipts from the Federal Emergency Management Agency (FEMA):

- **Purchase of DVR equipment and hardware      Not to Exceed amount \$165,000**



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR APPROVAL TO PURCHASE SOFTWARE TO UPGRADE AND REPLACE LEGACY SYSTEMS**

On this **28th day of March, 2014**, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, the Board Governance Manual and TJJD’s Procurement Procedures Manual Purchase Approval Matrix requires a majority of the Board to approve all purchases exceeding \$150,000;

**WHEREAS**, as an agency, we are required to upgrade or replace all legacy systems, DVRs included, in order to be in compliant with Windows7;

**WHEREAS**, Windows XP will no longer be supported by Microsoft.; and

**WHEREAS**, TJJD’s DVR systems must have the hardware upgraded.

**NOW, THEREFORE BE IT RESOLVED THAT** the Board approves the Texas Juvenile Justice Department’s Executive Director to purchase new DVR equipment, not to exceed an amount of \$165,000.00, for the purpose of upgrading TJJD’s legacy DVR systems at all state operated facilities.

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

**Signed this 28<sup>th</sup> day of March, 2014**

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Mike Meyer, Chief Financial Officer

Subject: Discussion, consideration, and possible approval regarding the request for general obligation bond financing for new repair and rehabilitation projects at state operated facilities

Date: March 13, 2014

---

### **FY 2014 – 2015 Construction Appropriations**

TJJJ staff recommends approval of the attached resolution which is required by the Texas Public Finance Authority (TPFA) to secure financing (issue bonds) for FY 2014 – 2015 capital construction projects as appropriated by the General Appropriations Act (83<sup>rd</sup> Legislature, 2013; Article IX, Section 17.02, Page IX-64).

Attached for your review:

- Letter to the Texas Public Finance Authority
- Letter to the Legislative Budget Board
- Construction Project Detail
- Construction Project Expenditure Schedule
- Capital Repairs Project List
- Proposed resolution authorizing a request for financing and the execution and delivery of documents required to effect such financing
- Proposed Resolution

### **Project Substitution: CRTC Repairs and Rehabilitation**

The 80<sup>th</sup> Legislature appropriated general obligation bond proceeds of \$27,862,719 for repairs, rehabilitation, and new construction at state facilities (General Appropriations Act

for the 2008-2009 Biennium, Article IX, Section 19.71, Pages IX-88 to IX-89). The approved projects included a new education building at the Crockett facility, with an estimated cost of \$1.7 million. Although the bonds for that project were issued, the project was cancelled due to the closure of the Crockett facility in August, 2011.

The General Appropriations Act for the 2014-2015 Biennium allows substitution for a previously approved capital project with Legislative Budget Board (LBB) approval (83<sup>rd</sup> Legislature, 2013; Art. IX, Section 17.02, page IX-64). If TJJD is directed to maintain operations of the Corsicana Residential Treatment Facility (CRTC)—either through a contract with a third-party operator, or as the operator itself—the aforementioned remaining bond proceeds (not to exceed \$1,714,301) could be repurposed to address construction, repairs, and rehabilitation needs at that facility. This method of financing CRTC projects would avoid redirecting resources away from projects at other facilities included in the 2014-2015 bond package described earlier in this memo.

TJJD staff requests Board approval of the attached project list and method of financing. The full list of projects will only be pursued if the agency is legislatively directed to maintain operations at the CRTC, and receives LBB approval of the project substitution. If the facility is closed or transferred to another entity, none of the projects will be completed, or perhaps only the base and topsoil project (1. c.) depending on the terms of a possible transfer. The attachment includes initial cost estimates of the proposed projects, the total of which exceeds available funds. TJJD staff will ensure expenditures are within the not to exceed authorization of \$1,714,301 through competitive bidding and project prioritization. Projects may include architecture and engineering services of approximately 9 percent.

cc: Brett Bray, General Counsel  
Art Hinojosa, Architecture & Engineering Manager  
Dorothy Roberts, Director of Budget & Fiscal Affairs  
Kenneth Ming, Director of Contracts & Procurement

Attachments



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

March 28, 2014

Texas Public Finance Authority  
Attn: Financing Request Group  
300 West 15<sup>th</sup> Street, Suite 411  
Austin, Texas 78701

Dear Mr. Coalter:

The Texas Juvenile Justice Department requests bond funding through the Request for Financing package and the resolution as attached. The request for funding contains the following information:

1. Description of construction activity comprising the project: Deferred Maintenance including: Utility Road and Site Work, Safety/Security, General Repairs, HVAC/Lighting and Reconfigure Infirmary. Also included are professional design fees, associated fees and administrative costs associated with the construction projects.
2. The request for bond funds is \$5,500,000.
3. Estimated useful life of the project is 25 years.
4. The requested funding date is on or before August 1, 2014.
5. The estimated completion date for the project is August 2016.
6. The statutory authority under which the TJJD was created and operates and the appropriations act that authorizes the funding of the project:
  - a. Statutory authorization and operating guidelines for TJJD are found in Chapter 201, Texas Human Resources Code;
  - b. Appropriation authority is found in Senate Bill 1, Article IX, Section 17.02, Page IX-64, Eighty-Third Legislature, Regular Session (2013).
7. The bond proceeds will be used to maintain and equip our facilities to carry out the programs of the Agency. We affirm that the proceeds will only be used for a state or local government purpose.

Texas Public Finance Authority  
Attn: Financing Request Group  
Page 2

This request has been discussed previously with your staff and it is requested this be placed on the agenda for action by your Board at their next regularly scheduled meeting.

We appreciate your assistance. Should any questions arise regarding this request, please contact Mike Meyer, Chief Financial Officer, at 512-490-7657.

Sincerely,

Mike Griffiths  
Executive Director

cc: Robert C. Kline, Executive Director, Bond Review Board  
Kevin Niemeyer, Legislative Budget Board  
Angela Isaack, Legislative Budget Board  
Viveca Martinez, Governor's Office

Attachments



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

March 28, 2014

Ursula Parks, Director  
Legislative Budget Board  
P.O. Box 12666  
Capital Station  
Austin, Texas 78711

Dear Ms. Parks:

The Texas Juvenile Justice Department is submitting a Request for Bond Financing pursuant to requirements of the General Appropriations Act (83rd Legislature, 2013; Article IX, Section 17.02, Page IX-64). The following documents are attached:

1. TJJD Letter to Robert P. Coalter, Director, Texas Public Finance Authority.
2. A Resolution Authorizing a Request for Financing and the Execution and Delivery of Documents Required to Effect Such Financing as required by the Texas Public Finance Authority.
3. TJJD Construction Project Detail on \$5,500,000 Request, Fiscal Year 2014.
4. TJJD Construction Project Expenditure Schedule.

We appreciate your assistance. Should any questions arise regarding this request, please contact Mike Meyer, Chief Financial Officer, at 512-490-7657.

Sincerely,

Mike Griffiths  
Executive Director

cc: Mike Meyer

Attachments

**Texas Juvenile Justice Department  
Construction Project Detail on \$5,500,000 Request  
Fiscal Year 2014 - 2015**

Project Description	Budget
<b>General Appropriations Act, 2013, SB 1, 83rd Legislature, RS, Article IX, Section 17.02, Page IX-64.</b>	
<b>a. Deferred Maintenance</b>	
(1) Utility, Road and Site Work	\$ 1,081,000
(2) Safety/Security	\$ 2,190,000
(3) General Repairs	\$ 1,210,000
(4) HVAC/Lighting	\$ 894,000
(5) UTMB - Reconfigure Infirmary	\$ 125,000
<b>Total, Deferred Maintenance</b>	<b>\$ 5,500,000</b>

**Texas Juvenile Justice Department  
Construction Project Expenditure Schedule  
FY 2014 - 2015**

**SB 1, 83rd Leg, RS, Art IX, Sec 17.02**

<b>Expenditure Period</b>	<b>Estimated Expenditures Each Period</b>	<b>Cumulative Total</b>	<b>Percent of \$ 5,500,000</b>
September thru November 2014	\$138,331	\$138,331	3%
December 2014 thru February 2015	\$161,269	\$299,600	5%
March thru May 2015	\$297,156	\$596,756	11%
June thru August 2015	\$888,163	\$1,484,919	27%
September thru November 2015	\$1,348,757	\$2,833,676	52%
December 2015 thru February 2016	\$1,348,359	\$4,182,035	76%
March thru May 2016	\$958,026	\$5,140,061	93%
June thru August 2016	\$359,939	\$5,500,000	100%
TOTAL:	<u><u>\$5,500,000</u></u>		

**Texas Juvenile Justice Department**  
**Capital Budget: Repair or Rehabilitation of Buildings & Facilities**  
**FY 2014 - 2015 Summary by Needs Requests by Facility**

Description	Evins #27	Gainesville #24	Giddings #25	Ron Jackson #21	McLennan County #34	Total
<b>(1) Utility, Road and Site Work (Parking Lots)</b>						
a. Resurface roadways, parking lot, sidewalks	-	-	256,000	-	473,000	729,000
b. Expansion of parking lot	-	192,000	-	-	-	192,000
c. Drainage, irrigation	-	-	-	-	160,000	160,000
<b>Subtotal - Utility, Road and Site Work</b>	<b>\$ -</b>	<b>\$ 192,000</b>	<b>\$ 256,000</b>	<b>\$ -</b>	<b>\$ 633,000</b>	<b>\$ 1,081,000</b>
<b>(2) Safety/Security</b>						
a. Gatehouse control panel replacement/upgrade	-	-	-	-	-	-
b. Fence alarm/motion detector for perimeter fence	300,000	-	-	320,000	320,000	940,000
c. Replace fire alarms in 6 buildings	-	-	-	250,000	-	250,000
d. Enhanced security site lighting	-	-	-	-	-	-
e. DVR Maintenance, Enhancements & System Upgrades	200,000	200,000	200,000	200,000	200,000	1,000,000
<b>Subtotal - Safety/Security</b>	<b>\$ 500,000</b>	<b>\$ 200,000</b>	<b>\$ 200,000</b>	<b>\$ 770,000</b>	<b>\$ 520,000</b>	<b>\$ 2,190,000</b>
<b>(3) General Repairs</b>						
a. Repair structures	-	-	200,000	-	-	200,000
b. Replace copper piping	288,000	-	-	-	-	288,000
c. Replace water heaters and toilets in dorms 1 and 2	160,000	-	-	-	-	160,000
d. Install new security doors and jams to match new dorm	-	-	256,000	-	-	256,000
e. Repair shower pans and plumbing in 5 dorms	-	-	-	256,000	-	256,000
f. Repair Gym floor	-	-	50,000	-	-	50,000
<b>Subtotal - General Repairs</b>	<b>\$ 448,000</b>	<b>\$ -</b>	<b>\$ 506,000</b>	<b>\$ 256,000</b>	<b>\$ -</b>	<b>\$ 1,210,000</b>

**Texas Juvenile Justice Department**  
**Capital Budget: Repair or Rehabilitation of Buildings & Facilities**  
**FY 2014 - 2015 Summary by Needs Requests by Facility**

Description	Evins #27	Gainesville #24	Giddings #25	Ron Jackson #21	McLennan County #34	Total
<b>(4) HVAC/LIGHTING</b>						
a. HVAC system - Education	96,000	-	-	-	-	96,000
b. Hot water system - Education	19,200	-	-	-	-	19,200
c. Replace HVAC System	504,200	-	-	-	-	504,200
d. Replace ductwork and air exchange system in school	-	-	96,000	-	-	96,000
e. Hot water system - Education	-	-	25,600	-	-	25,600
f. HVAC enhancements to GYM and Rec Bldg.	-	-	128,000	-	-	128,000
g. Upgrade lighting	-	-	-	25,000	-	25,000
<b>Subtotal - HVAC/Lighting</b>	<b>\$ 619,400</b>	<b>\$ -</b>	<b>\$ 249,600</b>	<b>\$ 25,000</b>	<b>\$ -</b>	<b>\$ 894,000</b>
<b>(7) UTMB</b>						
a. Reconfigure infirmary	-	125,000	-	-	-	125,000
<b>Subtotal - UTMB</b>	<b>\$ -</b>	<b>\$ 125,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 125,000</b>
<b>TOTAL - REPAIRS</b>	<b>\$ 1,567,400</b>	<b>\$ 517,000</b>	<b>\$ 1,211,600</b>	<b>\$ 1,051,000</b>	<b>\$ 1,153,000</b>	<b>\$ 5,500,000</b>

**A RESOLUTION AUTHORIZING A REQUEST FOR FINANCING AND THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED TO EFFECT SUCH FINANCING**

**Whereas**, the Texas Public Finance Authority (the “Authority”) is authorized to issue general obligation bonds to finance the cost of certain projects for the use and benefit of the Texas Juvenile Justice Department (“Agency”) pursuant to Article III, Section 50-g, Texas Constitution, Chapter 1232, Texas Government Code, as amended, and SB 1, Article IX, Section 17.02, Acts, 83<sup>rd</sup> Legislature, R.S. (2013), (collectively, the “Authorizing Law”).

**Whereas**, the Agency desires and intends to request the Authority to finance the cost of the projects as permitted by the Authorizing Law; and

**Whereas**, the Agency recognizes that in order to finance the cost of the projects, the Authority may issue short term obligations, general obligation bonds, either or both (“Obligations”) in an aggregate principal amount sufficient to finance project costs in the estimated amount of \$5,500,000, plus the costs of issuance and related administrative costs, if any, which will be determined at the time of issuance; and

**Whereas**, the form of a Request for Financing, dated as of March 28, 2014 (the “Request for Financing”), from the Agency to the Authority, which includes a detailed description of the projects to be financed for the Agency (“Projects “ herein) and a proposed expenditure schedule, is presently before the Board of the Texas Juvenile Justice Department.

**NOW THEREFORE BE IT RESOLVED** by the Board that:

Section 1. The purpose of the financing is to provide funds sufficient to complete the Projects, and the financing thereof is appropriate at this time. Accordingly, the execution and delivery of the Request for Financing to the Authority pursuant to the Authorizing Law is hereby ratified, approved and confirmed.

Section 2. The Executive Director of the Agency is hereby authorized, empowered and directed to:

- a. sign and deliver any and all documents necessary or desirable to effect the financing and provide the projects, which documents may include but not be limited to a Memorandum of Understanding and a Financing Agreement between the Agency and the Authority;
- b. cooperate with the Authority and its consultants to prepare an Official Statement in connection with the sale of the Obligations;

c. and to take any other action necessary to assist in such sale.

Section 3. All actions not inconsistent with provisions of this Resolution heretofore taken by the Agency, its officers, employees, agents or consultants, directed toward the financing of the Projects and the issuance of the Obligations, is hereby ratified, approved and confirmed.

Section 4. The officers and employees of the Agency shall take all action in conformity with the Authorizing Law to effect the issuance of the Obligations and complete the Projects as provided in the Agreement and to take all action necessary or desirable or in conformity with the Authorizing Law for carrying out, giving effect to, and consummating the transactions contemplated by the Memorandum of Understanding, the Agreement, the Obligations, and the Request for Financing, including without limitation, the execution and delivery of any closing documents in connection with the closing of the Obligations.

Section 5. This Resolution was adopted at a meeting open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Ch. 551, Texas Government Code.

Adopted by the affirmative vote of a majority of the Board of the Texas Juvenile Justice Department present and voting on this 28<sup>th</sup> day of March 2014.

\_\_\_\_\_  
Scott W. Fisher  
Presiding Officer  
Chairman of the Board  
Texas Juvenile Justice Department

Attested: \_\_\_\_\_  
Secretary or other Board Member

*Remainder of page intentionally left blank*



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR AUTHORIZATION TO REQUEST FOR FINANCING AND THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED TO EFFECT SUCH FINANCING**

On this the 28th day of March, 2014, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, the Texas Public Finance Authority (the “Authority”) is authorized to issue general obligation bonds to finance the cost of certain projects for the use and benefit of the Texas Juvenile Justice Department (“Agency”) pursuant to Article III, Section 50-g, Texas Constitution, Chapter 1232, Texas Government Code, as amended, and SB 1, Article IX, Section 17.02, Acts, 83<sup>rd</sup> Legislature, R.S. (2013), (collectively, the “Authorizing Law”);

**WHEREAS**, the Agency desires and intends to request the Authority to finance the cost of the projects as permitted by the Authorizing Law; and

**WHEREAS**, the Agency recognizes that in order to finance the cost of the projects, the Authority may issue short term obligations, general obligation bonds, either or both (“Obligations”) in an aggregate principal amount sufficient to finance project costs in the estimated amount of \$5,500,000, plus the costs of issuance and related administrative costs, if any, which will be determined at the time of issuance; and

**Whereas**, the form of a Request for Financing, dated as of March 28, 2014 (the “Request for Financing”), from the Agency to the Authority, which includes a detailed description of the projects to be financed for the Agency (“Projects “ herein) and a proposed expenditure schedule, is presently before the Board of the Texas Juvenile Justice Department.

**NOW, THEREFORE BE IT RESOLVED by the Board that:**

1. The execution of the Request for Financing and delivery to the Authority pursuant to the Authorizing Law is hereby ratified, approved and confirmed. The purpose of the financing is to provide funds sufficient to complete the Projects, and the financing thereof is appropriate at this time.

2. The Executive Director of the Agency is hereby authorized, empowered and directed to:
  - a. sign and deliver any and all documents necessary or desirable to effect the financing and provide the projects, which documents may include but not be limited to a Memorandum of Understanding and a Financing Agreement between the Agency and the Authority;
  - b. cooperate with the Authority and its consultants to prepare an Official Statement in connection with the sale of the Obligations; and
  - c. take any other action necessary to assist in such sale.
3. All actions not inconsistent with provisions of this Resolution heretofore taken by the Agency, its officers, employees, agents or consultants, directed toward the financing of the Projects and the issuance of the Obligations, is hereby ratified, approved and confirmed.
4. The officers and employees of the Agency shall take all action in conformity with the Authorizing Law to effect the issuance of the Obligations and complete the Projects as provided in the Agreement and to take all action necessary or desirable or in conformity with the Authorizing Law for carrying out, giving effect to, and consummating the transactions contemplated by the Memorandum of Understanding, the Agreement, the Obligations, and the Request for Financing, including without limitation, the execution and delivery of any closing documents in connection with the closing of the Obligations.
5. This Resolution was adopted at a meeting open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Ch. 551, Texas Government Code.

Adopted by the affirmative vote of a majority of the Board of the Texas Juvenile Justice Department present and voting on this 28<sup>th</sup> day of March 2014.

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

Signed this **28th day of March, 2014.**

## **Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman

**Texas Juvenile Justice Department  
New Construction, Repairs and Rehabilitation  
FY 2014 - 2015 Summary by Needs for Corsicana**

Description	Corsicana
<b>(1) Utility, Road and Site Work (Parking Lots)</b>	
a. Resurface roadways, parking lot, sidewalks	-
b. Expansion of parking lot	-
c. Base & topsoil in central area to cover glass	361,806
<b>Subtotal - Utility, Road and Site Work</b>	<b>\$ 361,806</b>
<b>(2) Safety/Security</b>	
a. Gatehouse control panel replacement/upgrade	44,800
b. Fence alarm/motion detector for perimeter fence	-
c. Replace fire alarms in 11 buildings	294,400
d. Enhanced security site lighting	-
e. DVR Maintenance, Enhancements & System Upgrades	200,000
<b>Subtotal - Safety/Security</b>	<b>\$ 539,200</b>
<b>(3) General Repairs</b>	
a. Repair structures	-
b. Replace roofs on 4 buildings	256,000
c. Replace water heaters and toilets in dorms 1 and 2	-
d. Install new security doors and jams to match new dorm	-
e. Repair shower pans and plumbing in 5 dorms	-
f. Repair Gym floor	-
<b>Subtotal - General Repairs</b>	<b>\$ 256,000</b>
<b>(4) HVAC/LIGHTING</b>	
a. HVAC system - several dorms	280,192
b. Hot water system - Education	-
c. Replace HVAC System	-
d. Replace ductwork and air exchange system in school	-
e. Hot water system - Education	-
f. HVAC enhancements to GYM and Rec Bldg.	-
g. Upgrade lighting	-
<b>Subtotal - HVAC/Lighting</b>	<b>\$ 280,192</b>
<b>(7) Education Building enhancements for Vocational</b>	
a. Reconfigure and expand existing facilities	425,150
<b>Subtotal - UTMB</b>	<b>\$ 425,150</b>
<b>TOTAL - REPAIRS</b>	<b>\$ 1,862,348</b>



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR AUTHORIZATION TO REQUEST FOR FINANCING AND THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED TO EFFECT SUCH FINANCING**

On this the 28th day of March, 2014, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:			Second:		

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

**WHEREAS**, the General Appropriations Act for the 2008-2009 Biennium appropriated general obligation bond proceeds of \$27,862,719 for repairs, rehabilitation, and new construction at state facilities, and Legislative Budget Board (LBB) approval was given for a list of projects not all of which were completed;

**WHEREAS**, the General Appropriations Act for the 2014-2015 Biennium allows substitution for a previously approved capital project with Legislative Budget Board (LBB) approval; and

**WHEREAS**, pending legislative direction to retain ownership of and resume operations at the Corsicana Residential Treatment Facility, the Agency intends to request a project substitution for a cancelled 2008-2009 project to address critical needs at that facility;

**NOW, THEREFORE BE IT RESOLVED THAT** the Board approves the proposed project list, pending LBB approval of project substitution, for a total amount not to exceed \$1,714,301.

Adopted by the affirmative vote of a majority of the Board of the Texas Juvenile Justice Department present and voting on this 28<sup>th</sup> day of March 2014.

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

Signed this 28th day of March, 2014.

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman

**THIS PAGE LEFT BLANK INTENTIONALLY**



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director  
Lisa Capers, Senior Director of Administration and Training

Subject: Discussion, consideration, and possible approval regarding the CY 2014 Juvenile Case Management System (JCMS) Resource Sharing Addendum

Date: March 18, 2014

---

In March, 2013, the TJJJ Board approved the 2013 JCMS Resource Sharing Addendum, an agreement between Dallas County, Tarrant County, TJJJ and the Conference of Urban Counties, that provided support and funding for the continued operations, maintenance and implementation of JCMS. This Resource Sharing Addendum will expire on August 31, 2015. The expectation at that time was that at the start of each calendar year, the work plan, budget and cost allocation schedule would be superseded by new versions. Those changes are encapsulated in Amendment No. 1 to the 2013 Resource Sharing Addendum. This amendment continues the agency's commitment to partially fund the Operations, Maintenance and Implementation expenses related to JCMS.Basic.

Amendment No. 1 to the 2013 JCMS Resource Sharing Addendum is presented for consideration and approval. The amendment has already been approved and accepted by the County Commissioner's Courts in both Dallas and Tarrant Counties. This updated addendum allocates the agency's appropriated funds of \$1,250,000 from the 83<sup>rd</sup> Legislature to cover the calendar year 2014.

The continued funding of this project will enable the additional departments to come online and will also facilitate the continued evolution and enhancement of the application. Currently, 80 Texas juvenile probation departments are fully operational using JCMS with another 29 scheduled to convert over the next 5 months.

Materials included in the packet for this agenda item include:

- Amendment No. 1 to the 2013 Resource Sharing Agreement
- Proposed Resolution

With the proposed resolution, TJJJ staff requests board approval to authorize the TJJJ Executive Director to execute Amendment No. 1 to the 2013 Resource Sharing Addendum for continued support of the Operations, Maintenance and Implementation of JCMS.

Texas Conference of Urban Counties  
TechShare Program  
TechShare.Juvenile and Juvenile Case Management System -Basic  
2013 Resource Sharing Addendum  
Amendment No. 1

1. Each of the undersigned counties and the Texas Juvenile Justice Department ("TJJJ") is a signatory to the Interlocal Agreement For Participation In The Texas Conference of Urban Counties TechShare Program ("ILA").
2. Pursuant to the ILA, the undersigned counties, the TJJJ, and the Texas Conference of Urban Counties ("Urban Counties") entered into the TechShare.Juvenile and Juvenile Case Management System – Basic 2013 Resource Sharing Addendum (the "Addendum") with a term of January 1, 2014 through August 31, 2015.
3. Because the Work Plan, Budget, and Cost Allocation (Attachment C of the Addendum) is an annual document for each calendar year, there is a need to replace the work plan, budget, and cost allocation for 2013 with the work plan, budget, and cost allocation for calendar year 2014.
4. Attachment C of the Addendum – Work Plan, Budget, and Cost Allocation for 2013, is replaced in its entirety with the attached 2014 Work Plan, Budget, and Cost Allocation.
5. Except as specifically modified in this Amendment No. 1, all terms of the Addendum shall remain in effect.
6. This Amendment No. 1 is effective January 1, 2014.

[Signature Pages to Follow]

**COUNTY OF DALLAS**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**Name and Address for Purposes of Notice:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**COUNTY OF DENTON**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**Name and Address for Purposes of Notice:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**COUNTY OF TARRANT**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**Name and Address for Purposes of Notice:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TEXAS JUVENILE JUSTICE DEPARTMENT**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Name and Address for Purposes of Notice:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TEXAS CONFERENCE OF URBAN COUNTIES, INC.**

BY: \_\_\_\_\_

Title: Executive Director

Date: \_\_\_\_\_

**Name and Address for Purposes of Notice:**

Donald Lee

500 W. 13<sup>th</sup> Street

Austin, TX 78701

2014 WORK PLAN, BUDGET, AND COST ALLOCATION  
TECHSHARE.JUVENILE AND JUVENILE CASE MANAGEMENT SYSTEM - BASIC  
RESOURCE SHARING ADDENDUM

**Work Plan**

**Priorities**

The tasks and activities to be completed under this agreement are prioritized as follows:

1. Operation – ensuring the continued availability and reliability of TechShare.Juvenile and JCMS.Basic for the Participants
2. Maintenance – correcting defects in the system and applying maintenance as required by statute or rule and/or to keep the system evergreen (see below)
3. Development of JCMS Version 1.9.2 – in accordance with the JCMS.Basic and TechShare.Juvenile 1.9.x Release Scoping Document included as Attachment G to this Addendum.
4. Supporting the implementation activities of the TJJD – including change requests required to support the varied use of Caseworker across Juvenile Probation Departments
5. Implementation of TechShare.Juvenile and JCMS.Basic, Version 1.9.2 – in all Participants using TechShare.Juvenile and including migration of JCMS.Basic Counties
6. Implementation of TechShare.Juvenile 1.9.2 in Dallas County – migration from the Juvenile Information System
7. Implementation of TechShare.Juvenile in other member counties – preparation of budget proposals and implementation planning
8. Implementation of JCMS.Basic in member counties – either as a first step toward TechShare.Juvenile implementation or as a member county's production system

**Evergreen**

TechShare.Juvenile will be upgraded to the latest version of .NET from Microsoft as new versions become generally available. TechShare.Juvenile is operating on .NET Version 4.0 as of the beginning of the period for this Addendum.

TechShare.Juvenile and JCMS.Basic will be modified to incorporate legislatively mandated requirements that can be completed within the approved budget. Systems releases, versions or builds to provide for the application of legislatively mandated changes to the operating environments for TechShare.Juvenile and JCMS.Basic will be deployed and implemented.

**Deliverables**

1. Change Requests

Each Change Request will describe how the specific changes to the software are necessary to meet the operational requirements of the requesting entity. The Change Requests will be reviewed, approved, and prioritized by the Stakeholder Committee as they are scheduled for development.



2. Sprint Plans

For each two-week development cycle (Sprint), a Sprint Plan will be documented to communicate which defect corrections and change orders are included in the development cycle.

3. Release Notes

For each deployment to production, Release Notes will be provided describing the changes to the software.

Schedule

1.	Operation:	Ongoing
2.	Maintenance:	Ongoing
3.	Acceptance of Version 1.9.2:	January 30, 2014*
4.	Implementation of TechShare.Juvenile in other member counties:	As scheduled
5.	Supporting the implementation activities of the TJJD:	As scheduled
6.	Implementation of JCMS.Basic in member counties:	As scheduled

**Capital Costs and Allocation**

The total Capital Cost of TechShare.Juvenile as of January 1, 2014 is \$11,247,004.06

Capital Costs are allocated among Participant Local Governments according to the relative population of each Participant Local Government to the total population of all Participant Local Governments. The relative populations and Capital Costs of each Participant Local Government is shown on the table on the following page.

For member counties that adopt this Addendum, the following table shows the Capital Cost Allocation for each county.



<b>County</b>	<b>2010 Population</b>	<b>Capital Cost: Early Adopters (.75 of members)</b>
Bell	310,235	\$ 235,781
Brazoria	313,166	\$ 238,009
Brazos	194,851	\$ 148,089
Cameron	406,220	\$ 308,731
Chambers	35,096	\$ 26,673
Collin	782,341	\$ 594,586
Comal	108,472	\$ 82,440
Ector	137,130	\$ 104,220
El Paso	800,647	\$ 608,499
Fort Bend	585,375	\$ 444,890
Galveston	291,309	\$ 221,397
Grayson	120,877	\$ 91,868
Gregg	121,730	\$ 92,516
Guadalupe	131,533	\$ 99,966
Harris	4,092,459	\$ 3,110,306
Hays	157,107	\$ 119,403
Hidalgo	774,769	\$ 588,831
Hunt	86,129	\$ 65,459
Jefferson	252,273	\$ 191,730
Johnson	150,934	\$ 114,711
Kaufman	103,350	\$ 78,547
Lubbock	278,831	\$ 211,914
Mclennan	234,906	\$ 178,531
Midland	136,872	\$ 104,024
Nueces	340,223	\$ 258,573
Randall	120,725	\$ 91,752
Rockwall	78,337	\$ 59,537
San Patricio	64,804	\$ 49,252
Smith	209,714	\$ 159,385
Travis	1,024,266	\$ 778,451
Webb	250,304	\$ 190,233
Williamson	422,679	\$ 321,240
Wise	59,127	\$ 44,937

## Operations and Maintenance Budget and Allocation

The Operations and Maintenance Budget for this Addendum is shown in the table below.

			Budget
<b>Expenses</b>			
<b>Direct Expenses</b>			
	<b>Consulting</b>		
	<b>Contractual Consulting</b>		
	<b>FF &amp; E</b>		\$ 15,333.33
	<b>Meetings</b>		
		Board	\$ -
		Committees	\$ 13,500.00
		Education Events	\$ 15,000.00
		Membership	\$ -
		Other	\$ -
	<b>Total Meetings</b>		<b>\$ 28,500.00</b>
	<b>Other Expenses</b>		
		Computer Software	\$ 17,000.00
		Meals & Entertainment	\$ -
		Prof. Dev. & Mgmt. Services	\$ 33,500.00
		Misc.	\$ -
		Printing & Publications	\$ 3,300.00
		Supplies	\$ 12,000.00
	<b>Total Other Expenses</b>		<b>\$ 65,800.00</b>
	<b>Payroll Costs</b>		
		ER Taxes	\$ 121,050.00
		Health Insurance	\$ 65,808.00
		Other Insurance	\$ 13,248.00
		Salaries	\$ 1,345,000.00
		SEP ER Contribution	\$ 134,500.00
		Contract Services	\$ -
	<b>Total Payroll Costs</b>		<b>\$ 1,679,606.00</b>
	<b>Software Licensing Fee</b>		<b>\$ -</b>
	<b>Software Maintenance Fee</b>		<b>\$ 38,000.00</b>
	<b>Systems Operations Fee</b>		<b>\$ 594,000.00</b>
	<b>Travel</b>		
		Lodging	\$ 14,500.00
		Meals	\$ 27,500.00
		Transportation	\$ 8,000.00
	<b>Total Travel</b>		<b>\$ 50,000.00</b>
	<b>Total Direct Expenses</b>		<b>\$ 2,471,239.33</b>

			Budget
<b>Expenses</b>			
<b>Indirect Expenses - TechShare Only</b>			
	Accounting Fees		\$ -
	Association Fees		\$ 104,355.00
	Bank Fees		\$ -
	Business Insurance		\$ 8,280.00
	Depreciation		\$ 4,162.50
	FF & E		\$ 29,254.58
	Legal Fees		\$ -
	Occupancy		
	Rent - 500 W. 13th. St.		\$ -
	Rent - Stonecreek		\$ 165,330.00
	<b>Total Occupancy</b>		<b>\$ 165,330.00</b>
	<b>Other Expenses</b>		
	Prof. Dev. & Mgmt. Services		\$ 4,530.00
	Misc.		\$ 14,110.00
	Printing & Publications		\$ 378.00
	Supplies		\$ 3,675.00
	Telecommunications		\$ 27,018.00
	<b>Total Other Expenses</b>		<b>\$ 49,711.00</b>
	<b>Payroll Costs</b>		
	ER Taxes		\$ 15,808.50
	Health Insurance		\$ 8,829.24
	Other Insurance		\$ 1,777.44
	Salaries		\$ 175,650.00
	SEP ER Contribution		\$ 17,565.00
	Contract Services		\$ -
	<b>Total Payroll Costs</b>		<b>\$ 219,630.18</b>
	<b>Travel</b>		
	Lodging		\$ -
	Transportation		\$ -
	Meals		\$ -
	<b>Total Travel</b>		<b>\$ -</b>
	<b>Total Indirect Expenses - TechShare Only</b>		<b>\$ 580,723.26</b>



			Budget
<b>Expenses</b>			
<b>Indirect Expenses - Association Only</b>			
	Accounting Fees		\$ 5,475.00
	Bank Fees		\$ 127.50
	Business Insurance		\$ -
	Depreciation		\$ -
	FF & E		\$ 2,101.67
	Legal Fees		\$ 24,700.00
	Meetings		\$ 2,000.00
	Occupancy		
	Rent - 500 W. 13th. St.		\$ 9,360.00
	Rent - Stonecreek		\$ -
	<b>Total Occupancy</b>		\$ 9,360.00
	<b>Other Expenses</b>		
	Prof. Dev. & Mgmt. Services		\$ 1,180.00
	Misc		\$ 870.00
	Printing & Publications		\$ 115.50
	Supplies		\$ 1,430.00
	Telecommunications		\$ 1,722.00
	<b>Total Other Expenses</b>		\$ 5,317.50
	<b>Payroll Costs</b>		
	ER Taxes		\$ 4,441.68
	Health Insurance		\$ 3,345.24
	Other Insurance		\$ 673.44
	Salaries		\$ 49,352.00
	SEP ER Contribution		\$ 4,888.40
	Contract Services		\$ 15,000.00
	<b>Total Payroll Costs</b>		\$ 77,700.76
	<b>Travel</b>		
	Lodging		\$ -
	Transportation		\$ -
	Meals		\$ -
	<b>Total Travel</b>		\$ -
	<b>Total Indirect Expenses - Association Only</b>		\$ 126,782.43
<b>Total Expense</b>			\$ 3,178,745.02

Cost Allocation and Payment Plan:

The budget will be funded through 4 payments from each Participant, based on the anticipated quarterly costs for calendar year 2014. The first payment will cover the first quarter of calendar year 2014. The second, third and fourth payments will cover the costs for the final quarters of calendar year 2014. The payment schedule and allocation of costs among the Participants is shown in the table below:

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	
<b>Participant Payment Plan</b>	Due Feb 28, 2014	Due May 15, 2014	Due Aug 15, 2014	Due Nov 15, 2014	Total
<b>Texas Juvenile Justice Department (TJJD)</b>					
Maintenance/Operations:	\$ 312,500.00	\$ 312,500.00	\$ 312,500.00	\$ 312,500.00	\$ 1,250,000.00
<b>Dallas County</b>					
Maintenance/Operations:	\$ 281,250.00	\$ 281,250.00	\$ 281,250.00	\$ 281,250.00	\$ 1,125,000.00
<b>Denton County</b>					
Maintenance/Operations:	\$ -	\$ -	\$ 129,000.00	\$ 76,000.00	\$ 205,000.00
<b>Tarrant County</b>					
Maintenance/Operations:	\$ 187,500.00	\$ 187,500.00	\$ 187,500.00	\$ 187,500.00	\$ 750,000.00
<b>Totals</b>					
Maintenance/Operations:	\$ 781,250.00	\$ 781,250.00	\$ 910,250.00	\$ 857,250.00	\$ 3,330,000.00

With the participant payments totaling \$3,330,000, the overall budget will generate a net reserve of \$299,755. Multi-County Juvenile Probation Departments

Both Capital Costs and O&M Costs will be allocated per Participant Local Government in accordance with method/formula for all other Participant Local Governments, unless the commissioners court from every county in a multi-county jurisdiction agrees to split their collective costs in some other manner as between those counties only. A commissioners court resolution, minute order, or other such document evidencing each county's agreement must be provided to Urban Counties before any such other manner of allocation will be effective.



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR AUTHORIZATION TO EXECUTE AMENDMENT 1 TO THE 2013 RESOURCE SHARING ADDENDUM FOR THE JUVENILE CASE MANAGEMENT SYSTEM (JCMS)**

On this the 28<sup>th</sup> day of March, 2014, 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					
Joseph Brown					
Carol Bush					
Jane A. King					
Becky Gregory					
Scott Matthew					
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, the General Administrative Policy (GAP) 385.1101 specifies the TJJD Board’s authority and responsibility to execute contracts exceeding \$500,000.00; and

**WHEREAS**, the staff requests approval to execute Amendment No. 1 to the 2013 Resource Sharing Addendum for the operations, maintenance and implementation of the Juvenile Case Management System for an amount not to exceed \$1,250,000.00 for the calendar year 2014; and

**WHEREAS**, the project would be funded from existing appropriations as provided by the 83<sup>rd</sup> Texas Legislature.

**NOW, THEREFORE BE IT RESOLVED THAT** the Board authorizes the Executive Director to execute Amendment No. 1 to the 2013 Resource Sharing Addendum for the continued operations, maintenance and implementation of the Juvenile Case Management System.

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

Signed this 28<sup>th</sup> day of March, 2014.

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman

**THIS PAGE LEFT BLANK INTENTIONALLY**



Memorandum

To: Members of the TJJD Board

From: Mike Griffiths, Executive Director  
 Mike Meyer, Chief Financial Officer

Subject: FY 2015 funding allocation recommendations: state financial assistance, commitment diversion, and mental health

Date: March 8, 2014

**State Financial Assistance (Grant A) Allocation Methodology for FY 2015**

Appropriations to the Texas Juvenile Justice Department (TJJD) for fiscal year (FY) 2015 support total formula and grandfathered supplemental funding<sup>1</sup> of approximately \$106.4 million through the State Financial Assistance program (Grant A). This is a decrease of \$1.5 million (1.4 percent) from the fiscal year (FY) 2014 amount of \$107.9 million. The decrease is the net result of a \$1.2 million reduction in appropriated General Revenue, a \$0.4 million increase in funding set-aside for JCMS maintenance and operations<sup>2</sup>, and a \$0.1 million decrease in funding set-aside for Supplemental and Emergent Needs (S&E) grants and Special Purpose grants. The following table compares projected and proposed allocation figures for fiscal years 2014 and 2015.

<b>Projected Available Revenue (\$ millions)</b>	<b>FY2014</b>	<b>FY2015</b>
Available General Revenue	\$111.7	\$110.5
Projected Refunds	\$1.2	\$1.2
<b>Total, Projected Available Revenue</b>	<b>\$112.9</b>	<b>\$111.7</b>

<b>Projected/Proposed Allocations (\$ millions)</b>	<b>FY2014</b>	<b>FY2015</b>
Formula Funding & Grandfathered Supplements	\$107.9	\$106.4
SNDP, Harris Co. Leadership, Border, JCMS	\$3.6	\$4.0
S&E, Special Purposes	\$1.4	\$1.3
<b>Total, Projected/Proposed Allocations</b>	<b>\$112.9</b>	<b>\$111.7</b>

<sup>1</sup> Departments previously receiving non-formula funding were grandfathered for FY14 and FY15.  
<sup>2</sup> Projected FY15 expenditures for JCMS are consistent with projected FY14 expenditures. The reduced FY15 agency-wide budget necessitates a greater JCMS set-aside for prudent budgetary planning.

The attached table shows proposed FY15 allocations by county. Allocations were determined by applying an across-the-board reduction of 1.5 percent to departments' adjusted FY14 Grant A contract amounts. The adjusted FY14 base does not include non-grandfathered supplements.

As with FY14, non-formula funding will be awarded for supplemental and emergent needs and special programs through separate competitive application processes occurring at regular intervals throughout the year. It is the intention of TJJD staff to work with the TJJD Advisory Council, the TJJD Board, and other stakeholders during FY15 to clarify the probation funding formula and make the revised formula effective for the FY16-17 Biennium.

### **Commitment Diversion (Grant C) Allocation Methodology for FY 2015**

During the 83<sup>rd</sup> Regular Legislative Session, TJJD was appropriated \$19,846,054 for fiscal year 2014 and \$19,846,054 for fiscal year 2015 to continue commitment diversion initiatives through an existing grant, Grant C. At its July, 2013, meeting, the TJJD Board approved FY14 allocations totaling \$19,896,054, which included a planned transfer of \$50,000 from other Goal A strategies to support the addition of three new counties to the Commitment Diversion Program without requiring a reduction to allocations to other departments. The approved distribution methodology for FY14 followed the exact formula of the previous biennium, such that departments already participating in the program received level funding. The Board also approved commitment diversion targets for each department within the overall target provided in the *General Appropriations Act*. TJJD staff recommend continuing FY14 funding levels and commitment targets in FY15; both are provided in the attachment.

### **Mental Health (Grant N) Allocation Methodology for FY 2015**

For the 2014-2015 biennium, TJJD requested \$7.6 million per year in new funding to provide enhanced mental health services to youth under the jurisdiction of probation departments. The Legislature granted that request, and combined the funding with approximately \$5.2 million per year from within existing dollars to create a new budgetary strategy specifically for mental health services. TJJD's budget includes a rider requiring that the total amount in that strategy, or about \$12.8 million per year, be fully allocated for mental health.

TJJD staff worked with the Advisory Council to develop a reasonable allocation for mental health funds for FY14, which was approved by the TJJD Board at its July, 2013 meeting as "Grant N". At the time, TJJD staff did not make a recommendation for FY15 allocations in order to maintain flexibility in the event that feedback from the field indicated necessary modifications to the FY14 approach. FY14 saw a number of counties seeking clarification on the allowable uses of Grant N, however there was virtually no discussion about changing the allocation methodology.

The attached table shows staff-recommended FY15 allocations under Grant N, which mirror exactly the approved allocations for FY14. These funds continue to be subject to the requirements set forth in the Grant N contract.

**THIS PAGE LEFT BLANK INTENTIONALLY**

**Proposed FY2015 Allocations: State Financial Assistance (Grant A), Commitment Diversion (Grant C) and Mental Health (Grant N)**

DEPARTMENT	Grant A	Grant C	Grant N
ANDERSON	\$ 282,316	\$ 19,519	\$ 74,564.95
ANDREWS	\$ 141,291	\$ 12,500	\$ 16,799.61
ANGELINA	\$ 534,370	\$ 90,175	\$ 87,027.56
ATASCOSA	\$ 412,513	\$ 29,683	\$ 81,002.44
AUSTIN	\$ 174,702	\$ 14,450	\$ 17,198.75
BAILEY	\$ 140,394	\$ 13,287	\$ 10,578.01
BANDERA	\$ 135,596	\$ 12,727	\$ 14,919.13
BASTROP	\$ 748,496	\$ 136,644	\$ 83,049.03
BAYLOR	\$ 71,469	\$ 12,500	\$ 3,533.71
BELL	\$ 1,045,800	\$ 242,080	\$ 172,920.87
BEXAR	\$ 6,490,544	\$ 1,407,530	\$ 661,680.53
BOWIE	\$ 528,834	\$ 87,182	\$ 51,830.08
BRAZORIA	\$ 1,241,290	\$ -	\$ 200,539.47
BRAZOS	\$ 756,882	\$ 136,257	\$ 180,398.83
BREWSTER	\$ 108,061	\$ 12,507	\$ 10,835.16
BROOKS	\$ 101,030	\$ 12,500	\$ 14,600.17
BROWN	\$ 279,545	\$ 26,340	\$ 42,218.62
BURNET	\$ 521,209	\$ 28,219	\$ 50,983.28
CALDWELL	\$ 317,777	\$ 26,602	\$ 53,087.34
CALHOUN	\$ 169,350	\$ 22,272	\$ 30,506.11
CALLAHAN	\$ 39,555	\$ 12,500	\$ 6,955.74
CAMERON	\$ 2,332,280	\$ 252,743	\$ 272,648.13
CASS	\$ 241,671	\$ 23,116	\$ 18,839.59
CHAMBERS	\$ 163,132	\$ -	\$ 13,065.92
CHEROKEE	\$ 429,690	\$ 80,164	\$ 43,378.47
CHILDRESS	\$ 190,247	\$ 13,618	\$ 18,698.01
COCHRAN	\$ 33,387	\$ 12,500	\$ 6,650.78
COKE	\$ 178,897	\$ 13,284	\$ 19,595.23
COLEMAN	\$ 45,943	\$ 12,500	\$ 7,271.65
COLLIN	\$ 1,764,260	\$ -	\$ 208,444.55
COMAL	\$ 484,796	\$ 38,585	\$ 69,697.43
COMANCHE	\$ 278,383	\$ 17,114	\$ 24,413.17

DEPARTMENT	Grant A	Grant C	Grant N
COOKE	\$ 257,591	\$ 25,919	\$ 27,352.34
CORYELL	\$ 543,514	\$ 56,834	\$ 51,459.77
CRANE	\$ 54,591	\$ 12,500	\$ 7,699.20
CROSBY	\$ 69,856	\$ 12,500	\$ 8,015.69
CULBERSON	\$ 64,058	\$ 12,500	\$ 8,167.29
DALLAM	\$ 123,075	\$ 20,416	\$ 11,085.31
DALLAS	\$ 8,039,804	\$ 2,191,357	\$ 726,380.90
DAWSON	\$ 173,504	\$ 19,849	\$ 16,513.15
DEAF SMITH	\$ 231,173	\$ 40,236	\$ 29,804.51
DENTON	\$ 1,748,507	\$ 318,485	\$ 207,037.38
DEWITT	\$ 163,394	\$ 20,562	\$ 31,539.23
DUVAL	\$ 178,294	\$ 12,500	\$ 69,421.64
EASTLAND	\$ 145,530	\$ 12,500	\$ 15,756.37
ECTOR	\$ 671,310	\$ 135,153	\$ 108,046.98
EL PASO	\$ 3,043,731	\$ 444,171	\$ 271,706.99
ELLIS	\$ 593,557	\$ -	\$ 56,700.69
ERATH	\$ 225,206	\$ 24,921	\$ 20,322.36
FANNIN	\$ 220,498	\$ 15,692	\$ 20,298.34
FAYETTE	\$ 133,741	\$ 13,007	\$ 11,276.94
FLOYD	\$ 151,086	\$ 12,500	\$ 15,404.72
FORT BEND	\$ 1,799,588	\$ 260,085	\$ 210,191.30
FRIO	\$ 150,690	\$ 12,858	\$ 20,681.48
GAINES	\$ 143,165	\$ 12,519	\$ 13,406.54
GALVESTON	\$ 1,058,063	\$ 232,285	\$ 179,056.39
GARZA	\$ 67,528	\$ 12,500	\$ 8,338.87
GOLIAD	\$ 59,283	\$ 12,500	\$ 8,360.00
GRAY	\$ 211,985	\$ -	\$ 26,976.57
GRAYSON	\$ 900,314	\$ 93,631	\$ 158,893.09
GREGG	\$ 688,840	\$ 130,127	\$ 94,665.23
GRIMES	\$ 181,351	\$ 22,149	\$ 16,483.53
GUADALUPE	\$ 535,120	\$ 95,884	\$ 100,843.39
HALE	\$ 295,595	\$ 44,531	\$ 37,374.56

**Proposed FY2015 Allocations: State Financial Assistance (Grant A), Commitment Diversion (Grant C) and Mental Health (Grant N)**

DEPARTMENT	Grant A	Grant C	Grant N
HARDIN	\$ 389,403	\$ 29,600	\$ 79,859.78
HARRIS	\$ 12,481,416	\$ 3,749,766	\$ 1,143,308.33
HARRISON	\$ 486,955	\$ -	\$ 84,683.17
HASKELL	\$ 84,731	\$ -	\$ 9,189.46
HAYS	\$ 584,020	\$ 61,488	\$ 150,088.54
HENDERSON	\$ 332,424	\$ 35,810	\$ 43,684.76
HIDALGO	\$ 2,687,455	\$ 395,826	\$ 254,091.20
HILL	\$ 257,882	\$ 76,229	\$ 28,410.71
HOCKLEY	\$ 173,366	\$ 19,945	\$ 26,946.31
HOOD	\$ 310,446	\$ 26,720	\$ 33,724.12
HOPKINS	\$ 415,075	\$ 47,028	\$ 43,073.39
HOUSTON	\$ 128,499	\$ 12,730	\$ 13,524.34
HOWARD	\$ 270,776	\$ 76,283	\$ 39,488.19
HUNT	\$ 488,550	\$ 88,725	\$ 84,762.03
HUTCHINSON	\$ 188,122	\$ 14,193	\$ 25,170.30
JACKSON	\$ 95,537	\$ 20,203	\$ 12,240.53
JASPER	\$ 432,272	\$ 50,427	\$ 39,747.70
JEFFERSON	\$ 1,079,283	\$ 264,360	\$ 135,944.50
JIM WELLS	\$ 475,803	\$ 20,017	\$ 74,472.81
JOHNSON	\$ 653,221	\$ 74,708	\$ 89,770.09
JONES	\$ 194,196	\$ 12,935	\$ 15,527.40
KARNES	\$ 425,644	\$ 47,442	\$ 56,123.97
KAUFMAN	\$ 439,992	\$ 39,794	\$ 55,267.32
KENDALL	\$ 178,754	\$ 15,189	\$ 19,695.90
KERR	\$ 310,463	\$ 25,478	\$ 75,956.67
KLEBERG	\$ 197,217	\$ 25,124	\$ 28,125.58
LAMAR	\$ 282,656	\$ 79,589	\$ 42,372.40
LAMB	\$ 115,507	\$ 12,500	\$ 19,491.91
LAMPASAS	\$ 145,459	\$ 21,104	\$ 21,276.33
LASALLE	\$ 75,613	\$ 12,500	\$ 8,738.60
LAVACA	\$ 404,806	\$ 47,103	\$ 42,774.50
LEON	\$ 69,795	\$ 12,500	\$ 9,297.36

DEPARTMENT	Grant A	Grant C	Grant N
LIBERTY	\$ 338,385	\$ 54,519	\$ 33,330.75
LIMESTONE	\$ 297,344	\$ 25,842	\$ 75,308.02
LUBBOCK	\$ 1,344,548	\$ 329,896	\$ 179,916.40
LYNN	\$ 59,056	\$ 12,500	\$ 7,919.96
MADISON	\$ 40,382	\$ 12,500	\$ 6,996.67
MATAGORDA	\$ 322,124	\$ 44,102	\$ 60,819.04
MAVERICK	\$ 758,416	\$ 58,633	\$ 86,984.71
MCCULLOCH	\$ 191,601	\$ 20,765	\$ 15,737.57
MCLENNAN	\$ 1,041,799	\$ 290,504	\$ 172,723.04
MEDINA	\$ 336,106	\$ 20,569	\$ 30,190.42
MIDLAND	\$ 701,327	\$ 132,016	\$ 133,490.89
MILAM	\$ 492,261	\$ 82,305	\$ 59,417.75
MONTAGUE	\$ 242,032	\$ 17,409	\$ 23,659.88
MONTGOMERY	\$ 1,465,930	\$ 273,905	\$ 205,278.23
MOORE	\$ 154,757	\$ 23,077	\$ 23,311.82
NACOGDOCHES	\$ 363,906	\$ 81,961	\$ 46,389.77
NAVARRO	\$ 312,848	\$ 29,508	\$ 35,095.66
NOLAN	\$ 225,423	\$ 22,790	\$ 31,399.44
NUECES	\$ 2,080,372	\$ 154,646	\$ 281,072.69
OCHILTREE	\$ 100,035	\$ 13,476	\$ 9,946.15
ORANGE	\$ 470,882	\$ 89,205	\$ 37,532.95
PALO PINTO	\$ 188,822	\$ 23,427	\$ 21,446.51
PANOLA	\$ 171,415	\$ 13,477	\$ 16,091.29
PARKER	\$ 472,232	\$ 59,178	\$ 59,053.81
PECOS	\$ 132,006	\$ 12,500	\$ 13,834.89
POLK	\$ 548,607	\$ 52,342	\$ 52,024.76
POTTER	\$ 773,221	\$ 134,755	\$ 135,166.48
RANDALL	\$ 688,965	\$ 61,606	\$ 153,392.76
RED RIVER	\$ 125,240	\$ 12,500	\$ 13,082.75
REEVES	\$ 177,137	\$ 12,500	\$ 24,835.99
REFUGIO	\$ 72,545	\$ -	\$ 8,586.95
ROCKWALL	\$ 346,183	\$ 32,090	\$ 39,823.70

**Proposed FY2015 Allocations: State Financial Assistance (Grant A), Commitment Diversion (Grant C) and Mental Health (Grant N)**

<b>DEPARTMENT</b>	<b>Grant A</b>	<b>Grant C</b>	<b>Grant N</b>
RUSK	\$ 342,256	\$ 27,537	\$ 30,703.31
SAN PATRICIO	\$ 957,716	\$ 138,087	\$ 121,111.96
SCURRY	\$ 154,532	\$ -	\$ 17,663.06
SHELBY	\$ 132,089	\$ 15,138	\$ 12,377.44
SMITH	\$ 844,835	\$ 248,959	\$ 102,378.24
SOMERVELL	\$ 60,769	\$ 12,500	\$ 8,004.68
STARR	\$ 747,654	\$ 42,586	\$ 97,573.26
SUTTON	\$ 68,421	\$ 12,500	\$ 8,383.04
SWISHER	\$ 150,923	\$ 21,099	\$ 12,985.54
TARRANT	\$ 5,297,389	\$ 1,009,230	\$ 486,906.60
TAYLOR	\$ 704,346	\$ 99,039	\$ 107,644.63
TERRY	\$ 135,783	\$ 11,626	\$ 20,076.87
TITUS	\$ 392,445	\$ 34,306	\$ 37,569.67
TOM GREEN	\$ 714,688	\$ 42,022	\$ 112,227.61
TRAVIS	\$ 3,541,313	\$ 2,230,644	\$ 335,071.67
TYLER	\$ 121,436	\$ 13,141	\$ 13,816.54
UPSHUR	\$ 277,577	\$ 25,660	\$ 27,087.75
UPTON	\$ 69,162	\$ 12,500	\$ 8,419.65
UVALDE	\$ 291,656	\$ 16,724	\$ 34,465.41
VAL VERDE	\$ 518,925	\$ 48,977	\$ 86,263.89
VAN ZANDT	\$ 418,043	\$ 21,178	\$ 80,051.65
VICTORIA	\$ 651,929	\$ 157,906	\$ 93,151.37
WALKER	\$ 344,368	\$ 44,764	\$ 35,401.33
WALLER	\$ 202,955	\$ 12,500	\$ 21,310.13
WARD	\$ 148,757	\$ 12,500	\$ 21,344.71
WEBB	\$ 1,729,072	\$ 246,883	\$ 283,016.89
WHARTON	\$ 280,310	\$ 77,929	\$ 38,080.46
WHEELER	\$ 103,372	\$ 12,500	\$ 10,111.13
WICHITA	\$ 809,364	\$ 167,313	\$ 128,497.13
WILBARGER	\$ 155,369	\$ 13,148	\$ 12,351.45
WILLACY	\$ 225,531	\$ 14,378	\$ 27,855.15

<b>DEPARTMENT</b>	<b>Grant A</b>	<b>Grant C</b>	<b>Grant N</b>
WILLIAMSON	\$ 1,428,851	\$ 169,802	\$ 192,169.67
WINKLER	\$ 62,528	\$ 12,500	\$ 8,091.64
WISE	\$ 388,446	\$ 33,638	\$ 29,228.77
WOOD	\$ 210,319	\$ 24,089	\$ 30,026.23
YOAKUM	\$ 67,801	\$ -	\$ 8,352.41
YOUNG	\$ 232,942	\$ 22,485	\$ 24,045.58
ZAPATA	\$ 168,948	\$ 20,678	\$ 23,048.51

<b>TOTALS</b>	<b>\$ 106,351,317</b>	<b>\$ 19,896,054</b>	<b>\$ 12,804,748</b>
---------------	-----------------------	----------------------	----------------------

**THIS PAGE LEFT BLANK INTENTIONALLY**

**TJJD COMMITMENT GOALS, FY 2014-2015**

**WITHOUT REGIONAL/STATE COMMITMENT ALLOCATION**

Department	2014-2015 Commitment Goals	Department	2014-2015 Commitment Goals	Department	2014-2015 Commitment Goals
ANDERSON	1	GALVESTON	18	MOORE	1
ANDREWS	1	GARZA	1	NACOGDOCHES	2
ANGELINA	4	GOLIAD	1	NAVARRO	2
ATASCOSA	2	GRAY	2	NOLAN	2
AUSTIN	1	GRAYSON	6	NUECES	14
BAILEY	1	GREGG	6	OCHILTREE	1
BANDERA	1	GRIMES	1	ORANGE	2
BASTROP	3	GUADALUPE	4	PALO PINTO	1
BAYLOR	1	HALE	2	PANOLA	1
BELL	9	HARDIN	3	PARKER	3
BEXAR	60	HARRIS	128	PECOS	1
BOWIE	3	HARRISON	2	POLK	4
BRAZORIA	14	HASKELL	1	POTTER	11
BRAZOS	5	HAYS	8	RANDALL	7
BREWSTER	1	HENDERSON	3	RED RIVER	1
BROOKS	1	HIDALGO	36	REEVES	1
BROWN	3	HILL	2	REFUGIO	1
BURNET	3	HOCKLEY	2	ROCKWALL	1
CALDWELL	4	HOOD	1	RUSK	1
CALHOUN	1	HOPKINS	2	SAN PATRICIO	6
CALLAHAN	1	HOUSTON	1	SCURRY	1
CAMERON	23	HOWARD	2	SHELBY	1
CASS	1	HUNT	6	SMITH	6
CHAMBERS	1	HUTCHINSON	1	SOMERVELL	1
CHEROKKE	2	JACKSON	1	STARR	5
CHILDRESS	1	JASPER	2	SUTON	1
COCHRAN	1	JEFFERSON	11	SWISHER	1
COKE	1	JIM WELLS	2	TARRANT	65
COLEMAN	1	JOHNSON	6	TAYLOR	6
COLLIN	18	JONES	1	TERRY	1
COMAL	3	KARNES	2	TITUS	2
COMANCHE	1	KAUFMAN	4	TOM GREEN	4
COOKE	1	KENDALL	1	TRAVIS	5
CORYELL	2	KERR	3	TYLER	1
CRANE	1	KLEBERG	1	UPSHUR	1
CROSBY	1	LAMAR	3	UPTON	1
CULBERSON	1	LAMB	1	UVALDE	1
DALLAM	1	LAMPASAS	1	VAL VERDE	3
DALLAS	74	LASALLE	1	VAN ZANDT	1
DAWSON	1	LAVACA	3	VICTORIA	7
DEAF SMITH	1	LEON	1	WALKER	3
DENTON	15	LIBERTY	2	WALLER	1
DEWITT	3	LIMESTONE	1	WARD	1
DUVAL	1	LUBBOCK	18	WEBB	18
EASTLAND	1	LYNN	1	WHARTON	3
ECTOR	6	MADISON	1	WHEELER	1
EL PASO	29	MATAGORDA	2	WICHITA	10
ELLIS	3	MAVERICK	5	WILBARGER	1
ERATH	1	MCCULLOCH	1	WILLACY	2
FANNIN	1	MCLENNAN	11	WILLIAMSON	10
FAYETTE	1	MEDINA	1	WINKLER	1
FLOYD	1	MIDLAND	7	WISE	1
FORT BEND	16	MILAN	5	WOOD	2
FRIO	1	MONTAGUE	1	YOAKUM	1
GAINES	1	MONTGOMERY	16	YOUNG	1
				ZAPATA	1
<b>FY2014-2015 COMMITMENT GOALS TOTAL</b>					<b>925</b>



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION APPROVING THE DISTRIBUTION METHODOLOGY FOR THE STATE FINANCIAL ASSISTANCE GRANT**

On this the 28th day of March, 2014, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:			Second:		

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

**WHEREAS**, the Human Resources Code, Section 223.001, specifies the TJJD Board’s authority and responsibility to approve the distribution methodology of available probation funds;

**WHEREAS**, the 83<sup>rd</sup> Legislature provided appropriations for State Financial Assistance; and

**WHEREAS**, TJJD staff has developed a proposed distribution methodology for available fiscal year 2015 State Financial Assistance, in consultation with the TJJD Advisory Council; and

**WHEREAS**, staff requests approval of the proposed distribution methodology;

**NOW, THEREFORE BE IT RESOLVED THAT** the Board approves the proposed methodology for distributing available funding for the State Financial Assistance grant.

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

Signed this 28th day of March, 2014.

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION APPROVING THE DISTRIBUTION METHODOLOGY FOR THE STATE FINANCIAL ASSISTANCE GRANT: COMMITMENT DIVERSION INITIATIVES**

On this the 28th day of March, 2014, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:			Second:		

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

**WHEREAS**, the Human Resources Code, Section 223.001, specifies the TJJD Board’s authority and responsibility to approve the distribution methodology of available probation funds;

**WHEREAS**, the 83<sup>rd</sup> Legislature provided appropriations for commitment diversion initiatives and statewide commitment targets; and

**WHEREAS**, TJJD staff has developed a proposed distribution methodology for available fiscal year 2015 commitment diversion funds, and associated commitment targets, in consultation with the TJJD Advisory Council; and

**WHEREAS**, staff requests approval of the proposed distribution methodology and commitment targets;

**NOW, THEREFORE BE IT RESOLVED THAT** the Board approves the proposed methodology for distributing available funding, and associated commitment targets, for the commitment diversion grant.

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

Signed this 28th day of March, 2014.

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION APPROVING THE DISTRIBUTION METHODOLOGY FOR THE MENTAL HEALTH SERVICES GRANT**

On this the 28th day of March, 2014, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, the Human Resources Code, Section 223.001, specifies the TJJD Board’s authority and responsibility to approve the distribution methodology of available probation funds;

**WHEREAS**, the 83<sup>rd</sup> Legislature provided appropriations for new and existing mental health services through a new budgetary strategy; and

**WHEREAS**, TJJD staff has developed a proposed distribution methodology for available fiscal year 2015 mental health funds, in consultation with the TJJD Advisory Council; and

**WHEREAS**, staff requests approval of the proposed distribution methodology;

**NOW, THEREFORE BE IT RESOLVED THAT** the Board approves the proposed methodology for distributing available funding for the mental health services grant.

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

Signed this 28th day of March, 2014.

**Texas Juvenile Justice Board**

\_\_\_\_\_  
Scott W. Fisher, Chairman



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Brett Bray, General Counsel

Chelsea Buchholtz, Deputy General Counsel

Vanessa Burgess, Staff Attorney

Subject: Discussion, consideration, and possible approval regarding subleases between the C-5 Youth Foundation of Texas and sublessees related to the Parrie Haynes Trust

Date: March 17, 2014

---

Clause thirteen of the lease agreement between C5 Texas and the Parrie Haynes Trust requires Trustee approval of all sublease agreements at the Parrie Haynes Ranch. Spotted Horse Livery ("SHL"), sublessee of the East Side/Equestrian of the ranch, seeks to sublease the Hoover House to Donna Otabachian, a residential tenant, for a term of one-year. SHL has received tenant and rental approval in accordance with its sublease with C5 Texas and now formally presents the proposed residential lease agreement to the Trustees for approval.

Ms. Otabachian currently provides equine therapy sessions at the Parrie Haynes for family members of military personnel at Fort Hood and participates in community events promoting family use of the equestrian side of the ranch. The Office of General Counsel reviewed the terms of the sublease agreement between SHL and Ms. Otabachian and found all of the proposed terms to be legally sufficient in order to protect the interests of the Trust.

We recommend the Trustees approve the one-year proposed residential lease of the Hoover House on the equestrian side of the Parrie Haynes Ranch.

## LEASE AGREEMENT

This lease is entered into on \_\_\_\_\_ the lease date, by \_\_\_\_\_, Tenant (hereafter Tenant) and \_\_\_\_\_, Landlord (hereafter Landlord), for the dwelling located at \_\_\_\_\_, \_\_\_\_\_, Texas \_\_\_\_\_, and which is more completely described as \_\_\_\_\_.

Landlord does hereby lease and grant the exclusive use of the dwelling for the purpose of residential occupancy to Tenant, beginning on the lease date for the period of \_\_\_\_\_ and ending at midnight on \_\_\_\_\_.

Only Tenant and the following occupants are permitted residential occupancy of the dwelling:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

No other person or persons are permitted to occupy the dwelling other than as a visitor for a period not to exceed three days without express written permission of the landlord. Further, any addition of tenants is prohibited without the express written consent of Landlord.

### NONASSIGNMENT OF LEASE

This lease may not be assigned or sublet by Tenant or any occupant of Tenant without the express written consent of Landlord

### EXCLUSION ON USE OF DWELLING

The dwelling may be utilized for residential purposes only and may not be utilized for any illegal purpose.

### PAYMENT OF RENT

Tenant shall pay \$\_\_\_\_\_ per month, by 5:00 p.m. on the \_\_\_\_\_ of each month, provided that if the due date is on a Sunday or a holiday (President's Day, Good Friday, Easter, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas, inclusive), the payment of rent shall be due by 5:00 p.m. of the next business day following a Sunday or a designated holiday.

### SECURITY DEPOSIT

Tenant shall provide to Landlord a security deposit in the amount of \$\_\_\_\_\_ which is the equivalent of one month's rent, to secure performance under the lease, and for cleaning and repair charges in excess of normal wear and tear of the dwelling. The Security Deposit will be returned or refunded to Tenant in its full amount less deductions for charges enumerated in this clause.

### LATE FEE

A late fee of \$\_\_\_\_\_ on the first day that rent is late and \_\_\_\_\_ each day thereafter will be charged against Tenant for delivery of any rental payment which is not made by the close

of business two days after the rent is due.

#### INSUFFICIENT FUND CHECKS

A charge of \$\_\_\_\_\_ will be made against Tenant for any check for payment of rent or other items pertaining to this lease which is returned to Landlord for insufficient funds or any other reason.

#### UTILITIES CLAUSE

Tenant shall be responsible for the payment of all enumerated utilities, including, but not being limited to water, gas, telephone, cable television, and electricity. Upon execution of this lease Tenant shall immediately have all utilities connected in Tenant's name. In the event that Tenant fails to have any utility connected in Tenant's name, Tenant will immediately remit to Landlord payment for the utilities used by tenant. Failure to adhere to any provision of this utilities clause constitutes breach of this lease and Landlord may at Landlord's discretion terminate this lease.

#### LAST MONTH'S RENT

Pursuant to this lease, and the agreement between the parties, rent which is due for the last month of occupancy under the terms of this lease may not be credited by application against the security deposit. UNLESS OTHERWISE AGREED IN WRITING, the last month's rent must be paid.

#### LANDLORD'S LIEN AND ENFORCEMENT THROUGH SEIZURE.

Tenant and Tenant's occupants GRANT Landlord A LIEN FOR UNPAID RENT THAT IS DUE, COVERING ALL NONEXEMPT PROPERTY OF TENANT THAT IS IN THE RESIDENCE OR THAT TENANT HAS STORED IN A STORAGE ROOM ON ANY PREMISES OWNED OR CONTROLLED BY TENANT. LANDLORD SHALL HAVE THE RIGHT TO SEIZE TENANT'S NONEXEMPT PERSONAL PROPERTY TO SECURE THE PAYMENT OF SUMS DUE UNDER THIS LEASE, IN THE MANNER PROVIDED BY LAW, AND IF LANDLORD SEIZES ANY SUCH PROPERTY, LANDLORD SHALL GIVE NOTICE TO TENANT, AND TENANT MAY OBTAIN THE RETURN OF THE PROPERTY, ALL AS PROVIDED IN SECTION 54.044 OF THE TEXAS PROPERTY CODE. LANDLORD IS ENTITLED TO COLLECT A CHARGE FOR PACKING, REMOVING AND STORING PROPERTY SO SEIZED, AND IF THE PROPERTY IS SOLD, LANDLORD MAY ALSO COLLECT A CHARGE FOR THE COSTS OF SELLING THE PROPERTY.

IF TENANT HAS NOT PAID ALL DELINQUENT RENT WITHIN THREE (3) DAYS OF RECEIVING THE NOTICE REQUIRED UNDER SECTION 54.044 OF THE TEXAS PROPERTY CODE, LANDLORD MAY GIVE TENANT NOTICE OF INTENT TO SELL THE PROPERTY IN THE MANNER PROVIDED IN TEXAS PROPERTY CODE SECTION 54.045, AND IF TENANT FAILS TO REDEEM THE PROPERTY PRIOR TO THE DATE AND TIME OF SALE BY PAYING ALL DELINQUENT RENTS, REASONABLE PACKING, MOVING, STORAGE AND SALE COSTS, LANDLORD MAY PROCEED TO SELL THE PROPERTY SO SEIZED, AND ACCOUNT FOR THE SALES PROCEEDS AS REQUIRED BY LAW. ANY PROCEEDS OF THE SALE REMAINING AFTER DEDUCTION OF LAWFUL COSTS AND

**OFFSETS ENUMERATED ABOVE SHALL BE RETURNED TO TENANT.**

**ATTORNEY'S FEES**

By the terms of this lease, Tenant grants Landlord recovery and payment of attorney's fees incurred by Landlord in its enforcement, including, not being limited to suits for detainer (eviction), rent and damages (including but not limited to fees for late payment, fees for returned checks and unpaid/outstanding utility bills assessed against Landlord). In the event of abandonment by Tenant, Tenant grants Landlord recovery and payment of all fees incurred by Landlord as a result of Tenant's abandonment of the dwelling, including but not limited to the cost of changing locks and the cost of removal, storage and sale of Tenant's property.

**ABANDONMENT**

Tenant understands and agrees that the following acts constitute abandonment:

1. failure to pay rent for a period of 2 months;
2. failure to return to the residence for a period of at least 2 weeks without providing written notice to landlord indicating the intention to return; and
3. failure to make and honor arrangements for payment of past due rent for the period identified in Abandonment (1) above.

Tenant further understands and agrees that engaging in abandonment will allow Landlord to recover the dwelling and past due rents by any method authorized under the Texas Property Code and more fully described in Landlord's Lien and Enforcement through Seizure.

**CHANGE OF LOCKS BY LANDLORD**

Tenant understands and agrees that Landlord, upon timely mailing or posting of notice in accordance with section 92.0081(d)(3) of the Texas Property Code, Landlord shall have the option to change the locks on the door to the individual unit occupied by Tenant because of Tenant's abandonment of the dwelling or Tenant's failure to timely pay all or part of the rent then due and payable in accordance with the terms of this lease.

**CHANGE OF LOCKS BY TENANT**

Tenant is prohibited from changing the locks to the dwelling. In the event Tenant changes the locks, in violation of this lease, Tenant will be subject to eviction or termination of Tenant's lease and shall provide Landlord with keys to the dwelling.

**LAWN MAINTENANCE**

Tenant is responsible for the maintenance and watering of the dwelling. Reasonable maintenance includes the moving of the lawn of the house, barn and area across the street.

**LIMIT ON LIABILITY**

By this clause, Tenant accepts all limitations on the liability of Landlord as are permitted by law.

**PETS**

Tenant will be permitted one (1) pet upon payment of a nonrefundable \$300.00 pet deposit. Tenant may be allowed other pets pending written approval by Landlord and payment of additional pet deposit of \$300.00 per pet. Any horses housed on the property by Tenant must have a negative coggins at all times.

**PARKING**

Parking for the dwelling shall be restricted to paved parking spaces assigned to Tenant or in the general parking areas designated for guests. Tenant is prohibited from parking in spaces assigned to the Tenants of other units on the dwelling. Further Tenant is limited to one vehicle

per each driving member of Tenant's household. Household is defined as Tenant and all occupants identified in this lease in paragraph 3 above.

#### STORAGE OF BOATS, CAMPERS OR TRAILERS

The terms of this lease do not permit the parking or storage of any boat, camper, or trailer on or about the dwelling or realty upon which the dwelling are located.

#### LANDLORD LIABILITY AND TENANT REMEDIES; NOTICE AND TIME FOR REPAIR

The parties hereto expressly acknowledge that chapter 92 of the Texas Property Code contains specific obligations and provides specific remedies, including the following:

**§ 92.056. LANDLORD LIABILITY AND TENANT REMEDIES; NOTICE AND TIME FOR REPAIR.** (a) A landlord's liability under this section is subject to Section 92.052(b) regarding conditions that are caused by a tenant and Section 92.054 regarding conditions that are insured casualties.

(b) A landlord is liable to a tenant as provided by this subchapter if:

(1) the tenant has given the landlord notice to repair or remedy a condition by giving that notice to the person to whom or to the place where the tenant's rent is normally paid;

(2) the condition materially affects the physical health or safety of an ordinary tenant;

(3) the tenant has given the landlord a subsequent written notice to repair or remedy the condition after a reasonable time to repair or remedy the condition following the notice given under Subdivision (1) or the tenant has given the notice under Subdivision (1) by sending that notice by certified mail, return receipt requested, or by registered mail;

(4) the landlord has had a reasonable time to repair or remedy the condition after the landlord received the tenant's notice under Subdivision (1) and, if applicable, the tenant's subsequent notice under Subdivision (3);

(5) the landlord has not made a diligent effort to repair or remedy the condition after the landlord received the tenant's notice under Subdivision (1) and, if applicable, the tenant's notice under Subdivision (3); and

(6) the tenant was not delinquent in the payment of rent at the time any notice required by this subsection was given.

(c) For purposes of Subsection (b)(4) or (5), a landlord is considered to have received the tenant's notice when the landlord or the landlord's agent or employee has actually received the notice or when the United States Postal Service has attempted to deliver the notice to the landlord.

(d) For purposes of Subsection (b)(3) or (4), in determining whether a period of time is a reasonable time to repair or remedy a condition, there is a rebuttable presumption that seven days is a reasonable time. To rebut that presumption, the date on which the landlord received the tenant's notice, the severity and nature of the condition, and the reasonable availability of materials and labor and of utilities from a utility company must be considered.

(e) Except as provided in Subsection (f), a tenant to whom a landlord is liable under Subsection (b) of this section may:

(1) terminate the lease;

(2) have the condition repaired or remedied according to Section 92.0561;

(3) deduct from the tenant's rent, without necessity of judicial action, the cost of the repair or remedy according to Section 92.0561; and

(4) obtain judicial remedies according to Section 92.0563.

(f) A tenant who elects to terminate the lease under Subsection (e) is:

(1) entitled to a pro rata refund of rent from the date of termination or the date the tenant moves out, whichever is later;

(2) entitled to deduct the tenant's security deposit from the tenant's rent without necessity of lawsuit or obtain a refund of the tenant's security deposit according to law; and

(3) not entitled to the other repair and deduct remedies under Section 92.0561 or the judicial remedies under Subdivisions (1) and (2) of Subsection (a) of Section 92.0563.

**§ 92.0561. TENANT'S REPAIR AND DEDUCTS REMEDIES.** (a) If the landlord is liable to the tenant under Section 92.056(b), the tenant may have the condition repaired or remedied and may deduct the cost from a subsequent rent payment as provided in this section.

(b) The tenant's deduction for the cost of the repair or remedy may not exceed the amount of one month's rent under the lease or \$500, whichever is greater. However, if the tenant's rent is subsidized in whole or in part by a governmental agency, the deduction limitation of one month's rent shall mean the fair market rent for the dwelling and not the rent that the tenant pays. The fair market rent shall be determined by the governmental agency subsidizing the rent, or in the absence of such a determination, it shall be a reasonable amount of rent under the circumstances.

(c) Repairs and deductions under this section may be made as often as necessary so long as the total repairs and deductions in any one month do not exceed one month's rent or \$500, whichever is greater.

(d) Repairs under this section may be made only if all of the following requirements are met:

(1) The landlord has a duty to repair or remedy the condition under Section 92.052, and the duty has not been waived in a written lease by the tenant under Subsection (e) or (f) of Section 92.006.

(2) The tenant has given notice to the landlord as required by Section 92.056(b)(1), and, if required, a subsequent notice under Section 92.056(b)(3), and at least one of those notices states that the tenant intends to repair or remedy the condition. The notice shall also contain a reasonable description of the intended repair or remedy.

(3) Any one of the following events has occurred:

(A) The landlord has failed to remedy the backup or overflow of raw sewage inside the tenant's dwelling or the flooding from broken pipes or natural drainage inside the dwelling.

(B) The landlord has expressly or impliedly agreed in the lease to furnish potable water to the tenant's dwelling and the water service to the dwelling has totally ceased.

(C) The landlord has expressly or impliedly agreed in the lease to furnish heating or cooling equipment; the equipment is producing inadequate heat or cooled air; and the landlord has been notified in writing by the appropriate local housing, building, or health official or other official having jurisdiction that the lack of heat or

cooling materially affects the health or safety of an ordinary tenant.

(D) The landlord has been notified in writing by the appropriate local housing, building, or health official or other official having jurisdiction that the condition materially affects the health or safety of an ordinary tenant.

(e) If the requirements of Subsection (d) of this section are met, a tenant may:

(1) have the condition repaired or remedied immediately following the tenant's notice of intent to repair if the condition involves sewage or flooding as referred to in Paragraph (A) of Subdivision (3) of Subsection (d) of this section;

(2) have the condition repaired or remedied if the condition involves a cessation of potable water as referred to in Paragraph (A) of Subdivision (3) of Subsection (d) of this section and if the landlord has failed to repair or remedy the condition within three days following the tenant's delivery of notice of intent to repair;

(3) have the condition repaired or remedied if the condition involves inadequate heat or cooled air as referred to in Paragraph (C) of Subdivision (3) of Subsection (d) of this section and if the landlord has failed to repair the condition within three days after delivery of the tenant's notice of intent to repair; or

(4) have the condition repaired or remedied if the condition is not covered by Paragraph (A), (B), or (C) of Subdivision (3) of Subsection (d) of this section and involves a condition affecting the physical health or safety of the ordinary tenant as referred to in Paragraph (D) of Subdivision (3) of Subsection (d) of this section and if the landlord has failed to repair or remedy the condition within seven days after delivery of the tenant's notice of intent to repair.

(f) Repairs made pursuant to the tenant's notice must be made by a company, contractor, or repairman listed in the yellow or business pages of the telephone directory or in the classified advertising section of a newspaper of the local city, county, or adjacent county at the time of the tenant's notice of intent to repair. Unless the landlord and tenant agree otherwise under Subsection (g) of this section, repairs may not be made by the tenant, the tenant's immediate family, the tenant's employer or employees, or a company in which the tenant has an ownership interest. Repairs may not be made to the foundation or load-bearing structural elements of the building if it contains two or more dwelling units.

(g) A landlord and a tenant may mutually agree for the tenant to repair or remedy, at the landlord's expense, any condition of the dwelling regardless of whether it materially affects the health or safety of an ordinary tenant. However, the landlord's duty to repair or remedy conditions covered by this subchapter may not be waived except as provided by Subsection (e) or (f) of Section 92.006.

(h) Repairs made pursuant to the tenant's notice must be made in compliance with applicable building codes, including a building permit when required.

(i) The tenant shall not have authority to contract for labor or materials in excess of what the tenant may deduct under this section. The landlord is not liable to repairmen, contractors, or material suppliers who furnish labor or materials to repair or remedy the condition. A repairman or supplier shall not have a lien for materials or services arising out of repairs contracted for by the tenant under this section.

(j) When deducting the cost of repairs from the rent payment, the tenant shall furnish the landlord, along with payment of the balance of the rent, a copy of the repair bill and the receipt for its payment. A repair bill and receipt may be the same document.

(k) If the landlord repairs or remedies the condition or delivers an affidavit for

**delay under Section 92.0562 to the tenant after the tenant has contacted a repairman but before the repairman commences work, the landlord shall be liable for the cost incurred by the tenant for the repairman's trip charge, and the tenant may deduct the charge from the tenant's rent as if it were a repair cost."**

#### SPECIAL STATUTORY RIGHTS

Tenant may have special statutory rights to terminate the lease early in certain situations involving sexual assault or sexual abuse, family violence, or a military deployment or transfer.

#### CRIMINAL ACTIVITY AND ADDITIONAL GROUNDS FOR EVICTION

Tenant acknowledges and agrees that the following activities by Tenant or Tenant's guest will subject Tenant to eviction and termination of lease:

- a. criminal activity (including but not limited to fighting and noise disturbance);
- b. destruction of the dwelling; and
- c. alteration of dwelling without express written consent of Landlord.

#### TERMINATION OF LEASE AND HOLDOVER BY TENANT

Tenant must provide Landlord with notice of Tenant's intention to vacate the dwelling 30 days prior to Tenant's surrender of the premises. If Tenant fails to provide Landlord notice of Tenant's intention to vacate the dwelling within 30 days of the expiration of Tenant's lease, Tenant's lease will renew on a month to month basis until Tenant provides Landlord with 30 days notice of Tenant's intention to vacate and surrender the dwelling. If Tenant occupies the dwelling on a month to month basis, Tenant understands and agrees that the rent due to Landlord for month to month occupancy will increase to \_\_\_\_\_. Tenant further understands and agrees that the term of the month to month tenancy will begin on the first day of the month and terminate at midnight on the last day of the month for each month that the Tenant fails to provide to Landlord proper notice as described above and surrender the premises.

**Tenant further acknowledges that Tenant has read this lease in its entirety and expressly agrees and understands that violation of any provision of this lease may be cause for eviction and termination of lease at Landlord's discretion. Tenant agrees that this lease represents the entire agreement between Tenant and Landlord.**

Signed on this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

---

Tenant



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR APPROVAL REGARDING A ONE-YEAR RESIDENTIAL SUBLEASE  
ON THE EQUESTRIAN SIDE OF THE PARRIE HAYNES RANCH**

On this **28<sup>th</sup> day of March, 2014**, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, TJJD Board Members are trustees of the Parrie Haynes charitable trust fund for orphans bequeathed to the State in 1957; and

**WHEREAS**, clause thirteen of the lease agreement between C5 Texas and the Parrie Haynes Trust requires Trustee approval of all sublease agreements at the Parrie Haynes Ranch; and

**WHEREAS**, Spotted Horse Livery (“SHL”) sublessee of the East Side/Equestrian Tract of the ranch proposes to sublease the Hoover House to Donna Otabachian, a residential tenant, for a term of one-year; and

**WHEREAS**, SHL has received tenant and rental approval in accordance with its sublease with C5 Texas and now formally presents the proposed residential lease agreement to the Trustees for approval; and

**NOW, THEREFORE BE IT RESOLVED THAT** the Trustees approve the one-year proposed residential lease of the Hoover House on the equestrian side of the Parrie Haynes Ranch.

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

Signed this **28<sup>th</sup> day of March, 2014**.

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman

**THIS PAGE LEFT BLANK INTENTIONALLY**



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Brett Bray, General Counsel

Chelsea Buchholtz, Deputy General Counsel

Vanessa Burgess, Staff Attorney

Subject: Discussion, consideration, and possible approval regarding the expenditure of funds received from Bell County (for compensation for the use of land on the Parrie Haynes Ranch for the paving and extension of Gann Branch Road) and from Oncor (for the mitigation of damages caused during the construction of a power line on the Ranch)

Date: March 13, 2014

---

The Parrie Haynes Trust received the sum of \$17,522.00 in revenue from Bell County and from Oncor. The Trustees previously directed the sum to be used for the maintenance of the Ranch and agreed that the sum should be expended to complete maintenance projects needed at the Ranch.

At this time, we ask the Trustees for approval of a budget amendment for \$17,522.00 to be used for maintenance projects to both sides of the ranch so that it may better serve the community and the intended beneficiaries of the Parrie Haynes Trust. Such projects will vary in scope but will likely include the following:

- Repairs to water lines on equestrian side
- Replacement certain outdoor lighting fixtures
- Replacement and relocation of entry gate on the equestrian side
- Replacement of gutters and fascia board at the Buffalo and Longhorn Cabins
- Replacement of certain decking material to Hoover House
- Repairs to asphalt on entry road to equestrian tract
- Other in-kind maintenance and repair projects around the ranch

**PARRIE HAYNES TRUST FUND  
FY 2014 AMENDED\* BUDGET**

	<b>Annual Budget FY 2013</b>	<b>Proposed Amended* Budget FY 2014</b>
<b><u>REVENUES</u></b>		
Lease & Rental Income	\$ 40,000	\$ 48,000
Interest Income	2,000	2,500
Other Income*	-	17,522
<b>TOTAL REVENUES</b>	<b>\$ 42,000</b>	<b>\$ 68,022</b>
<b><u>EXPENDITURES</u></b>		
Insurance Premiums	\$ 500	\$ 500
Fees & Other Charges	200	200
Educational Assistance	44,300	44,300
Maintenance, Repairs, and Rehabilitation*	-	17,522
Miscellaneous Operating Expense	-	5,000
<b>TOTAL EXPENDITURES</b>	<b>\$ 45,000</b>	<b>\$ 67,522</b>

*\*Line items added (as compared to approved FY 2014 budget) to reflect receipt of additional revenue and proposed use.*



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR APPROVAL OF** the proposed budget amendment for the Parrie Haynes Ranch for FY 2014 and the authorization of the Executive Director to make reasonable adjustments to the budget as necessary for the fulfillment of the operation and maintenance of the Ranch for FY 2014.

On this **28th day of March, 2014**, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, TJJD Board Members are Trustees of the Parrie Haynes charitable trust fund for orphans bequeathed to the State in 1957; and

**WHEREAS**, the Parrie Haynes Trust received the sum of \$17,522 in revenue from Bell County (for compensation for the use of land on the Ranch for the paving and extension of Gann Branch Road) and from Oncor (for the mitigation of damages caused during the construction of a power line on the Ranch); and

**WHEREAS**, the Parrie Haynes Ranch requires continual maintenance; and

**WHEREAS**, the Trustees have previously directed the sum to be used for the maintenance of the Ranch and agree that the sum should be expended to complete maintenance projects needed at the Ranch; and

**NOW, THEREFORE BE IT RESOLVED THAT** the Trustees approve the proposed budget amendment for the Parrie Haynes Ranch for FY 2014 and authorize the Executive Director to make reasonable adjustments to the budget as necessary for the fulfillment of the operation and maintenance of the Ranch for FY 2014.

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

**Signed this 28<sup>th</sup> day of March, 2014.**

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman

# TEXAS JUVENILE JUSTICE DEPARTMENT

## Staff Summary and Recommendation for Application for Permanent Variance from Standards

**Applicant:** Collin County Juvenile Board

**Application Receipt Date:** January 8, 2014

**TJJD Internal Tracking Number:** COLLIN-VA-14-01

### Standard Identified in Applicant's Variance Request:

**Title 37, Texas Administrative Code, Section 343.226. Lighting.**

(b) Natural Lighting. All housing units shall provide natural light available from a source within the housing unit. This standard also applies to all specialized housing.

### Financial Assistance Contract, Texas Administrative Code, Chapter 343 Addendum

343.226(b). Lighting. Natural Lighting. 1) Facilities without a natural lighting source within the individual resident sleeping quarters shall have viewing windows installed in the door or wall to each of the individual resident sleeping quarters. These windows shall allow for a clear and unobstructed view of the external natural light source.

### TJJD Staff Summary of the County's Request for Variance:

The Collin County Juvenile Board (Applicant) is seeking a responsive permanent variance from the natural lighting requirement for the four housing "Pods" which make up Cluster IV within the John R. Roach Juvenile Detention Center. On March 28, 2013, the Texas Juvenile Justice Department (TJJD) issued a citation of non-compliance under TAC 343.226(b) following a scheduled monitoring and inspection of the facility. A subsequent finding of non-compliance was also issued during the facility's FY 2014 monitoring review (concluded 02/20/2014) with a notation of the pending variance application included in the finding narrative. In summary, the non-compliance findings indicated that while there are skylights located in the Pod dayrooms which provide natural light within the housing unit and that these dayrooms are adjacent to the individual resident sleeping quarters, there is not a clear and unobstructed view of the external natural light source from the individual resident sleeping quarters located in Cluster IV rooms: A10, A12, B10, B12, C10, C12, D10, and D12.

The Applicant contends that the John R. Roach Juvenile Detention Center was initially opened in 1998 and that Cluster IV was an added-expansion which opened for occupancy in 2007. To comply with standard 343.226(b), the Applicant indicates that it would have to potentially move single occupancy housing units (SOHUs) or install additional natural light sources within the four day areas, and that both measures would be cost-prohibitive and result in significant disruptions to program services.

The Applicant further contends that Cluster IV is currently designated for post-adjudication services wherein residents are housed for 6 – 12 months. Residents of Cluster IV follow regimented program hour activities and spend very little time in their individual sleeping quarters. The application indicates that each resident is awake for breakfast around 7 AM which is eaten outside of their sleeping quarters. Residents transition directly into out-of-room programming activities after breakfast, including school services consisting of rotating academic schedules, and treatment programming (individual, group, and family therapy), all of which provide structure and consistency, and help to eliminate sensory deprivation associated with separation from the group and in-room restriction. Residents also participate in outdoor (weather permitting) physical education activities each day of the week. The Applicant also states that it does not subscribe to extended room seclusion for any reason. The Department's (February 2014) on-site monitoring of the facility and follow up inquiries substantiated the Applicant's portrayal of their program schedule and practices as well as their limited use of extended disciplinary seclusion (i.e., beyond 24 hours).

Even though the housing area in question is dually certified as a pre and post-adjudication facility, the Applicant states that there are no future plans to house pre-adjudication residents within the four Cluster IV Pods. The Applicant stated that if, for any reason, a pre-adjudication program resident needed to be housed in a Cluster IV Pod, the entire Pod would be designated as pre-adjudication housing and it would limit the use of Rooms 10 and 12 within that Pod.

The Applicant asserts that the John R. Roach Juvenile Detention center has maintained the welfare, care, and safety of juveniles at an exceptional level as reflected by annual audits conducted by the Texas Juvenile Justice Department and that a variance would in no way be in violation of any state or federal law. The facility has received favorable monitoring reports from the Department and Department staff knows of no state or federal statutes that would prevent or conflict with the granting of the requested variance.

#### **Additional Applicable Standard(s) Identified by TJJJ Staff:**

TJJJ staff has identified the same standard citation (343.226(b)) as the applicable standard for the variance discussion.

#### **Variance Precedent and History:**

The former Texas Juvenile Probation Commission (TJPC) granted a conditional permanent variance (VA-11-03-Hood) under this standard to the Granbury Regional Juvenile Justice Center (4 M Granbury Real Estates/4 M Granbury Youth Services) on March 25, 2011. The TJJJ subsequently granted a conditional permanent variance (VA-11-20-Webb) under this standard to the Solomon Casseb Jr. Webb County Youth Village on May 4, 2012. The conditions associated with each of these two variances were specific to specialized housing settings and included numerous resident supervision and staff-level policy and procedure accommodations.

Additionally, the TJJJ granted conditional permanent variances (VA-11-19-Wichita and VA-13-01-McLennan respectively) under this standard to the Judge Arthur R. Tipps Juvenile Justice Center on May 4, 2012 and to the Bill Logue Juvenile Justice Center's secure post-adjudication program on December 18, 2012. In these two variances, the conditions associated with the variances were specific to general population single occupancy resident housing units (as opposed to specialized housing) and included resident supervision and/or staff-level policy and procedure accommodations.

#### **TJJJ Staff Application Disposition Recommendation:**

Based on a review of the application, the Department believes that the Applicant has satisfactorily and affirmatively addressed the five evaluation criteria enumerated in TAC 349.200(b). Therefore, the Department recommends the Application for Permanent Variance be granted.

The Department further recommends that if a variance is granted, that it be contingent on the Applicant's agreement to adhere to the following special conditions:

- 1) The variance should be limited to the John R. Roach Juvenile Detention Center's resident housing rooms that the Applicant currently identifies as Cluster IV Pod rooms: A10, A12, B10, B12, C10, C12, D10, and D12;
- 2) Given that the jurisdiction has elected to dually certify Cluster IV as both secure pre and post-adjudication housing, all special conditions should apply to both pre and post-adjudication uses of the rooms in question;
- 3) The variance should be contingent on the Applicant's adoption and implementation of policies, procedures, and practices that ensure that resident housing assignments within Cluster IV Pods prioritize assignments to standards compliant rooms (i.e., rooms with a line-of-sight view of day area skylight), before program populations and/or exigent circumstances necessitate assignments to the aforementioned rooms without natural light lines-of-sight;
- 4) The variance should be contingent on the Applicant's adoption and implementation of policies, procedures, and practices that ensure that Cluster IV residents that receive disciplinary seclusion, medical confinement, and/or protective confinement assignments exceeding 24 hours are initially assigned and/or reassigned to standards compliant rooms within the facility; and
- 5) The variance should be contingent on the Applicant's adoption and implementation of policies, procedures, and practices that ensure that residents housed in Cluster IV Pod Rooms: A10, A12, B10, B12, C10, C12, D10 and D12 activities with comparable access to natural light as all other residents during daily program hours.



# APPLICATION FOR PERMANENT VARIANCE OF STANDARDS

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

Date: 1/8/14

APPLICANT CONTACT INFORMATION		
<i>Form Completed By Name/Title</i>	<i>Phone #</i>	<i>Email Address</i>
<b>Jeff Falefia, Superintendent</b>	<b>(972) 547-5412</b>	<b>jfalefia@co.collin.tx.us</b>
<i>Department/Facility Address</i>		<i>City, State, and Zip Code</i>
<b>John R. Roach Juvenile Detention Center 4700 Community Avenue</b>		<b>McKinney, TX 75071</b>
<i>Name of Juvenile Board</i>		
<b>Collin County Juvenile Board, Honorable Cynthia M Wheless, Chairman</b>		

Title 37, Texas Administrative Code, Section 349.200(b) establishes the following:

- Unless expressly prohibited by another standard, the juvenile board may make an application for a variance of any standard adopted by the Texas Juvenile Justice Board.

A copy of the juvenile board's resolution or written request adopted by formal action must be sent with this application.

<i>Title of Standard</i>	<i>Section #</i>
<b>Natural Lighting</b>	<b>343.226 (b)</b>
<i>Name of Program(s) and/or Facility(ies) to be Impacted by the Variance</i>	<i>Expected Compliance Date (if applicable)</i>
<b>John R. Roach Juvenile Detention Center - POST Adjudication</b>	

Each question below must be answered. Please provide any supporting documentation.

Explain why compliance with standards cannot be achieved.
In order to comply with the letter of standard 343.226(b), Collin County would have to potentially move SOHU units which would be extremely expensive in a secure juvenile detention facility. To add additional natural lighting sources would also be cost-prohibitive and both would require complete disruption of Long-Term services. The John R. Roach Juvenile Detention center has maintained the welfare, care, and safety of juveniles at an exceptional level as reflected by annual audits conducted by the Texas Juvenile Justice Department. A variance would in no way be in violation of any state or federal law.

Explain the impact the variance would have on compliance with other standards.
A variance would have marginal impact on other standards, if any. The John R. Roach Juvenile Detention Center yielded a remarkable compliance-performance score of 97.23% in March of 2013. This exceptional rating included citation for 343.226(b) which has never been cited during any other audit.

Explain how substantial compliance with the intent and purpose of the standard for which a variance is requested would be achieved through alternative methods or means.
The American Corrections Association (ACA) recognizes natural lighting to be an important element in reducing resident sensory deprivation. This is particularly important in Cluster IV, where it is designated as POST Adjudication Services, program residents will be housed for 6 – 12 months, pursuant to court order. Residents of Cluster IV follow regimented program hours and spend very little time in their SOHU. There are no future plans to house PRE Adjudication juveniles in Cluster IV. Cluster IV is designated as POST Adjudication Detention. If, for any reason, a PRE Adjudication juvenile is housed in a Cluster IV Pod we would designate the entire POD as PRE Adjudication and limit use of Rooms 10 and 12 in Pods A, B, C and D. There would be no contact between POST and PRE juveniles.  Each resident is awoken for breakfast around 7 AM which is eaten outside of the SOHU. Juveniles transition directly into program activities after breakfast, school services consisting of rotating academic schedules, and treatment programming (individual, group, and family therapy), all of which provides structure, consistency, and helps to eliminate sensory deprivation. Residents also participate in physical education each day of the week. These activities are performed outside as weather permits. Collin County does not subscribe to extended room seclusion for any reason.



# APPLICATION FOR PERMANENT VARIANCE OF STANDARDS

TEXAS  
JUVENILE  
JUSTICE  
DEPARTMENT

**Explain how the health and safety of juveniles will be maintained if the variance is granted.**

Staff will continue to adhere to program hours mandating each resident be out of their SOHU for program-hours. All residents will continue to be monitored pursuant to all standards governing the facility.

**Explain how compliance with the standard in question will result in undue hardship on the requesting entity.**

The John R. Roach Juvenile Detention Center was initially opened in 1998. Cluster IV was an added-expansion and opened for occupancy in 2007. While Cluster IV has natural lighting observable for each single occupancy housing unit (SOHU), it was discovered during our state audit in March of 2013, SOHU-10 and 12 in each POD, exceeds the American Correctional Association (ACA) and adopted standard of the Texas Juvenile Justice Department, 343.226(b). Standard 343.226(b) requires natural lighting for each single occupancy housing unit (SOHU) to be within 20 feet of a natural lighting source. Cluster IV is designated for long-term services and operates at or near capacity for the past several years. SOHU's A10, A12, B10, B12, C10, C12, D10 and D12 of Cluster IV were not constructed within the ACA standard. These SOHU's range in noncompliance from a few inches to just beyond one foot, 2 inches.

**Explain how issuing the variance would not put the juvenile board, department, program, or facility in violation of any state or federal law.**

Standard 343.226 (b) governing lighting is contingent upon ACA recommendations. A variance would be in no way a violation of any state or federal law. See attached juvenile board minutes dated August 26, 2013.



Juvenile Board  
Collin County, Texas

199th Judicial District, Judge Angela Tucker  
219th Judicial District, Judge Scott Becker  
296th Judicial District, Judge John Roach, Jr  
366th Judicial District, Judge Ray Wheless  
380th Judicial District, Judge Ben Smith  
401st Judicial District, Judge Mark Rusch  
416th Judicial District, Judge Chris Oldner  
417th Judicial District, Judge Cynthia Wheless  
429th Judicial District, Judge Jill Willis  
County Court at Law 1, Judge Corinne Mason  
County Court at Law 2, Barnett Walker  
County Court at Law 3, Judge Lance Baxter  
County Court at Law 4, Judge David Rappel  
County Court at Law 5, Judge Dan Wilson  
County Court at Law 6, Judge Jay Bender  
Collin County Judge, Judge Keith Self  
Director Juvenile Probation, Ms. Pam Huffman

TYPE OF MEETING

Regular Weekly Meeting  Special Called Public Meeting  Workshop/Project Meeting

ATTENDEES

Judge Cynthia Wheless  
Judge Scott Becker  
Judge Ray Wheless  
Judge Mark Rusch  
Judge Ben Smith  
Judge Jill Willis  
Judge Chris Oldner

Judge Lance Baxter  
Judge Danny Wilson  
Judge Keith Self  
Ms. Pam Huffman  
Mr. Lynn Hadnot  
Mr. Don McDermitt  
Ms. Cynthia Jacobson  
Ms. Monica Arris  
Ms. Stacy Sloan

Agenda Items

- ✓ Discussion and Approval of FY 2014 Budget.
- ✓ Discussion/Action regarding variance for detention standards.
- ✓ Discussion and Approval of Juvenile Board Resolution.
- ✓ Discussion/Action and Approval of salary for Director of Collin County Juvenile Services.

EXECUTIVE SESSION/CLOSED MEETING ITEMS

- ✓ Personnel matters/salary discussion for Director of Collin County Juvenile Services.

DISCUSSION

Meeting called to order by Judge Cyndi Wheless at 12:16 pm. Recorded by Kathy Bounds. Convened in Open Session, Judges stated their name and position for the record.

Floor was given to Ms. Huffman and Mr. Hadnot for budget discussions. Motion to accept proposed budget was made by Judge Cyndi Wheless, second made by Judge Ben Smith. Only opposed was Judge Self.

Motion was made to increase Ms. Huffman's salary by 3%; second was made by Judge Rusch. All in favor.

Variance – natural light requirements. Motion to finding of fact requirements and adopt and approve findings of fact was made by Judge Wheless; second was made by Judge Baxter. All in favor.

Motion to accept resolution was made by Judge Smith, second was made by Judge Rusch. All in favor.

Meeting adjourned at 1:10 pm.

CONCLUSIONS

ACTION ITEMS

PERSON RESPONSIBLE

DEADLINE

SPECIAL NOTES



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION TO DENY THE COLLIN COUNTY VARIANCE In re: 37 TAC §343.226(b)**

On this the **28th of March, 2014**, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board (the 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, Collin County by and through the Juvenile Board and Pam Huffman, Chief Juvenile Probation Officer, has submitted to the Texas Juvenile Justice Department an application for a permanent variance for 37 TAC 343.226(b);

**WHEREAS**, the duly appointed members of the Board’s Safety and Security Committee have duly considered the application during the Safety and Security Committee meeting held on March 27, 2014;

**WHEREAS**, applicant, Collin County, by and through Pam Huffman, Chief Juvenile Probation Officer, or her designee was present;

**NOW, THEREFORE BE IT RESOLVED THAT** the Board *denies* a permanent variance for 37 TAC 343.226(b) to the Collin County Juvenile Board.

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

Signed this **28th day of March, 2014**.

**Texas Juvenile Justice Board**

\_\_\_\_\_  
Scott W. Fisher, Chairman



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION TO APPROVE THE COLLIN COUNTY VARIANCE In re: 37 TAC §343.226(b)**

On this the 28<sup>th</sup> of March, 2014, a duly called and lawfully convened meeting of the Texas Juvenile Justice Board (the 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, Collin County by and through the Juvenile Board and Pam Huffman, Chief Juvenile Probation Officer, has submitted to the Texas Juvenile Justice Department an application for a permanent variance for 37 TAC 343.226(b);

**WHEREAS**, the duly appointed members of the Board’s Safety and Security Committee have duly considered the application during the Safety and Security Committee meeting held on March 27, 2014;

**WHEREAS**, applicant, Collin County, by and through Pam Huffman, Chief Juvenile Probation Officer, or her designee was present;

**WHEREAS**, per the requirements set forth in 37 TAC 349.200(b)(1)(A)(D), the Board hereby makes the following findings of fact (all must be found to grant the application):

- |                          |                          |                                                                                                                     |
|--------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------|
| Found                    | Not Found                |                                                                                                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained why compliance with the standard cannot be achieved.                               |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has explained the impact the variance would have on compliance with other standards.             |
| <input type="checkbox"/> | <input type="checkbox"/> | The juvenile board has shown that the health and safety of juveniles will be maintained if the variance is granted. |

- The juvenile board has shown substantial compliance with the intent and purpose of the standard for which a variance is requested through alternate methods or means.
- The juvenile board has shown that compliance with the standard in question would be an undue hardship on the county.
- The juvenile board has shown that issuing the variance would not put the juvenile board, department, program or facility in violation of any state or federal law.

**NOW, THEREFORE BE IT RESOLVED THAT** the Board *grants (based on the terms below)* a permanent variance for standard 343.226(b) to the Collin County Juvenile Board.

#### **ADDITIONAL TERMS OF VARIANCE**

##### **Periodic Review**

The Texas Juvenile Justice Department reserves the right to conduct periodic reviews of the terms and conditions of a variance agreement in an effort to determine continued applicability of and compliance with such terms and conditions. Reviews may be scheduled within the formalized variance document and/or conducted at the discretion of agency staff.

##### **Rescission of a Variance Due to Fraud or Error**

If the agency staff subsequently determines that the evidence supporting the variance was substantially inaccurate, misleading, and/or false, and the Safety and Security Committee and full Board determine that the variance was granted as a result of fraudulent or inaccurate information, the Board may immediately rescind or modify the variance. A variance modification may be conditioned upon the applicant's agreement to follow specific conditions as determined appropriate by the Board.

Additionally, the Board may undertake the same actions if it determines that the applicant is not fully adhering to the conditions imposed in conjunction with an existing variance.

##### **Special Conditions**

1. The variance is limited to the John R. Roach Juvenile Detention Center's resident housing rooms the Applicant currently identifies as Cluster IV Pod Rooms: A10, A12, B10, B12, C10, C12, D10 and D12;
2. These special conditions shall apply to both pre and post-adjudication uses of the aforementioned rooms;
3. The Applicant shall adopt and implement policies, procedures, and practices that ensure that resident housing assignments within Cluster IV Pods prioritize assignments to standards compliant rooms (i.e., rooms with a line-of-sight view of day area skylights) before program populations and/or exigent circumstances necessitate assignments to the aforementioned rooms;
4. The Applicant shall adopt and implement policies, procedures, and practices that ensure that Cluster IV residents that receive disciplinary seclusion, medical confinement, and/or protective confinement assignments exceeding 24 hours are initially assigned and/or

reassigned to standards compliant rooms within the facility.

5. The Applicant shall adopt and implement policies, procedures, and practices that provide residents housed in Cluster IV Pod Rooms: A10, A12, B10, B12, C10, C12, D10, and D12 activities with comparable access to natural light as all other residents during daily program hours.

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

Signed this **28<sup>th</sup> day of March, 2014.**

## **Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Teresa Stroud, Senior Director of State Programs and Facilities

Subject: Discussion and possible approval to publish proposed revisions to 37 TAC §380.8723, relating to Subsidized Independent Living, and the repeal of 37 TAC §380.8721, relating to Independent Living Preparation, and 37 TAC §380.9109, relating to Youth Personal Property: Independent Living, in the *Texas Register* for a 30-day public comment period

Date: March 13, 2014

---

The State Programs and Facilities Division is proposing to update and consolidate three rules relating to the Subsidized Independent Living Program. This program provides certain paroled youth with financial subsidies to help with living expenses for a limited time.

The staff requests approval to submit the proposed rules to the *Texas Register* for a 30-day public comment period.

Changes to the three rules are summarized below.

- **37 TAC §380.8723 Subsidized Independent Living Program (REVISE & RENUMBER)**
  - This revised rule will consolidate three rules into one.
  - The remaining rule will be renumbered as 37 TAC §380.8583 and moved to the subchapter about parole. It is currently located in the subchapter about treatment. (Note: Due to the number change, this will be published in the *Texas Register* as a proposal to repeal the old rule number and adopt the new rule number.)
  - The rule will no longer refer to this program as “Independent Living” because in some cases youth may receive subsidies while living in the home of their parent or another approved individual. To reflect this clarification, the rule will be re-titled as “Subsidized Living Support Program.”
  - Clarification will be added to show that the rule applies only to youth on parole.

- The following eligibility criteria will be added for a youth to receive housing rental assistance:
  - the youth must be at least 18 years of age;
  - the youth must have enough personal savings to pay for the first month's rent and all deposits; and
  - TJJJ must determine it is in the youth's best interest to be placed in an unsupervised home.
- Certain limitations will now be addressed in the rule, such as:
  - subsidies are dependent on the availability of funds;
  - subsidies may be discontinued if a youth violates his/her conditions of parole or his/her subsidy agreement;
  - subsidies are limited to six months;
  - subsidies cannot be used to pay for expenses incurred after discharge from TJJJ; and
  - registered sex offenders cannot receive a subsidy for on-campus college housing expenses.
- The following changes will be made to the list of expenses that are eligible for a subsidy:
  - electric service (*added*)
  - emergency medical services (*deleted*)
  - temporary housing (*deleted*)
  - counseling (*deleted*)
- The rule will no longer include detailed information regarding when a parole officer can enter a youth's subsidized residence. This information will be addressed in the subsidy agreement.

➤ **37 TAC §380.8721 Independent Living Preparation (REPEAL)**

***Justification for Repeal:***

- The current rule specifies the test scores, savings account balances, length of employment, hours of community service, and other detailed requirements youth must achieve to complete the preparation program. However, these specific requirements may differ depending on which curriculum the youth is provided, where the youth will be placed, and other factors. Rather than listing these specific requirements, §380.8723 will now include a statement requiring the youth to complete a TJJJ-approved curriculum and meet all conditions established by TJJJ to be eligible for a subsidy.
- The current rule refers to the obsolete TYC classification system as a basis for establishing requirements for completing the preparation program.
- The current rule is based on the existence of a formal program with minimum enrollment criteria. TJJJ no longer uses this type of program. Instead, TJJJ now makes independent living programming available to youth wherever they are placed.

➤ **37 TAC §380.9109 Youth Personal Property: Independent Living (REPEAL)**

***Justification for Repeal:***

- This rule lists TJJD's specific responsibilities regarding the personal property of a youth in an independent living location. The rule is no longer needed because a statement will be added to the revised §380.8723 indicating that the youth's personal property will be disposed of in accordance with the terms of the subsidy agreement if the youth's parole is revoked or if the property is lost, damaged, or abandoned. The subsidy agreement has already been revised to include this information.

Draft 12/10/13

Chapter: Rules for State-Operated Programs and Facilities	<b>Effective Date:</b> <del>1/31/01, T-47</del>
Subchapter: <del>Admission, Placement, Release, and Discharge Treatment</del>	
Division: <del>Parole Placement and Discharge Program Planning</del>	Page: 1 of 2
<b>Rule:</b> <del>Subsidized Independent Living Support Program</del>	Replaces: GAP.380.87-23, 1/31/01 GAP.380.8721, 1/31/01 GAP.380.9109, 1/31/01 Dated: 12/31/96, T-40
ACA: N/A	
Statute(s): N/A	

**~~I.~~ RULE**

**(a) Purpose.**

The purpose of this rule is to establish ~~a program to procedures and controls under which the Texas Youth Commission (TYC) provides eligible qualified~~ youth with financially subsidized ~~independent~~ living support for a limited ~~period of~~ time as necessary ~~for youth~~ to attain self-sufficiency.

**(b) Definitions.**

~~For definitions of terms used in this rule, see §380.8501 of this title.~~

**(c) Eligibility Criteria. Requirements for Subsidy.**

~~(1) To Youth shall not~~ qualify for subsidized living support, the youth must: ~~financial subsidies unless he/she has successfully~~

- ~~(A) completed an independent living preparation curriculum program approved by TJJD; according to the rules in (GAP) §87.21 of this title (relating to Independent Living Preparation).~~
- ~~(B) be assigned to parole status;~~
- ~~(C) complete a specified number of hours of community service as established by TJJD;~~
- ~~(D) complete a specified number of months of employment or school attendance as established by TJJD; and~~
- ~~(E) sign a subsidized living support agreement.~~

~~(2) In addition to the criteria in paragraph (1) of this subsection, a youth must meet the following criteria to qualify for a housing rent subsidy:~~

- ~~(A) the youth is at least 18 years of age;~~
- ~~(B) the youth has enough personal savings to pay all necessary deposits and the first month's rent; and~~
- ~~(C) TJJD has determined it is in the youth's best interest to be placed in an unsupervised home location.~~

**(d) Subsidy Limitations. Description.**

~~(1) The provision of subsidies is contingent on the availability of funds.~~

~~(2) TJJD may terminate a subsidy due to a youth's failure to abide by his/her conditions of parole or the terms of the subsidized living support agreement.~~

~~(3) A subsidy may not be provided for longer than six months. Youth eligible to receive subsidy assistance may do so for a period of six months. Any extensions beyond six months requires the approval of the administrator of halfway houses and independent living.~~

~~(4) A subsidy may not be used for expenses that are incurred after a youth is discharged from TJJD's jurisdiction.~~

~~(52) A \$subsidy may be provided only for shall be limited to the following expenses items:~~

- ~~(A) rent;~~
- ~~(B) electric service;~~
- ~~(CB) household goods;~~
- ~~(DC) food;~~
- ~~(ED) public transportation passes;~~
- ~~(FE) employment-related clothing (employment related);~~
- ~~(F) emergency medical;~~
- ~~(G) temporary housing;~~
- ~~(H) counseling;~~
- ~~(G) college expenses such as tuition, books, and room and board; and~~
- ~~(H) technical school or training expenses such as tuition and tools.~~

~~(3) Exceptions to the youth subsidy assistance list require the approval of the administrator of halfway houses and independent living.~~

~~(6) Youth required to register as sex offenders are not eligible to receive a subsidy for on-campus college housing expenses.~~

~~(ed) Program Requirements for Youth Receiving a Housing Rent Subsidy.~~

~~(1) **Supervision.**~~

~~(1A) The youth is placed on the highest level of Youth are on intensive parole supervision for the entire time he/she receives a housing supervision levels while receiving a rent subsidy.~~

~~(2B) The youth's parole officer will primary service worker (PSW) shall have access to a youth's living quarters in accordance with the terms of the subsidized living support agreement according to the rent subsidy status.~~

~~(i) Youth receiving a rent subsidy are required to provide a key to his or her living quarters to the PSW supervising the youth's case. The PSW is allowed to enter his or her living quarters and search the premises for contraband with or without the youth present.~~

~~(ii) After TYC rent subsidy has ceased, the youth is required to provide access to his/her living quarters to the PSW for purposes of assuring compliance with release conditions. Entrance to the living quarters will take place when youth is present, under normal circumstances.~~

~~(3) The youth's personal property will be disposed of in accordance with the terms of the subsidized living support agreement if the youth's parole is revoked or if the property is lost, damaged, or abandoned.~~

~~(2) **Program Completion.**~~

~~Youth are considered to have successfully completed independent living subsidy assistance when all the requirements outlined in the Independent Living Subsidy Program Contract have been met.~~

~~(f) **Individual Exceptions.**~~

~~The division director over the subsidized living support program may make exceptions to provisions of this rule on a case-by-case basis, taking into consideration a youth's reintegration needs and public safety.~~

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Treatment Division: Program Planning <b>Rule: Independent Living Preparation</b>  ACA: N/A Statute(s): N/A	<b>Effective Date: 1/31/01, T-47</b>  Page: 1 of 2  Replaces: GAP.87.21, 12/31/96
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------

**I. RULE**

**(a) Purpose.**

The purpose of this rule is to establish criteria and procedures by which the Texas Youth Commission (TYC) provides for independent living preparation to give youth the skills and practical experience necessary to attain self-sufficiency.

(b) Completion of the independent living preparation program is a prerequisite for entering the subsidized independent living program. See (GAP) §87.23 of this title (relating to Subsidized Independent Living).

**(c) Requirements for Admission.**

Youth admitted to an independent living preparation program shall meet the following criteria:

- (1) youth must be at least 16.10 years of age, or if not, the youth must be expected to be at least 17 years of age at the projected completion date;
- (2) has had no incidents of assault within 60 days prior to admission;
- (3) has had no escapes or attempted escapes within 30 days prior to admission; and
- (4) has had no suicidal ideation within six months prior to admission.

**(d) Program Requirements.**

Youth shall have successfully completed the independent living preparation program when the minimum performance requirements, as outlined below have been met. The Individual Case Plan (ICP) is developed and maintained according to the rules in (GAP) §87.1 of this title (relating to Case Planning).

**(e) Program Completion Criteria.**

- (1) A youth ever classified as type A violent offender, type B violent offender, chronic serious offender, firearms offender, or sentenced offender shall have successfully completed an independent living preparation program and therefore is eligible for independent living subsidy when he/she has:
  - (A) completed the eight independent living skills modules demonstrated by a score of 70 or above on the quizzes;
  - (B) completed 120 hours of community service;
  - (C) maintained employment for 120 consecutive days;
  - (D) a minimum of \$900 in a savings account.
- (2) A youth ever classified as a controlled substance dealer shall have successfully completed an independent living preparation program and therefore is eligible for independent living subsidy when he/she has:
  - (A) completed the eight independent living skills modules demonstrated by a score of 70 or above on the quizzes;
  - (B) completed 100 hours of community service;
  - (C) maintained employment for 90 consecutive days;

- (D) a minimum of \$650 in a savings account.
  - (3) A youth ever classified as a general offender or a violator of CINS probation shall have successfully completed an independent living preparation program and therefore is eligible for independent living subsidy when he/she has:
    - (A) completed the eight independent living skills modules demonstrated by a score of 70 or above on the quizzes;
    - (B) completed 80 hours of community service;
    - (C) maintained employment for 60 consecutive days;
    - (D) a minimum of \$650 in a savings account.
  - (4) A youth may complete the requirements listed above while in a non-residential location with the assistance of the assigned primary service worker (PSW).
- 
- 

**PREPARED**

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Program Services Division: Basic Services <b>Rule: Youth Personal Property: Independent Living</b>  ACA: N/A Statute(s): N/A	<b>Effective Date: 1/31/01, T-47</b>  Page: 1 of 3  New
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------

**I. RULE**

**(a) Purpose.**

The purpose of this section is to establish the Texas Youth Commission's (TYC's) responsibility regarding a youth's personal property while the youth is assigned to an independent living location.

**(b) Applicability.**

- (1) Rules governing youth and TYC responsibility for a youth's personal property while the youth is assigned to a TYC residential facility can be found in (GAP) §91.7 of this title (relating to Youth Personal Property).
  - (2) Rules governing search of TYC youth and personal property can be found in (GAP) §97.9 of this title (relating to Search).
  - (3) Contraband is disposed of according to (GAP) §97.11 of this title (relating to Control of Unauthorized Items Seized).
- (c) TYC is neither liable for nor will replace lost, stolen, or damaged personal items of youth assigned to an independent living location.
- (d) TYC youth placed in an independent living location will be asked to designate a responsible contact person to be contacted in the event of revocation or unauthorized absence.
- (e) TYC staff may conduct a search of the youth's room and/or dwelling for the purpose of finding and seizing contraband. Property items considered to be contraband by TYC, but not illegal, will be sent to the youth's family or provided contact person.

**(f) Reimbursement.**

- (1) TYC will not reimburse youth for personal property that:
  - (A) the youth has abandoned while in an independent living location; or
  - (B) the youth's contact person has failed to claim and transport when youth is revoked or returned to a higher restriction placement from an independent living location; or
  - (C) is lost or damaged in transport via mail or postal delivery.
- (2) Youth may request reimbursement for personal possessions lost or damaged due to staff negligence. No reimbursement will be made unless there is sufficient evidence to indicate that the loss was the result of staff negligence.
- (3) No reimbursement shall exceed \$100 per loss unless approval is obtained from the contract program administrator (for contract programs) or from the appropriate central office director of juvenile corrections.

- (4) In a TYC contracted program, independent living funds may be expended for replacement of items and/or property with the approval from the appropriate central office director of juvenile corrections.

(g) **Authorized Location Change.**

TYC youth placed on the independent living program in the community are responsible for moving his or her personal property and clothing to any other approved location. Any personal property or clothing a youth possesses will move with the youth to each assigned placement.

(h) **Unauthorized Absence.**

- (1) TYC is not responsible for collection and storage of items a youth has abandoned while at an independent living location.
- (2) A youth who has absconded from an independent living location i.e. apartment, duplex, dormitory, etc. shall be considered to have abandoned his property, including furniture. Any personal items and/or property that remain in the independent living location when the youth is no longer present due to unauthorized absence the primary service worker (PSW) determines:
- (A) If rent or damages are owed to the lessor, the property will be used toward payment of that debt according to the Texas Apartment Association (TAA) lease.
- (B) If there are any remaining items and/or property, the PSW will notify the youth's contact person within 72 hours to claim the youth's items and/or property.
- (i) The notification will include the location of the youth's personal property and clothing.
- (ii) The contact person will be allowed ten (10) days from the time of being notified by the PSW to arrange for removal and transportation of the items and/or property at the contact person's expense.
- (C) If the remaining items and/or property has not been claimed by the youth's contact person, the items and/or property will be reassigned to another TYC youth by the PSW. If any items and/or property remains, it can then be donated to charity. If charity refuses any remaining items and/or property, it can then be discarded.

(i) **Revocation.**

When a youth's parole is revoked the youth is returned to a higher restriction program from an independent living location. Any personal items and/or property that remain in the independent living location when the youth is no longer present due to revocation, the PSW determines:

- (1) If rent or damages are owed to the lessor, the property will be used toward payment of that debt according to the TAA lease.
- (2) If there are any remaining items and/or property, the PSW will notify the youth's contact person within 72 hours to claim the youth's items and/or property.
- (A) The notification will include the location of the youth's personal property and clothing.
- (B) The contact person will be allowed ten (10) days from the time of being notified by the PSW to arrange for removal and transportation of the items and/or property at the contact person's expense.
- (3) If the remaining items and/or property have not been claimed by the youth's contact person, the items and/or property will be reassigned to another TYC youth by the PSW. If any items and/or

property remain, it can then be donated to charity. If charity refuses any remaining items and/or property, it can then be discarded.

**(j) Discharge.**

A youth who has been discharged from TYC while assigned an independent living code or who has completed an independent living program and wishes to move to another independent living location is responsible for transportation of his personal property.

---

REPEATED



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR AUTHORIZATION TO SUBMIT REVISIONS TO 37 TAC §380.8723, RELATING TO  
SUBSIDIZED INDEPENDENT LIVING, AND THE REPEAL OF 37 TAC §380.8721, RELATING TO  
INDEPENDENT LIVING PREPARATION, AND 37 TAC §380.9109, RELATING TO YOUTH PERSONAL  
PROPERTY: INDEPENDENT LIVING, IN THE *TEXAS REGISTER* FOR A 30-DAY PUBLIC COMMENT PERIOD**

On this **28th day of March, 2014**, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, Texas Human Resources Code §242.003 requires the Board of the Texas Juvenile Justice Department to adopt rules appropriate to the proper accomplishment of the department’s functions and to adopt rules for the government of the schools, facilities, and programs under the department’s authority;

**WHEREAS**, the TJJD staff has recommended necessary revisions to 37 TAC §380.8723 and the repeal of 37 TAC §380.8721 and 37 TAC §380.9109; and

**WHEREAS**, Texas Government Code §2001.023 and §2001.029 require a state agency to give at least 30 days’ notice of its intention to adopt a rule and to allow all interested persons a reasonable opportunity to submit data, views, or arguments orally or in writing;

**NOW, THEREFORE BE IT RESOLVED THAT** the Board authorizes submission of the revised 37 TAC §380.8723 and the repeal of 37 TAC §380.8721 and 37 TAC §380.9109 for publication in the *Texas Register* for a 30-day public comment period.

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

Signed this **28th day of March, 2014**.

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman

**THIS PAGE LEFT BLANK INTENTIONALLY**



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Connie Simon, Manager of Workforce Development Programs & Education Reentry

Subject: Discussion, consideration, and possible approval to publish proposed revisions to 37 TAC §380.9161, relating to Youth Employment and Work, in the *Texas Register* for a 30-day public comment period

Date: March 8, 2014

---

The Education Division is proposing to update 37 TAC §380.9161, relating to Youth Employment and Work. These programs provide youth the opportunity for compensated and uncompensated work in residential facilities and experience the responsibilities and rewards of constructive work.

The staff requests approval to submit the proposed rule to the *Texas Register* for a 30-day public comment period.

Changes to the rule are summarized below.

- The following provisions have been added to the rule to better reflect current practice:
  - orientation and assessment units do not provide for any youth work programs due to the short length of stay and the intent of the program;
  - youth working in the community will be paid no less than the federal minimum wage;
  - facilities must implement procedures for operating campus work programs that provide youth with training and employment experience; and
  - TJJJ does not discriminate against youth on the basis of race, color, national origin, sex, religion, disability, or genetic information in providing opportunities for uncompensated and compensated work.

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Program Services Division: Youth Employment and Work <b>Title: Youth Employment and Work</b> ACA: 4-JCF-1B-05, 3E-01, 5H-01, 5H-02, 5H-03, 5H-04, 5I-04	<b>Effective Date:</b> <del>5/4/09, T-96</del> Page: 1 of 2 Replaces: <del>GAP.91.61, 6/24/99, T-44</del> <u>GAP.380.9161, 5/1/09, T-96</u>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------

**2-27-14 Draft**

**I. RULE**

**(a) Purpose.**

The purpose of this rule is to provide opportunities for compensated and uncompensated work ~~in order~~ to allow youth in residential facilities to experience the responsibilities and rewards of constructive work.

**(b) Applicability.**

This rule applies to high restriction and medium restriction facilities operated by the Texas Juvenile Justice Department (TJJD).

**(c) General Provisions.**

(1) Youth ~~shall are~~ not ~~be~~ permitted to perform any work prohibited by state or federal regulations or statutes pertaining to child labor.

(e2) Repetitive, purposeless, ~~and~~ degrading make-work is prohibited.

(d3) Training and work programs ~~will utilize~~ use the advice and assistance of labor, business, and industrial organizations ~~where applicable~~.

(4) ~~Due to the short length of stay and the intent of the program, orientation and assessment units do not provide for any youth work programs other than routine housekeeping chores.~~

(5) ~~TJJD does not discriminate against youth on the basis of race, color, national origin, sex, religion, disability, or genetic information in providing opportunities for uncompensated and compensated work.~~

**(d) Uncompensated Work.**

(e1) Youth in ~~TJJD TYC~~ facilities may be required to do the following kinds of work without compensation:

(4A) assignments which are part of an agency educational curriculum (vocational training);

(2B) tasks performed as community service; and/or

(3C) routine housekeeping chores which are shared by all youth in the facility, including ~~basic~~ facility maintenance.

(f2) Youth in ~~TYC TJJD~~ facilities may volunteer to perform work without compensation as restitution for damage done by youth.

**(e) Compensated Work.**

(g1) Youth may be paid for performing tasks incidental to facility operations if such employment is part of the youth's ~~reentry treatment~~ plan. Youth work assignments at all TJJD-operated facilities are governed by standardized job descriptions and guidelines.

- (h2) Youth ~~who will be paid for~~ participation in the private sector youth industries program are paid for their work. See §380.9163 of this title.
  - (3) Youth working in the community are paid no less than the federal minimum wage.
  - (4) Facilities implement procedures for operating campus work programs that provide youth with training and employment experience.
- 
- 

DRAFT



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR AUTHORIZATION TO SUBMIT REVISIONS TO 37 TAC §380.9161, RELATING TO YOUTH EMPLOYMENT AND WORK, IN THE *TEXAS REGISTER* FOR A 30-DAY PUBLIC COMMENT PERIOD**

On this **28th day of March, 2014**, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, Texas Human Resources Code §242.003 requires the Board of the Texas Juvenile Justice Department to adopt rules appropriate to the proper accomplishment of the department’s functions and to adopt rules for the government of the schools, facilities, and programs under the department’s authority;

**WHEREAS**, the TJJD staff has recommended necessary revisions to 37 TAC §380.9161; and

**WHEREAS**, Texas Government Code §2001.023 and §2001.029 require a state agency to give at least 30 days’ notice of its intention to adopt a rule and to allow all interested persons a reasonable opportunity to submit data, views, or arguments orally or in writing;

**NOW, THEREFORE BE IT RESOLVED THAT** the Board authorizes submission of the revised 37 TAC §380.9161 for publication in the *Texas Register* for a 30-day public comment period.

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

Signed this **28th day of March, 2014**.

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Teresa Stroud, Senior Director of State Programs and Facilities

Subject: Discussion, consideration, and possible approval regarding the proposed repeal of 37 TAC §380.9337, relating to Alleged Sexual Abuse, and possible adoption of the proposed new 37 TAC §380.9337, relating to Zero-Tolerance for Sexual Abuse, Sexual Activity, and Sexual Harassment

Date: March 6, 2014

---

At the January 2014 Board meeting, the Board was briefed by TJJJ staff on a new rule that had been drafted to address requirements of the Prison Rape Elimination Act (PREA). That new rule, 37 TAC §380.9337, was submitted to the *Texas Register* for a 30-day public comment period.

The new rule will replace TJJJ's current rule regarding alleged sexual abuse. The current rule was based, in part, on draft PREA standards that were available at the time the rule was originally developed. The new rule has been written to adhere to the final PREA standards as codified in the Code of Federal Regulations.

The comment period has now ended. TJJJ did not receive any comments on the proposed rule. The staff has not recommended any additional changes.

The staff requests the Board's approval to adopt the final rule as proposed.

Draft 1/14/14

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Youth Rights and Remedies <b>Rule: Zero Tolerance for Sexual Abuse, Sexual Activity, and Sexual Harassment</b>  ACA: 4-JCF-3A-02, 3D-02, 3D-03, 3D-04, 3D-05, 3D-06, 3D-07, 3D-08, 3D-09, 4C-50 Statute(s): Prison Rape Elimination Act of 2003 (42 USC 15601 et seq.) 28 CFR Part 115 Texas Hum. Res. Code §242.101	<b>Effective Date:</b>  Page: 1 of 16  Replaces: GAP.380.9337, 12/15/08
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------

## RULE

### (a) Purpose.

The purpose of this rule is to establish the Texas Juvenile Justice Department's (TJJD's) zero-tolerance policy for any form of sexual abuse, sexual harassment, or sexual activity involving youth in the agency's care. This rule also addresses TJJD's obligations under federal Prison Rape Elimination Act (PREA) standards for preventing, detecting, and responding to sexual abuse and sexual harassment.

### (b) Applicability.

Unless stated otherwise, this rule applies to all residential facilities operated by TJJD or under contract with TJJD.

### (c) Definitions.

- (1) **Exigent Circumstances**--any set of temporary and unforeseen circumstances that require immediate action to combat a threat to the security or institutional order of a facility.
- (2) **Residential Facilities**--high restriction facilities and medium restriction facilities as defined in §380.8527 of this title.
- (3) **Sexual Abuse**--includes sexual abuse of a youth by another youth or sexual abuse of a youth by a staff member, contractor, or volunteer.
- (4) **Sexual Abuse of a Youth by Another Youth**--includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
  - (A) contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
  - (B) contact between the mouth and the penis, vulva, or anus;
  - (C) penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
  - (D) any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.
- (5) **Sexual Abuse of a Youth by a Staff Member, Contractor, or Volunteer**--includes any of the following acts, with or without consent of the youth:
  - (A) contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
  - (B) contact between the mouth and the penis, vulva, or anus;

- (C) contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
  - (D) penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
  - (E) any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
  - (F) any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in subparagraphs (A) - (E) of this paragraph;
  - (G) any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of a youth; and
  - (H) voyeurism by a staff member, contractor, or volunteer.
- (6) **Sexual Activity**--includes any form of sexual misconduct, as defined in §380.9503 of this title, that does not meet the definition of sexual abuse.
- (7) **Sexual Harassment**--includes:
- (A) repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth directed toward another; and
  - (B) repeated verbal comments or gestures of a sexual nature to a youth by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
- (8) **Voyeurism**--an invasion of a youth's privacy by a staff member, contractor, or volunteer for reasons unrelated to official duties, such as:
- (A) peering at a youth who is using a toilet in his or her cell to perform bodily functions;
  - (B) requiring a youth to expose his or her buttocks, genitals, or breasts; or
  - (C) taking images of all or part of a youth's naked body or of a youth performing bodily functions.
- (d) **General Provisions.**
- (1) It is the policy of TJJD to ensure that any form of conduct that meets the definition of sexual abuse, sexual activity, or sexual harassment, regardless of consensual status, is strictly prohibited. Such conduct, if confirmed, will result in administrative disciplinary action and may result in criminal prosecution.
  - (2) It is the policy of TJJD to comply with all applicable PREA-related standards adopted by the U.S. Department of Justice.
- (e) **Prevention Planning.**
- (1) **PREA Coordinator and PREA Compliance Managers.**
    - (A) TJJD designates an upper-level staff member as the agency-wide PREA coordinator. This staff member's duties must be structured to allow sufficient time and authority to develop, implement, and oversee agency efforts to comply with PREA standards in all TJJD-operated residential facilities.

- (B) TJJJ designates a PREA compliance manager at each TJJJ-operated residential facility. This staff member's duties must be structured to allow sufficient time and authority to coordinate the facility's efforts to comply with PREA standards.

(2) **Contracting with Other Entities for Confinement of Youth.**

In all new or renewed contracts for residential placement of TJJJ youth, TJJJ includes a clause requiring the contractor to adopt and comply with applicable PREA standards.

(3) **Youth Supervision and Monitoring.**

(A) **Staffing Plans.**

- (i) Each TJJJ-operated residential facility develops and implements a written staffing plan to provide adequate levels of staffing and video monitoring to protect youth against sexual abuse.
- (ii) Deviations from the staffing plan are permitted only during limited and discrete exigent circumstances. The facility documents each deviation and the reason for the deviation.
- (iii) At least once each year, the division director over residential services, in consultation with the TJJJ PREA coordinator, reviews and documents whether any adjustments are needed to each TJJJ-operated facility's:
- (I) staffing plan;
  - (II) prevailing staffing patterns;
  - (III) deployment of video monitoring systems and other monitoring technologies; and
  - (IV) resources available to ensure adherence to the staffing plan.

(B) **Staff Ratios.**

Each TJJJ-operated high restriction facility maintains staff ratios in accordance with §380.9955 of this title.

(C) **Unannounced Rounds.**

- (i) At each TJJJ-operated high restriction facility, a staff member with management responsibilities conducts and documents unannounced rounds to identify and deter sexual abuse and sexual harassment. The unannounced rounds must be conducted at least twice per month on each shift.
- (ii) At each TJJJ-operated medium restriction facility, a staff member with management responsibilities conducts and documents unannounced rounds to identify and deter sexual abuse and sexual harassment. The unannounced rounds must be conducted at least once per month on each shift.
- (iii) Staff members are prohibited from notifying other staff members that unannounced rounds are occurring, unless such notification is related to the legitimate operational functions of the facility.

(4) **Limits to Cross-Gender Viewing and Searches.**

- (A) TJJJ maintains restrictions and limitations on cross-gender searches in accordance with §380.9709 of this title.
- (B) TJJJ does not search or physically examine a transgender or intersex youth for the sole purpose of determining the youth's genital status. The status may be determined during

conversations with the youth, by reviewing medical records, or as part of a broader medical examination conducted in private by a medical practitioner.

- (C) In TJJD-operated residential facilities, staffing patterns and physical barriers are implemented to enable youth to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine room checks.
  - (D) In TJJD-operated residential facilities, staff who are not the same gender as the youth must announce their presence when entering:
    - (i) a dormitory pod or wing at a high restriction facility, but only if there are no other staff of the opposite gender already in the pod or wing; or
    - (ii) a sleeping room at a medium restriction facility.
- (5) **Youth with Disabilities and Youth who are Limited English Proficient.**
- (A) TJJD takes appropriate steps to ensure that youth with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps include providing access to:
    - (i) interpreters; and
    - (ii) written materials provided in formats or through methods that ensure effective communication.
  - (B) TJJD takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment for youth who are limited English proficient, including the use of interpreters.
  - (C) When using interpreters to meet requirements of this paragraph:
    - (i) TJJD attempts to select interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary; and
    - (ii) TJJD does not use other youth to interpret, read, or otherwise assist except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise safety, the performance of first-response duties, or an investigation.
- (6) **Hiring and Promotion Decisions.**
- (A) TJJD does not hire or promote anyone who may have contact with youth and does not use the services of any contractor who may have contact with youth if the person:
    - (i) has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, as defined in 42 U.S.C. 1997; or
    - (ii) has been convicted or civilly or administratively adjudicated of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse.
  - (B) For any person who may have contact with juveniles, TJJD considers any incidents of sexual harassment in determining whether to hire, promote, or contract for services.
  - (C) Before hiring new employees who may have contact with youth, TJJD:
    - (i) performs a criminal background records check;

- (ii) consults the child abuse registry maintained by Texas Department of Family and Protective Services (DFPS); and
    - (iii) makes its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
  - (D) Before enlisting the services of a contractor who may have contact with youth, TJJD:
    - (i) performs a criminal background records check; and
    - (ii) consults the DFPS child abuse registry.
  - (E) TJJD conducts periodic criminal background records checks on current employees and contractors in accordance with §385.8181 of this title.
  - (F) TJJD asks applicants and employees who may have contact with youth directly about previous misconduct described in subparagraph (A) of this paragraph in written applications or interviews for hiring or promotion and in any interviews or written self-evaluations conducted as part of reviews of current employees. TJJD employees have a continuing affirmative duty to disclose any such misconduct. Material omissions regarding such misconduct or the provision of materially false information is grounds for termination of employment.
  - (G) Unless prohibited by law, TJJD provides information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom the former employee has applied to work.
- (7) **Upgrades to Facilities and Technologies.**
  - (A) When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, TJJD considers the effect of the design, acquisition, expansion, or modification on the agency's ability to protect youth from sexual abuse.
  - (B) When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, TJJD considers how such technology may enhance the agency's ability to protect youth from sexual abuse.
- (f) **Responsive Planning.**
  - (1) **Evidence Protocol and Forensic Medical Examinations.**
    - (A) TJJD follows a uniform evidence protocol when responding to allegations of sexual abuse. The evidence protocol must be developmentally appropriate for youth.
    - (B) When evidentially or medically appropriate, TJJD transports youth who experience sexual abuse to a hospital, clinic, or emergency room that can provide for medical examination by a Sexual Assault Nurse Examiner (SANE), Sexual Assault Forensic Examiner (SAFE), or other qualified medical practitioners. All such medical examinations are provided at no financial cost to the youth.
    - (C) If requested by a youth who experiences sexual abuse, a victim advocate will accompany and support the youth through the forensic medical examination and investigatory interviews. The victim advocate provides emotional support, crisis intervention, information, and referrals.
    - (D) TJJD seeks to secure victim advocacy services from local rape crisis centers. If a rape crisis center is not available, TJJD makes these services available through a qualified staff member from a community-based organization or from a qualified TJJD staff member who has been

screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues.

(2) **Policies to Ensure Referrals of Allegations for Investigations.**

- (A) The TJJJ Office of Inspector General (OIG) reviews all allegations of sexual abuse and sexual harassment and assigns each allegation to the appropriate TJJJ department to complete a criminal investigation, administrative investigation, or both.
- (B) Under Texas Human Resources Code §242.102, the OIG is authorized to conduct criminal investigations.

(g) **Training and Education.**

(1) **Employee Training.**

- (A) TJJJ provides PREA-related training to all employees who may have contact with youth. The training is tailored to the unique needs and attributes of youth in juvenile facilities and to the specific gender(s) represented at the facility. The training addresses:
  - (i) the zero-tolerance policy for sexual abuse, sexual harassment, and sexual activity;
  - (ii) how to fulfill employees' responsibilities to prevent, detect, report, and respond to sexual abuse and sexual harassment;
  - (iii) youths' right to be free from sexual abuse and sexual harassment;
  - (iv) the right of youth and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
  - (v) the dynamics of sexual abuse and sexual harassment in juvenile facilities;
  - (vi) the common reactions of juvenile victims of sexual abuse and sexual harassment;
  - (vii) how to detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between youth;
  - (viii) how to avoid inappropriate relationships with youth;
  - (ix) how to communicate effectively and professionally with youth, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming youth;
  - (x) how to comply with relevant laws related to mandatory reporting of sexual abuse; and
  - (xi) relevant laws and rules regarding consent.
- (B) TJJJ requires all employees to receive the PREA-related training annually. An employee must receive additional training if he/she is reassigned from a male-only facility to a female-only facility or vice versa.
- (C) TJJJ documents employees' written verification that they understand the training they have received.

(2) **Volunteer and Contractor Training.**

TJJJ ensures and documents that all volunteers and contractors who have direct access to youth have been trained on and understand their responsibilities under this rule and any other related TJJJ policies and procedures.

(3) **Youth Education.**

- (A) During the admission process, TJJD provides youth with age-appropriate information about the agency's zero-tolerance policy and how to report incidents or suspicions of sexual abuse, sexual harassment, or sexual activity.
- (B) Within 10 calendar days after admission, TJJD provides comprehensive, age-appropriate education to youth about:
  - (i) their rights to be free from sexual abuse, sexual harassment, and retaliation for reporting such incidents; and
  - (ii) agency policies and procedures for responding to such incidents.
- (C) When a youth is transferred to a different TJJD-operated facility, TJJD provides the information in subparagraphs (A) and (B) of this paragraph to youth.
- (D) TJJD provides the information in formats accessible to all youth, including those who:
  - (i) are limited English proficient;
  - (ii) are deaf, visually impaired, or otherwise disabled; and
  - (iii) have limited reading skills.

(4) **Specialized Training: Investigations.**

- (A) TJJD staff members who investigate allegations of sexual abuse receive specialized training that includes:
  - (i) techniques for interviewing juvenile sexual abuse victims;
  - (ii) proper use of *Miranda* and *Garrity* warnings;
  - (iii) sexual abuse evidence collection in confinement settings; and
  - (iv) criteria and evidence required to substantiate a case for administrative action or prosecution referral.
- (B) TJJD maintains documentation that such training has been completed.

(5) **Specialized Training: Medical and Mental Health Care.**

TJJD ensures and maintains documentation that all full and part-time medical and mental health practitioners who work in TJJD-operated facilities have been trained in how to:

- (A) detect and assess signs of sexual abuse and sexual harassment;
- (B) preserve physical evidence of sexual abuse;
- (C) respond effectively and professionally to juvenile victims of sexual abuse and sexual harassment; and
- (D) report allegations or suspicions of sexual abuse and sexual harassment and to whom such reports must be made.

(h) **Screening for Risk of Sexual Victimization and Abusiveness.**

(1) **Obtaining Information from Youth.**

- (A) Within 72 hours after a youth's admission to TJJD, TJJD uses an objective screening instrument to obtain information about the youth's personal history and behavior to reduce the risk of sexual abuse by or upon another youth. Periodically throughout the youth's stay, information from the screening instrument is used to reassess housing and supervision assignments.

- (B) TJJJ establishes appropriate controls to prevent sensitive information obtained from these screenings from being exploited to the youth's detriment by staff or other youth.

(2) **Placement of Youth in Housing, Bed, Program, Education, and Work Assignments.**

- (A) TJJJ uses all information obtained under paragraph (1) of this subsection to make housing, bed, program, education, and work assignments for youth.
- (B) Except under limited situations involving self-injury set forth in §380.9745 of this title, TJJJ does not place youth in isolation as a means of protection.
- (C) Lesbian, gay, bisexual, transgender, or intersex youth are not placed in particular housing, bed, or other assignments solely on the basis of such identification or status. TJJJ does not consider such identification or status as an indicator of likelihood of being sexually abusive.
- (D) For each transgender or intersex youth, TJJJ:
  - (i) makes a case-by-case determination when assigning the youth to a male or female facility and when making other housing and programming assignments, considering the youth's health and safety and any management or security concerns;
  - (ii) gives serious consideration to the youth's own views concerning his/her own safety when making placement and programming assignments;
  - (iii) reassesses the placement and programming assignments at least twice each year to review any threats to safety experienced by the youth; and
  - (iv) provides the opportunity to shower separately from other youth.

(i) **Reporting.**

(1) **Reports from Youth and Third Parties.**

- (A) Youth may report sexual abuse, sexual harassment, retaliation by others for reporting sexual abuse or harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents by:
  - (i) filing a written grievance in accordance with §380.9331 of this title;
  - (ii) calling the 24-hour, toll-free hotline maintained by the OIG without being heard by staff or other youth;
  - (iii) telling any staff member, volunteer, or contract employee, who must then call the OIG hotline; or
  - (iv) calling the toll-free number maintained by the Office of Independent Ombudsman (OIO), which is a separate state agency, without being heard by staff or other youth.
- (B) TJJJ accepts verbal and written reports made anonymously or by third parties and promptly documents verbal reports. Anonymous and third-party reports may be submitted to TJJJ by calling the toll-free hotline maintained by the OIG. TJJJ publicly distributes information on how to report alleged abuse or sexual harassment on behalf of a youth by posting this information on the agency's website.
- (C) TJJJ provides youth with access to grievance forms in accordance with §380.9331 of this title. TJJJ provides all staff with access to telephones to privately call the OIG hotline immediately if the staff member has reason to believe a youth has been a victim of sexual abuse or harassment.

(2) **Administrative Remedies.**

- (A) TJJD investigates all allegations of sexual abuse regardless of how much time has passed since the alleged incident.
- (B) As established by §380.9331 of this title, youth are not required to use the youth grievance system or the informal conference request system to report an allegation of sexual abuse. Youth are not required to attempt to resolve the allegation with staff.
- (C) If a youth uses the grievance system or the conference request system to report an allegation of sexual abuse, the allegation is immediately forwarded to the OIG for assignment and investigation.
- (D) TJJD does not refer allegations of sexual abuse to staff members who are the subject of the allegation.

(3) **Youth Access to Outside Support Services and Legal Representation.**

- (A) TJJD provides youth with access to outside victim advocates for emotional support services related to sexual abuse by making available mailing addresses and telephone numbers, including toll-free numbers of any local, state, or national victim advocacy or rape crisis organizations. TJJD also provides youth with on-site access to representatives of such advocacy organizations in accordance with §385.8183 of this title. TJJD enables reasonable communication between youth and these organizations and agencies in as confidential a manner as possible. TJJD informs youth, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.
- (B) TJJD maintains or seeks to enter into agreements with community service providers that are able to provide youth with confidential emotional support services related to sexual abuse. TJJD maintains documentation of such agreements or attempts to enter into such agreements.
- (C) TJJD provides youth with reasonable and confidential access to their:
  - (i) attorneys or other legal representatives, in accordance with §380.9311 of this title; and
  - (ii) parents or legal guardians, in accordance with §§380.9312, 380.9313, and 380.9315 of this title.

(j) **Official Response Following a Report of Alleged Sexual Abuse or Sexual Harassment.**

(1) **Staff and Agency Reporting Duties.**

- (A) All TJJD staff members must immediately report to OIG, in accordance with agency policy, any knowledge, suspicion, or information they receive regarding:
  - (i) an incident of sexual abuse;
  - (ii) an incident of sexual harassment;
  - (iii) retaliation against youth or staff who reported such an incident; and
  - (iv) any staff neglect or violation of responsibilities that may have contributed to such an incident or retaliation.
- (B) The requirement to report applies to incidents occurring in any residential facility, whether or not it is operated by TJJD.
- (C) The requirement to report includes staff members whose personal communications may otherwise be privileged, such as an attorney, member of the clergy, medical practitioner, social

worker, or mental health practitioner. Upon the initiation of services, these staff members must inform the youth of the staff member's duty to report abuse and the limits of confidentiality.

- (D) In addition to the reporting requirement in subparagraph (A) of this paragraph, TJJD staff must comply with mandatory child abuse reporting laws in Texas Family Code Chapter 261 and with applicable professional licensure requirements.
- (E) Any TJJD staff who receives a report of alleged sexual abuse is prohibited from revealing any information to anyone other than to the extent necessary, as specified in §380.9333 of this title, to make treatment, investigation, and other security and management decisions.
- (F) Upon receiving an allegation of sexual abuse, the facility administrator or his/her designee must promptly report the allegation to the alleged victim's parents or legal guardians, unless the facility has official documentation showing the parents or legal guardians should not be notified. If the alleged victim is under the conservatorship of DFPS, the report is made to DFPS.
- (G) OIG assigns all reports of alleged sexual abuse and sexual harassment, including third-party and anonymous reports, to the appropriate investigator.

(2) **Agency Protection Duties.**

Upon receipt of a report that alleges a youth is subject to a substantial risk or imminent sexual abuse, TJJD takes immediate action to protect the youth.

(3) **Reporting to Other Confinement Facilities.**

- (A) Any staff member must immediately notify the OIG if he/she receives an allegation that a youth was sexually abused while confined at a juvenile facility not operated by TJJD and not operated under contract with TJJD.
- (B) The OIG must notify the head of the facility or the appropriate office of the agency where the abuse is alleged to have occurred and the appropriate investigative agency as soon as possible, but within 72 hours after receiving the allegation.

(4) **Staff First Responder Duties.**

Upon learning of an allegation that a youth was sexually abused, the first staff member to respond to the report must:

- (A) separate the alleged victim and alleged abuser;
- (B) preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; and
- (C) if the alleged abuse occurs within a time period that still allows for the collection of physical evidence:
  - (i) request that the alleged victim not take any actions that could destroy physical evidence, including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and
  - (ii) ensure that the alleged abuser does not take any actions that could destroy physical evidence.

(5) **Coordinated Response.**

TJJD maintains a written plan to coordinate the actions taken among staff first responders, medical and mental health practitioners, investigators, and facility leadership in response to an incident of sexual abuse.

(6) **Preservation of Ability to Protect Youth from Contact with Abusers.**

TJJD will not enter into any agreement that limits its ability to remove alleged staff sexual abusers from contact with youth pending the outcome of an investigation or a determination of whether and to what extent discipline is warranted.

(7) **Agency Protection against Retaliation.**

Retaliation by a youth or staff member against a youth or staff member who reports sexual abuse or sexual harassment or who cooperates with an investigation is strictly prohibited. To help prevent retaliation, TJJD:

- (A) designates certain staff members to monitor the person who reported the allegation and the alleged victim to determine whether retaliation is occurring;
- (B) uses multiple measures to protect youth and staff from retaliation, such as housing transfers, removal of the alleged abuser from contact with the alleged victim, and emotional support services for youth or staff who fear retaliation;
- (C) for at least 90 days (except when the allegation is determined to be unfounded):
  - (i) monitors the reporter and the alleged victim for signs of retaliation including items such as disciplinary reports, housing or program changes, staff reassignments, and negative performance reviews; and
  - (ii) conducts periodic status checks on the alleged victim;
- (D) acts promptly to remedy any retaliation; and
- (E) takes appropriate measures to protect any other individual who cooperates with the investigation who expresses a fear of retaliation.

(8) **Post-Allegation Protective Custody.**

TJJD does not use segregated housing to protect a youth who is alleged to have suffered sexual abuse.

(k) **Investigations.**

(1) **Criminal and Administrative Agency Investigations.**

- (A) TJJD conducts prompt, thorough, and objective investigations for all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports.
- (B) For investigations of alleged sexual abuse, TJJD uses investigators who have received special training in sexual abuse investigations involving juvenile victims.
- (C) TJJD investigators must:
  - (i) gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data;

- (ii) interview alleged victims, suspected perpetrators, and witnesses; and
    - (iii) review prior complaints and reports of sexual abuse involving the suspected perpetrator.
  - (D) TJJD will not terminate an investigation solely because the source of the allegation recants the allegation.
  - (E) When the quality of evidence appears to support criminal prosecution, TJJD may conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
  - (F) TJJD investigators must assess the credibility of an alleged victim, suspect, or witness on an individual basis and must not determine credibility by the person's status as a youth or staff.
  - (G) TJJD does not require youth who allege sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation.
  - (H) In addition to meeting requirements set forth in §380.9333 of this title, administrative investigations of sexual abuse must:
    - (i) include an effort to determine whether staff actions or failures to act contributed to the abuse; and
    - (ii) be documented in a written report that includes a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.
  - (I) Criminal investigations conducted by the OIG must be documented in a written report that includes:
    - (i) a thorough description of physical, testimonial, and documentary evidence; and
    - (ii) copies of all documentary evidence, when feasible.
  - (J) Substantiated allegations of conduct that appear to be criminal are referred for prosecution.
  - (K) TJJD maintains all criminal and administrative investigation reports for as long as the alleged abuser is incarcerated by TJJD or employed by TJJD, plus at least five years.
  - (L) TJJD does not terminate investigations solely on the basis that the alleged abuser or victim is no longer in the custody of TJJD or employed by TJJD.
  - (M) If an outside agency conducts an investigation into an allegation of sexual abuse, TJJD staff must cooperate with the outside investigators. TJJD management will attempt to remain informed about the progress of the investigation.
- (2) **Evidentiary Standard for Administrative Investigations.**

In administrative investigations into allegations of sexual abuse or sexual harassment, the investigator's findings must be based on a preponderance of the evidence.

(3) **Reporting to Youth.**

The notification requirements in this paragraph apply until the youth is discharged from TJJD. TJJD documents all notifications and attempted notifications.

- (A) Following an investigation into a youth's allegation of sexual abuse suffered in a TJJD facility, TJJD informs the youth whether the allegation is substantiated, unsubstantiated, or unfounded. If TJJD did not conduct the investigation, TJJD management will request the information from the investigating agency so that the youth may be informed.

- (B) Following a youth's allegation that a staff member has committed sexual abuse against the youth, TJJJ informs the youth whenever the following events occur, except when the allegation is determined to be unfounded:
  - (i) the staff member is no longer posted within the youth's housing unit;
  - (ii) the staff member is no longer employed at the facility;
  - (iii) TJJJ learns that the staff member has been indicted on a charge related to the sexual abuse; or
  - (iv) TJJJ learns that the staff member has been convicted on a charge related to the sexual abuse.
  
- (C) Following a youth's allegation that he/she has been sexually abused by another youth, TJJJ informs the alleged victim whenever the following events occur:
  - (i) TJJJ learns that the alleged abuser has been indicted on a charge related to the sexual abuse; or
  - (ii) TJJJ learns that the alleged abuser has been convicted on a charge related to the sexual abuse.

(I) **Discipline.**

(1) **Disciplinary Sanctions for Staff.**

- (A) Staff members are subject to disciplinary sanctions up to and including termination of employment for violating TJJJ sexual abuse or sexual harassment policies.
- (B) Termination of employment is the presumptive disciplinary sanction for staff members who have engaged in sexual abuse.
- (C) Disciplinary sanctions for violations of TJJJ policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.
- (D) TJJJ reports the following actions to any relevant licensing bodies:
  - (i) terminations of employment for violations of agency sexual abuse or sexual harassment policies; and
  - (ii) resignations by staff members who would have been terminated if they had not resigned.

(2) **Corrective Action for Contractors and Volunteers.**

- (A) If a contractor or volunteer engages in sexual abuse, TJJJ:
  - (i) prohibits the contractor or volunteer from having any contact with TJJJ youth; and
  - (ii) reports the finding of abuse to any relevant licensing bodies.
- (B) If a volunteer or contractor violates TJJJ sexual abuse or sexual harassment policies but does not actually engage in sexual abuse, TJJJ takes appropriate remedial measures and considers whether to prohibit further contact with TJJJ youth.

(3) **Interventions and Disciplinary Sanctions for Youth.**

- (A) A youth may be subject to disciplinary sanctions for engaging in sexual abuse only when:

- (i) there is a criminal finding of guilt or an administrative finding that the youth engaged in youth-on-youth sexual abuse; and
    - (ii) the discipline is determined through a Level II due process hearing held in accordance with §380.9555 of this title.
  - (B) Any disciplinary sanctions must be commensurate with the nature and circumstances of the abuse committed, the youth's disciplinary history, and the sanctions imposed for comparable offenses by other youth with similar histories.
  - (C) The disciplinary process must consider whether a youth's mental disabilities or mental illness contributed to his/her behavior when determining what type of sanction, if any, should be imposed.
  - (D) TJJD does not impose isolation as a disciplinary sanction.
  - (E) TJJD offers youth abusers counseling and other interventions designed to address and correct underlying reasons or motivations for the abuse. TJJD may require participation in such counseling and interventions as a condition of access to behavior-based incentives, but not as a condition to access general programming or education.
  - (F) A youth may be disciplined for sexual contact with staff only upon a finding that the staff member did not consent to such contact.
  - (G) TJJD may not discipline a youth if the youth made a report of sexual abuse in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.
  - (H) In accordance with §380.9503 of this title, TJJD may also discipline a youth for engaging in prohibited sexual activity that does not meet the definition of abuse.
- (m) **Medical and Mental Care.**
- (1) **Medical and Mental Health Screenings; History of Sexual Abuse.**
    - (A) Regardless of the results of the screening in subsection (h)(1) of this section, TJJD offers all youth an appointment with a medical and mental health practitioner within 14 days after the intake screening.
    - (B) Any information obtained related to sexual victimization or abusiveness that occurred in an institutional setting must be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by law.
    - (C) Medical and mental health practitioners must obtain informed consent from youth before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the youth is under the age of 18.
  - (2) **Access to Emergency Medical and Mental Health Services.**
    - (A) TJJD ensures that youth victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

- (B) If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, staff first responders must take preliminary steps to protect the victim and must immediately notify the appropriate medical and mental health practitioners.
- (C) TJJJ ensures that youth victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.
- (D) TJJJ provides treatment services to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising from the incident.

(3) **Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers.**

- (A) TJJJ offers medical and mental health evaluation and, as appropriate, treatment to all youth who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.
  - (i) The evaluation and treatment of such victims includes, as appropriate:
    - (I) follow-up services;
    - (II) treatment plans; and
    - (III) referrals for continued care following their transfer to other facilities or their release from custody.
  - (ii) TJJJ provides such victims with medical and mental health services consistent with the community level of care.
- (B) TJJJ offers pregnancy tests to youth victims of sexually abusive vaginal penetration while incarcerated. If pregnancy results, TJJJ ensures the youth is provided timely and comprehensive information about and timely access to all lawful pregnancy-related medical services. See §380.9195 of this title for additional information about services for pregnant youth.
- (C) TJJJ ensures that tests for sexually transmitted infections are offered, as medically appropriate, to youth victims of sexual abuse while incarcerated.
- (D) TJJJ provides treatment services to a victim of sexual abuse while incarcerated without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising from the incident.
- (E) TJJJ attempts to conduct a mental health evaluation of all known youth-on-youth abusers within 60 days after learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.

(n) **Sexual Abuse Incident Reviews.**

- (1) TJJJ conducts an incident review at the conclusion of every sexual abuse investigation unless the allegation is determined to be unfounded.
- (2) Managers, supervisors, investigators, and medical or mental health practitioners participate in the review.
- (3) The review team:
  - (A) considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
  - (B) considers whether the incident or allegation was motivated by race; ethnicity; gender identity;

status or perceived status as lesbian, gay, bisexual, transgender, or intersex; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;

- (C) examines the area where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- (D) assesses the adequacy of staffing levels in that area during different shifts;
- (E) assesses whether monitoring technology should be used or enhanced to supplement supervision by staff; and
- (F) submits a report of its findings and recommendations to the facility administrator, the local PREA compliance manager, and other appropriate staff members.

- (4) The facility where the incident allegedly occurred must implement the review team's recommendations or document its reasons for not doing so.

(o) **Data Collection and Storage.**

- (1) TJJD collects data for every allegation of sexual abuse at TJJD-operated facilities using a standardized instrument and set of definitions and aggregates the data at least once each year. TJJD also maintains, reviews, and collects data as needed from all available incident-based documents, such as reports, investigation files, and sexual abuse incident reviews.
- (2) TJJD develops its data collection instrument to include the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the U.S. Department of Justice.
- (3) TJJD obtains incident-based and aggregate data from each residential facility operating under a contract with TJJD.
- (4) TJJD securely retains all sexual abuse data it collects.

(p) **Publication of Sexual Abuse Data.**

- (1) TJJD reviews aggregate sexual abuse data to assess and improve the effectiveness of its policies, practices, and training. Following this review, TJJD prepares an annual report of its findings and corrective actions for each facility and the agency as a whole. The report will be posted on the agency's website.
- (2) Annually, TJJD posts on its website all aggregated sexual abuse data from TJJD-operated and contracted facilities.

(q) **Audits of PREA Standards.**

TJJD conducts audits pursuant to 28 CFR §§115.401 - 115.405.

---

---



**Texas Juvenile Justice Department  
RESOLUTION**

**A RESOLUTION FOR APPROVAL TO ADOPT THE PROPOSED REPEAL OF 37 TAC §380.9337, RELATING TO ALLEGED SEXUAL ABUSE, AND THE ADOPTION OF NEW 37 TAC §380.9337, RELATING TO ZERO-TOLERANCE FOR SEXUAL ABUSE, SEXUAL ACTIVITY, AND SEXUAL HARASSMENT**

On this **28th day of March 2014**, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:		Second:			

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

**WHEREAS**, Texas Human Resources Code §242.003 requires the Board of the Texas Juvenile Justice Department to adopt rules appropriate to the proper accomplishment of the department’s functions;

**WHEREAS**, Code of Federal Regulations, Title 28, Part 115, establishes national standards for compliance with the Prison Rape Elimination Act;

**WHEREAS**, the TJJD staff previously submitted 37 TAC §380.9337 for publication in the *Texas Register* for a 30-day public comment period;

**WHEREAS**, the public comment period has ended and TJJD did not receive any public comments regarding the proposed rule;

**WHEREAS**, the TJJD staff has not recommended any additional changes;

**NOW, THEREFORE BE IT RESOLVED THAT** the Board authorizes the adoption of new 37 TAC §380.9337 as proposed and the repeal of the existing 37 TAC §380.9337.

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

**Signed this 28th day of March 2014.**

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman



## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Brett Bray, General Counsel

Subject: Discipline of Certified Officers – Default Judgment Order

Date: March 10, 2014

---

The Board of the Texas Juvenile Justice Department (TJJJ) has the authority to reprimand, suspend, or revoke the certification of a certified juvenile probation or detention/supervision officer under Section 222.053 of the Texas Human Resources Code. The officer is entitled to a hearing before the State Office of Administrative Hearings (SOAH) if revocation or suspension of the certification is recommended.

Agency administrative rules found in Texas Administrative Code, Title 37, Chapter 349 allow the TJJJ to dispose of certain disciplinary cases without referring the cases to SOAH.

The rules require TJJJ to give to the certified officer a statement of facts or conduct alleged to warrant an adverse certification action as well as notice of the discipline sought to be imposed. The notice must invite the officer to show compliance with all requirements of law for the retention of the license, give notice that the officer must file a written answer to the formal charges in compliance with TJJJ administrative rules found in Chapter 349, and give notice that a failure to file a written answer may result in the alleged conduct being admitted as true and the relief sought being granted by default. The notice must be sent via certified mail, return receipt requested to the certified officer's most recent address of record with TJJJ.

The administrative rules require the certified officer to file an answer to a formal disciplinary action within 20 days of receipt of the action. If an officer fails to respond to a disciplinary action notice, the officer waives the opportunity to contest the charges and waives objection to the proposed sanction. Agency standards authorize TJJJ to enter a default judgment against the officer and impose the disciplinary action sought. The default orders are based upon the factual allegations and sanctions recommended in the formal charges.

Attached for your review are the Recommendation for Default, Default Order, and Affidavit of the Attorney for the two cases recommended for default. The Office of General Counsel determined that proof of proper notice and failure to respond exists in this case. The Request for Default Order explains the notice provided, the lack of response, the alleged conduct and violations, and the requested sanction.

**DOCKET NO. DH – 13-20096-120354**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE BOARD OF</b>
	<b>§</b>	
<b>ROBERT ROBINSON</b>	<b>§</b>	<b>THE TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO.</b>	<b>§</b>	<b>JUSTICE DEPARTMENT</b>

**RECOMMENDATION FOR DEFAULT ORDER**

**JURISDICTION AND AUTHORITY TO ENTER DEFAULT ORDER**

As provided by the Administrative Procedures Act, specifically Texas Government Code, Section 2001.056, a contested case may be disposed of by default. The Texas Juvenile Justice Department (TJJD) administrative rules, Texas Administrative Code, Title 37, Chapter 349, establish when and how a case may be disposed by default.

Texas Administrative Code, Title 37, Section 349.340 provides that upon proof of proper notice to the certified officer, a default order may be granted when the certified officer has failed to file a response to formal charges. The default order is to be based upon the factual allegations and sanctions recommended in the formal charges.

In the case of a default, the certified officer will be deemed to have:

- a. admitted all of the factual allegations in the formal charges;
- b. waived the opportunity to show compliance with the law;
- c. waived the opportunity for a hearing on the formal charges; and
- d. waived objection to the sanction(s) recommended in the formal charges.

Texas Administrative Code, Title 37, Section 349.340 provides that the TJJD Board of Directors (TJJD Board), after consideration of the case, may:

- a. Enter a default order under Texas Government Code, Section 2001.056 or
- b. Order the matter to be set for a hearing at the State Office of Administrative Hearings.

**NOTICE AND RESPONSE REQUIREMENTS**

As per Texas Administrative Code, Title 37, Section 349.340, proper notice means notice sufficient to meet the provisions in that section as well as in Texas Government Code, Section 2001.054 and Texas Administrative Code, Title 37, Section 349.320.

Per those provisions, TJJD was required to provide to the certified officer written notice that complied with the following:

1. The notice was addressed to the certified officer and sent by certified mail, return receipt requested, to the certified officer's most recent address of record with TJJD.

2. The notice contained a statement of facts or conduct alleged to warrant an adverse certification action.
3. The notice invited the certified officer to show compliance with all requirements of law for the retention of her license.
4. The notice included in capital letters in 12-point boldface type the following statement: "FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT."
5. The notice stated that the certified officer shall file a written answer to the formal charge(s) that meets the requirements of Texas Administrative Code, Title 37, Sections 349.340 and 349.370.

TJJD rules further provide that notice is effective and service is complete when sent by certified mail, return-receipt requested and notice is presumed received three days after mailing.

#### **PROPER NOTICE GIVEN; FAILURE TO RESPOND**

As evidenced by the Affidavit of Karol Davidson, TJJD staff attorney, and relevant documents, there is sufficient evidence to establish Robert Robinson was given proper notice in this matter and has failed to respond, as follows:

1. On January 29, 2014, written notice addressed to Respondent was sent by certified mail, return receipt requested, to Respondent's most recent address of record with TJJD. Notice was presumed effective three days later, exclusive of weekends or holidays, which was February 1, 2014.
2. The written notice indicated that on or about October 4, 2012, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) when he was designated as a perpetrator in a TJJD abuse, exploitation, and neglect investigation.
3. The written notice indicated that on or about December 12, 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Section 345.310(c)(1)(A) when he was convicted of sexual assault of a child.
4. The written notice informed Respondent that TJJD was seeking a permanent revocation of his certification.
5. The written notice included in capital letters in 12-point boldface type the statement: "FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT."

6. The written notice informed Respondent that he was required to file a written response within 20 days of receipt of the notice.
7. Twenty days have elapsed since February 1, 2014, the date notice is presumed effective, and Respondent has failed to file a written response to the formal charges.

### **RECOMMENDATION**

As TJJD has met its burden to provide proper notice to Respondent and Respondent has failed to respond to that notice, TJJD respectfully recommends that the TJJD Board enter a default order in this matter permanently revoking Respondent's certification. The following Findings of Fact and Conclusions of Law are recommended:

#### ***Recommended Findings of Fact***

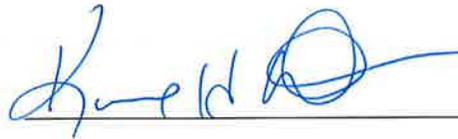
1. On October 4, 2012 and December 12, 2013, Respondent held a juvenile supervision officer certification with TJJD.
2. On October 4, 2012 and December 12, 2013, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect on October 4, 2012 and December 12, 2013, and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) provides that a juvenile justice professional shall not be designated as a perpetrator in a TJJD abuse, exploitation, or neglect investigation conducted under the authority of Texas Family Code, Chapter 261 or Texas Human Resources Code, Chapter 350.
5. Texas Administrative Code, Title 37, Section 345.310(c)(1)(A) states that all juvenile justice professionals shall abide by all federal laws, guidelines and rules, state laws and TJJD administrative rules.
6. On or about October 4, 2012, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Section 345.310 (c), (2) (G) when he was designated as a perpetrator in a TJJD abuse, exploitation, and neglect investigation.
7. On or about December 12, 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Section 345.310(c)(1)(A) when he was convicted of sexual assault of a child.
8. On February 1, 2014, TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested.
9. More than 20 days have elapsed since February 1, 2014, the date Respondent is presumed to have received notice of the formal charges.

10. To date, Respondent has not filed an answer to the formal charges.

***Recommended Conclusions of Law***

1. As evidenced by the Findings of Fact, TJJD has jurisdiction to hear this case and impose the requested discipline.
2. As evidenced by the Findings of Fact, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) and 345.310 (c)(1)(A).
3. As evidenced by the Findings of Fact, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

Respectfully Submitted,



Karol Davidson, Staff Attorney  
Texas Juvenile Justice Department  
State Bar No. 24030428  
11209 Metric Blvd., Building H  
Austin, Texas 78758

**DOCKET NO. DH- 13-20096-120354**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE BOARD OF</b>
<b>ROBERT ROBINSON</b>	<b>§</b>	<b>TEXAS JUVENILE</b>
<b>CERTIFICATION NO. 20096</b>	<b>§</b>	<b>JUSTICE DEPARTMENT</b>

**DEFAULT ORDER**

At its scheduled board meeting on March 28, 2014, the Board of the Texas Juvenile Justice Department (TJJJ Board) considered the Recommendation for Default Order (Recommendation) in the above-referenced matter, which was submitted pursuant to Texas Administrative Code, Title 37, Section 349.340. The Recommendation indicates sufficient proof of proper notice was provided to Robert Robinson (Respondent) and requests appropriate relief, including the imposition of sanctions. The Texas Juvenile Justice Department (TJJJ) has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The TJJJ Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. On October 4, 2012 and December 12, 2013, Respondent held a juvenile supervision officer certification with TJJJ.
2. On October 4, 2012 and December 12, 2013, Respondent was required to comply with all relevant TJJJ standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect on October 4, 2012 and December 12, 2013, and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) provides that a juvenile justice professional shall not be designated as a perpetrator in a TJJJ abuse, neglect, or exploitation investigation conducted under the authority of Texas Family Code, Chapter 261 or Texas Human Resources Code, Chapter 350.
5. Texas Administrative Code, Title 37, Section 345.310(c)(1)(A) states that all juvenile justice professionals shall abide by all federal laws, guidelines and rules, state laws and TJJJ administrative rules.
6. On or about October 4, 2012, Respondent engaged in conduct in violation of TJJJ standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Section 345.310 (c)(2) (G) when he was designated as a perpetrator in a TJJJ abuse, neglect, and exploitation investigation.

7. On or about December 12, 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Section 345.310(c)(1)(A) when he was convicted of sexual assault of a child.
8. On February 1, 2014, TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested.
9. More than 20 days have elapsed since February 1, 2014, the date Respondent is presumed to have received notice of the formal charges.

#### **CONCLUSIONS OF LAW**

1. As evidenced by the Findings of Fact, TJJD has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by the Findings of Fact, Respondent's actions violated Texas Administrative Code, Title 37, Sections 345.310 (c)(2)(G) and 345.310 (c)(1)(A).
3. As evidenced by the Findings of Fact, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Board of the Texas Juvenile Justice Department that:

1. Robert Robinson's juvenile supervision officer certification is permanently revoked.
2. All requested findings of fact and conclusions of law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until 20 days after a party is notified of TJJD's order. A party is presumed to have been notified of TJJD's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJD. Pursuant to Texas Government Code, Section 2001.146(e), the time allotted for TJJD action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until 90 days from the date the parties are notified of the Order.

**TEXAS JUVENILE JUSTICE DEPARTMENT**  
Signatures and date affixed by Default Disposition  
Master Order dated March 28, 2014

**AFFIDAVIT OF KAROL DAVIDSON**

STATE OF TEXAS           §  
                                          §  
COUNTY OF TRAVIS       §

“My name is Karol Davidson. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

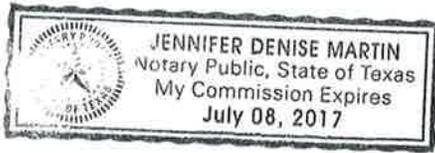
1. On January 29, 2014, written notice was sent by certified mail, return receipt requested, to Robert Robinson’s (Respondent) most recent address of record with the Texas Juvenile Justice Department (TJJD). Notice was presumed effective three days later, exclusive of weekends or holidays, which was February 1, 2014.
2. The written notice indicated that on or about October 4, 2012, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) when he was designated as a perpetrator in a TJJD abuse, exploitation, and neglect investigation.
3. The written notice indicated that on or about December 12, 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Section 345.310(c)(1)(A) when he was convicted of sexual assault of a child.
4. The written notice informed Respondent that TJJD was seeking **permanent revocation of his certification.**
5. The written notice included in capital letters in 12-point boldface type the statement: “FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.”
6. The written notice informed Respondent he was required to file a written response within 20 days of receipt of the notice.
7. Twenty days have elapsed since February 1, 2014, the date notice is presumed effective, and Respondent has failed to file a written response to the formal charges.

  
 Karol Davidson, Attorney  
 Texas Juvenile Justice Department

Before me, the undersigned authority, on this day personally appeared Karol Davidson known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 4 of March, 2014.

Jennifer Martin  
Notary Signature



**DOCKET NO. DH – 14-26271-130258  
14- 26271- 130253**

<b>IN THE MATTER OF</b>	<b>§</b>	<b>BEFORE THE BOARD OF</b>
	<b>§</b>	
<b>DISHEKA WESTBROOK</b>	<b>§</b>	<b>THE TEXAS JUVENILE</b>
	<b>§</b>	
<b>CERTIFICATION NO.</b>	<b>§</b>	<b>JUSTICE DEPARTMENT</b>

**RECOMMENDATION FOR DEFAULT ORDER**

**JURISDICTION AND AUTHORITY TO ENTER DEFAULT ORDER**

As provided by the Administrative Procedures Act, specifically Texas Government Code, Section 2001.056, a contested case may be disposed of by default. The Texas Juvenile Justice Department (TJJJ) administrative rules, Texas Administrative Code, Title 37, Chapter 349, establish when and how a case may be disposed of by default.

Texas Administrative Code, Title 37, Section 349.340 provides that upon proof of proper notice to the certified officer, a default order may be granted when the certified officer has failed to file a response to formal charges. The default order is to be based upon the factual allegations and sanctions recommended in the formal charges.

In the case of a default, the certified officer will be deemed to have:

- a. admitted all of the factual allegations in the formal charges;
- b. waived the opportunity to show compliance with the law;
- c. waived the opportunity for a hearing on the formal charges; and
- d. waived objection to the sanction(s) recommended in the formal charges.

Texas Administrative Code, Title 37, Section 349.340 provides that the TJJJ Board of Directors (TJJJ Board), after consideration of the case, may:

- a. Enter a default order under Texas Government Code, Section 2001.056 or
- b. Order the matter to be set for a hearing at the State Office of Administrative Hearings.

**NOTICE AND RESPONSE REQUIREMENTS**

As per Texas Administrative Code, Title 37, Section 349.340, proper notice means notice sufficient to meet the provisions in that section as well as in Texas Government Code, Section 2001.054 and Texas Administrative Code, Title 37, Section 349.320.

Per those provisions, TJJJ was required to provide to the certified officer written notice that complied with the following:

1. The notice was addressed to the certified officer and sent by certified mail, return receipt requested, to the certified officer's most recent address of record with TJJJ.

2. The notice contained a statement of facts or conduct alleged to warrant an adverse certification action.
3. The notice invited the certified officer to show compliance with all requirements of law for the retention of her license.
4. The notice included in capital letters in 12-point boldface type the following statement: "FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT."
5. The notice stated that the certified officer shall file a written answer to the formal charge(s) that meets the requirements of Texas Administrative Code, Title 37, Sections 349.340 and 349.370.

TJJD rules further provide that notice is effective and service is complete when sent by certified mail, return-receipt requested and notice is presumed received three days after mailing.

#### **PROPER NOTICE GIVEN; FAILURE TO RESPOND**

As evidenced by the Affidavit of Karol Davidson, TJJD staff attorney, and relevant documents, there is sufficient evidence to establish Disheka Westbrook (Respondent) was given proper notice in this matter and has failed to respond, as follows:

1. On January 28, 2014, written notice addressed to Respondent was sent by certified mail, return receipt requested, to Respondent's most recent address of record with TJJD. Notice was presumed effective three days later, exclusive of weekends or holidays, which was January 31, 2014.
2. The written notice indicated that on or about August 19, 2013, Respondent engaged in conduct in violation of TJJD standards, rules and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) when she was designated a perpetrator in a TJJD abuse, neglect, and exploitation investigation.
3. The written notice indicated that on or about January 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Sections 345.310(c)(1)(A), (D), and (K) when she maintained an inappropriate relationship and engaged in inappropriate sexual contact with juvenile R.H. who resided at the Rockdale Juvenile Justice Center and who was under the jurisdiction of the juvenile court.
4. The written notice indicated that from on or about January 2013 through May 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Sections 345.310(c)(1)(A), (D), and (K) by engaging in inappropriate sexual contact with juvenile M.J. who resided at the Rockdale Juvenile Justice Center and who was under the jurisdiction of the juvenile court.

5. The written notice informed the Respondent that TJJD was seeking a revocation of her certification.
6. The written notice included in capital letters in 12-point boldface type the statement: "FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT."
7. The written notice informed Respondent that she was required to file a written response within 20 days of receipt of the notice.
8. Twenty days have elapsed since January 31, 2014, the date notice is presumed effective, and Respondent has failed to file a written response to the formal charges.

### **RECOMMENDATION**

As TJJD has met its burden to provide proper notice to Respondent and Respondent has failed to respond to that notice, TJJD respectfully recommends that the TJJD Board enter a default order in this matter revoking the Respondent's certification. The following Findings of Fact and Conclusions of Law are recommended:

#### ***Recommended Findings of Fact***

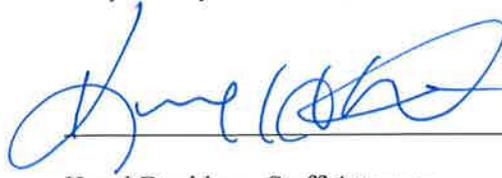
1. From January 2013 through August 2013, Respondent held a juvenile supervision officer certification with TJJD.
2. From January 2013 through August 2013, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect from January 2013 through August 2013, and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) provides that a juvenile justice professional shall not be designated as a perpetrator in a TJJD abuse, exploitation, or neglect investigation conducted under the authority of Texas Family Code, Chapter 261 or Texas Human Resources Code, Chapter 350.
5. Texas Administrative Code, Title 37, Section 345.310(c)(1)(A) states that all juvenile justice professionals shall abide by all federal laws, guidelines and rules, state laws and TJJD administrative rules.
6. Texas Administrative Code, Title 37, Section 345.310 (c)(1)(D) states that all juvenile justice professionals serve each child with concern for the child's welfare and with no expectation of personal gain.

7. Texas Administrative Code, Title 37, Section 345.310 (c)(1)(K) states that all juvenile justice professionals treat all juveniles and their families with courtesy, consideration and dignity.
8. On or about August 19, 2013, Respondent engaged in conduct in violation of TJJD standards, rules and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) when she was designated a perpetrator in a TJJD abuse, neglect, and exploitation investigation.
9. On or about January 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Sections 345.310(c)(1)(A), (D), and (K) when she maintained an inappropriate relationship and engaged in inappropriate sexual contact with a juvenile R.H. who resided at the Rockdale Juvenile Justice Center and who was under the jurisdiction of the juvenile court.
10. From January 2013 through May 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Sections 345.310(c)(1)(A), (D), and (K) by engaging in inappropriate sexual contact with a juvenile M.J. who resided at the Rockdale Juvenile Justice Center and who was under the jurisdiction of the juvenile court.
11. On January 31, 2014, TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested.
12. More than 20 days have elapsed since January 31, 2014, the date Respondent is presumed to have received notice of the formal charges.
13. To date, Respondent has not filed an answer to the formal charges.

***Recommended Conclusions of Law***

1. As evidenced by the Findings of Fact, TJJD has jurisdiction to hear this case and impose the requested discipline.
2. As evidenced by the Findings of Fact, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G) and 345.310 (c)(1)(A),(D), and (K).
3. As evidenced by the Findings of Fact, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

Respectfully Submitted,



Karol Davidson, Staff Attorney  
Texas Juvenile Justice Department  
State Bar No. 24030428  
11209 Metric Blvd., Building H  
Austin, Texas 78758

**DOCKET NO. DH- 14-26271-130258  
14-26271-130253**

<b>IN THE MATTER OF</b>	§	<b>BEFORE THE BOARD OF</b>
	§	
<b>DISHEKA WESTBROOK</b>	§	<b>TEXAS JUVENILE</b>
	§	
<b>CERTIFICATION NO. 26271</b>	§	<b>JUSTICE DEPARTMENT</b>

**DEFAULT ORDER**

At its scheduled board meeting on March 28, 2014 the Board of the Texas Juvenile Justice Department (TJJD Board) considered the Recommendation for Default Order (Recommendation) in the above-referenced matter, which was submitted pursuant to Texas Administrative Code, Title 37, Section 349.340. The Recommendation indicates sufficient proof of proper notice was provided to Disheka Westbrook (Respondent) and requests appropriate relief, including the imposition of sanctions. The Texas Juvenile Justice Department (TJJD) has jurisdiction over and authority to perform this action pursuant to Texas Human Resources Code, Section 222.053, Texas Government Code, Section 2001.056, and Texas Administrative Code, Title 37, Chapter 349.

The TJJD Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. From January 2013 through August 2013, Respondent held a juvenile supervision officer certification with TJJD.
2. From January 2013 through August 2013, Respondent was required to comply with all relevant TJJD standards, rules, and regulations relating to certified juvenile supervision officers included in Texas Human Resources Code, Chapter 222 and Texas Administrative Code, Title 37, Chapters 341-359.
3. Texas Administrative Code, Title 37, Chapter 345 was in effect from January 2013 through August 2013, and required that certified juvenile supervision officers adhere to a Code of Ethics.
4. Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) provides that a juvenile justice professional shall not be designated as a perpetrator in a TJJD abuse, exploitation, or neglect investigation conducted under the authority of Texas Family Code, Chapter 261 or Texas Human Resources Code, Chapter 350.
5. Texas Administrative Code, Title 37, Section 345.310(c)(1)(A) states that all juvenile justice professionals shall abide by all federal laws, guidelines and rules, state laws and TJJD administrative rules.
6. Texas Administrative Code, Title 37, Section 345.310 (c)(1)(D) states that all juvenile justice professionals serve each child with concern for the child's welfare and with no expectation of personal gain.
7. Texas Administrative Code, Title 37, Section 345.310 (c)(1)(K) states that all juvenile justice professionals treat all juveniles and their families with courtesy, consideration and dignity.

8. On or about August 19, 2013, Respondent engaged in conduct in violation of TJJD standards, rules and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) when she was designated a perpetrator in a TJJD abuse, neglect, and exploitation investigation.
9. On or about January 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Sections 345.310(c)(1)(A), (D), and (K) when she maintained an inappropriate relationship and engaged in inappropriate sexual contact with juvenile R.H. who resided at the Rockdale Juvenile Justice Center and who was under the jurisdiction of the juvenile court.
10. From January 2013 through May 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Sections 345.310(c)(1)(A), (D), and (K) by engaging in inappropriate sexual contact with juvenile M.J. who resided at the Rockdale Juvenile Justice Center and who was under the jurisdiction of the juvenile court.
11. On January 31, 2014, TJJD effectively served Respondent with proper notice of the formal charges and requested discipline through written notice sent via certified mail, return receipt requested.
12. More than 20 days have elapsed since January 31, 2014, the date Respondent is presumed to have received notice of the formal charges.
13. To date, Respondent has not filed an answer to the formal charges.

#### **CONCLUSIONS OF LAW**

1. As evidenced by the Findings of Fact, TJJD has jurisdiction to hear this case and to impose the requested discipline.
2. As evidenced by the Findings of Fact, Respondent's actions violated Texas Administrative Code, Title 37, Section 345.310(c)(2)(G) and 345.310 (c)(1)(A),(D), and (K).
3. As evidenced by the Findings of Fact, the requirements upon which a default order may be granted as provided by Texas Government Code, Section 2001.056 and Texas Administrative Code, Title 37, Section 349.340 have been met.

#### **ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED** by the Board of the Texas Juvenile Justice Department that:

1. Disheka Westbrook's juvenile supervision officer certification is revoked.
2. All requested findings of fact and conclusions of law not expressly adopted herein are denied.
3. All pending motions and requests for relief not previously granted or expressly granted in this Order are denied.

This Order shall not be final and effective until 20 days after a party is notified of TJJD's order. A party is presumed to have been notified of TJJD's Order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this Order shall not become final and effective until such motion is overruled, or if such motion is granted, this Order shall be subject to further action by TJJD. Pursuant to Texas Government Code, Section 2001.146(e), the time allotted for TJJD action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until 90 days from the date the parties are notified of the Order.

**TEXAS JUVENILE JUSTICE DEPARTMENT**  
Signatures and date affixed by Default Disposition  
Master Order dated March 28, 2014

**AFFIDAVIT OF KAROL DAVIDSON**

STATE OF TEXAS           §  
                                          §  
COUNTY OF TRAVIS       §

“My name is Karol Davidson. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

1. On January 28, 2014, written notice was sent by certified mail, return receipt requested, to Disheka Westbrook’s (Respondent) most recent address of record with the Texas Juvenile Justice Department (TJJD). Notice was presumed effective three days later, exclusive of weekends or holidays, which was January 31, 2014.
2. The written notice indicated that on or about August 19, 2013, Respondent engaged in conduct in violation of TJJD standards, rules and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Section 345.310 (c)(2)(G) when she was designated a perpetrator in a TJJD abuse, neglect, and exploitation investigation.
3. The written notice indicated that on or about January 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Sections 345.310(c)(1)(A), (D), and (K) when she maintained an inappropriate relationship and engaged in inappropriate sexual contact with juvenile R.H. who resided at the Rockdale Juvenile Justice Center and who was under the jurisdiction of the juvenile court.
4. The written notice indicated that from on or about January 2013 through May 2013, Respondent engaged in conduct in violation of TJJD standards, rules, and regulations. Specifically, Respondent violated Texas Administrative Code, Title 37, Sections 345.310(c)(1)(A), (D), and (K) by engaging in inappropriate sexual contact with juvenile M.J. who resided at the Rockdale Juvenile Justice Center and who was under the jurisdiction of the juvenile court.
5. The written notice informed Respondent that TJJD was seeking revocation of her certification.
6. The written notice included in capital letters in 12-point boldface type the statement: “FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY AUTHORIZED REPRESENTATIVE, MAY RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE RELIEF SOUGHT BY THE COMMISSION IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.”
7. The written notice informed Respondent she was required to file a written response within 20 days of receipt of the notice.
8. Twenty days have elapsed since January 31, 2014, the date notice is presumed effective, and Respondent has failed to file a written response to the formal charges.

  
 Karol Davidson, Attorney  
 Texas Juvenile Justice Department

Before me, the undersigned authority, on this day personally appeared [Karol Davidson] known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 26 of February, 2014.

Jennifer Martin  
Notary Signature





**Texas Juvenile Justice Department  
MASTER DEFAULT ORDER**

**A MASTER DEFAULT ORDER RELATED TO DISCIPLINARY CASES OF CERTIFIED JUVENILE  
PROBATION OR SUPERVISION OFFICERS**

On this the 28th day of March, 2014, 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					
Joseph Brown					
Carol Bush					
Becky Gregory					
Jane A. King					
Scott Matthew					

BOARD MEMBER	PRESENT	ABSENT	YES	NO	ABSTAIN
MaryLou Mendoza					
Rene Olvera					
Laura Parker					
Jimmy Smith					
Calvin Stephens					
Melissa Weiss					
Motion:			Second:		

where, among other matters, came up for consideration and vote Requests for Default Orders in the following matters related to the discipline of certified juvenile probation or supervision officers:

DOCKET NUMBER	NAME, CERTIFICATION NUMBER, LOCATION	RECOMMENDED ORDER TERMS	COUNTY
14-26271-130258 14-26271-130253	Disheka Westbrook, #26271, Rockdale Regional Juvenile Justice Center	Revocation	Milam
13-20096-120354	Robert Robinson, #20096, Harris County Juvenile Facility	Revocation	Harris

**WHEREAS** the Board has jurisdiction over these actions pursuant to Texas Human Resources Code §222.053 and 37 Texas Administrative Code §349.305 et seq. and authority to enter a Default Order under 37 Texas Administrative Code §349.340, pursuant to Texas Government Code §2001.056; and

**WHEREAS** the Board considered the Requested Default Order in each matter and a motion to adopt the recommended findings and facts and conclusions of law as set forth in the Final Orders was lawfully moved, duly seconded, and approved by a majority of the present and voting members of the Texas Juvenile Justice Board; and

**WHEREAS** the following Board members recused themselves from participation in a particular matter:

<i>BOARD MEMBER</i>	<i>NAME OF OFFICER(S)</i>

**NOW, THEREFORE BE IT ORDERED THAT** the Final Order in each referenced matter shall become effective as provided therein according to the date this Order is signed and that a copy of this Order shall be affixed to each Final Order.

Signed this **28th day of March, 2014.**

**Texas Juvenile Justice Board**

---

Scott W. Fisher, Chairman



Texas Juvenile Justice Department  
Trust Committee Meeting  
11209 Metric Boulevard, Building H – Lone Star Conference Room  
Austin, Texas 78758  
Thursday, January 30, 2014 – 9:00 a.m.

**BOARD MEMBERS PRESENT:**

The Honorable Jimmy Smith, Committee Chairman  
Scott Matthew  
Scott W. Fisher, Board Chairman  
The Honorable John Brieden, III

**EXECUTIVE STAFF PRESENT:**

Mike Griffiths, Executive Director  
Brett Bray, General Counsel  
Dr. Rajendra Parikh, Medical Director

**OTHER GUESTS PRESENT:**

Chelsea Buchholtz, Deputy General Counsel  
Vanessa Burgess, Staff Attorney  
Carolyn Jackson, TJJD  
Fred Meinke, TJJD  
Dorothy Roberts, TJJD  
Maria Tissing, TJJD  
Chris Belliveau, Friends of Parrie Haynes  
Wanda Jean Eggett, Friends of Parrie Haynes  
Fred Morse, Friends of Parrie Haynes  
Marianne Trubee, Friends of Parrie Haynes  
Donna M. Otabachian, Friends of Parrie Haynes  
Bradley Ware, Friends of Parrie Haynes

**Call to Order**

Committee Chairman Smith called the meeting to order at 9:10 a.m.

### **March 22, 2013 meeting minutes**

Judge John Brieden moved to approve the minutes as presented. Board Chairman Scott Fisher seconded. The motion passed.

### **Discussion and possible authorization to execute a deed for Bell County to upgrade the entry road to the Parrie Haynes Ranch**

Ms. Chelsea Buchholtz, Deputy General Counsel, and Ms. Vanessa Burgess, Staff Attorney, reported the Bell County Engineer's Office expressed an interest in upgrading the portion of Gann Branch Road that leads to the Parrie Haynes Ranch. The county has offered the Parrie Haynes Trust \$15,022.00 for the right-of-way to upgrade and pave the road. The offer is \$4.00 per linear foot for a total of roughly five acres belonging to the trust and running alongside the Gann Branch Road.

The proposed paving project will benefit the trust by providing an upgraded and fully paved entrance to the ranch, which, in turn, would increase the value of the land. Chairman Fisher moved to recommend that the board execute a deed for Bell County to upgrade the entry road to the Parrie Haynes Ranch and to accept \$15,022.00 from the county for the right-of-way to upgrade and pave the road. Judge Brieden seconded. The motion passed.

### **Discussion and consideration of a mineral rights lease within the boundaries of the Parrie Haynes Ranch with Scully Exploration**

Ms. Buchholtz stated Mr. Scully first approached the Office of the General Counsel (OGC) last summer (2013) and has made several offers for mineral exploration on the ranch. While he expressed interest in exploration on a small part of the ranch, the preference of the agency is to contract with a single entity for the entire ranch and Mr. Scully eventually agreed with that. The most recent offer is a three year primary term for the mineral rights to all 4,424 acres of the ranch with a lease bonus of \$66,375.00 (roughly \$15.00 per acre). Scully also proposes a twenty percent royalty.

The OGC staff investigated Scully Exploration and explored other potential mineral lease options within Bell County. As a result, the staff recommends the Board reject Mr. Scully's current offer, and continue to consider other offers and/or options concerning the mineral rights of the ranch. Discussion ensued regarding the current rate per acre for mineral rights, drilling and other exploration in that area.

Judge Brieden expressed concern the price was low in comparison to a recent agreement in Tom Green County for \$63.00 per acre and that there are other factors to consider in the contract beyond the per acre cost. Judge Brieden suggested thought should be given to smaller projects so that if they are successful, the price for rights on the remaining property is increased. We should weigh all sides to determine the best package. Chairman Fisher moved to decline the proposal by Scully Exploration. Mr. Matthew seconded. The motion passed.

**Discussion and direction on the development of the Federal Habitat Conservation Plan for the Parrie Haynes Ranch**

Ms. Burgess reported in 2006 when the Texas Parks and Wildlife Department (TPWD) managed the Parrie Haynes Ranch, Oncor, an electric transmission company, signed an agreement which permitted the "killing, maiming and harassment" of the golden cheeked warbler and the black capped vireo populations on about 270 acres on the property. They paid what is now approximately \$1.5 in mitigation fees to obtain the required permits from the United States Fish and Wildlife Service (Fish and Wildlife) to construct a power line through the Parrie Haynes Ranch. The funds were paid to a foundation associated with TPWD because at the time, the agency managed the property and was in the process of taking over as trustee. The TPWD never assumed the role of trustee of the estate, a wildlife management plan was never put into place and TPWD has held the mitigation funds in an account.

A representative from Fish and Wildlife recently contacted TJJD to ask whether the Board, acting as trustees of the Parrie Haynes Trust, would be interested in developing a wildlife management plan for the ranch to utilize the available mitigation funds. The plan could be multifaceted, as negotiated between the Fish and Wildlife Service and the Parrie Haynes trustees, but must include a habitat plan for the two bird species and require hiring someone to manage the overall plan at the ranch.

If the Board should determine it is in the best interest of the trust to move forward, it would present a unique opportunity of a private trust working with the federal government to develop and implement a wildlife management plan. As such, the agency will have significant input and will be able to propose terms that allow for future mineral lease prospects and to provide for important wildlife management and conservation efforts for the ranch.

OGC staff requests the Board consider pursuing this option. The Fish and Wildlife Service is particularly supportive of this effort, in part because if the Board chooses not to take the mitigation funds, the money will likely be used to buy mitigation credits at the federal level.

In response to a question by Chairman Fisher regarding the effect of a long-term commitment on the trust, Mr. Bray stated that the corpus of the trust will never be touched and noted that the amount available is now closer to \$1.6 million due to the investment of the funds. He added that the staff would negotiate the plan and bring it to the Board for approval. The issue is being brought before the committee today to receive direction.

In response to a question by Judge Brieden regarding other wildlife conversation, Mr. Bray clarified that the plan will have to include protection of the two named bird species. He added that in the process, other wildlife will certainly benefit and the plan will address aspects, such as cedar eradication. Discussion ensued regarding long-term eradication and the requirements.

Chairman Fisher stated the committee should review a draft plan before deciding on how to proceed. Judge Brieden added that the plan should address habitat, cedar eradication and mineral rights, but should also examine the equestrian activities on the property and any other aspects of the ranch that would benefit from inclusion in the plan.

#### **Report on a new grazing lease on the Milam County Tract of the Parrie Haynes Ranch**

Ms. Burgess reported that a notice was placed in a local newspaper announcing the availability of gracing on the Milam tract of the ranch. Some phone calls were received, but only one offer of \$2,000 per year came from the current tenant; as such, a new lease for three years was signed by the tenant, Mr. Griffiths, and Committee Chairman Smith.

#### **Discussion of a hunting lease with the C-5 Corporation at the Parrie Haynes Ranch**

Ms. Buchholtz reported the staff learned that Charles Burkhart, President of C-5 Youth Foundation with Coca-Cola Enterprises entered into an agreement that allowed his sons and several friends to hunt on the Parrie Haynes property. Mr. Burkhart was notified via e-mail in mid-December (2013) that the trustees of the ranch must approve all leases, including sub-leases and that any current or future executed subleases that do not have this written approval are in breach of the C-5 Corporation lease. To date, Mr. Burkhart has not responded to the e-mail. In response to a question by Chairman Fisher, Ms. Burgess confirmed that Section 13 of the lease requires C-5 to obtain written consent from the TJJD Board or their designee to enter into subleases. Committee members also discussed whether or not liability insurance would be required as protection against incidents involving sub-lessors if C-5 also has insurance that covers sub-lessors.

#### **Report on financial settlement from Oncor for damages at the Parrie Haynes Ranch**

Ms. Burgess reported Oncor has offered to pay the Parrie Haynes Estate a total of \$2,500 in mitigation fees for any grassland that was damaged during the construction of the power line at the Parrie Haynes Ranch. Ms. Buchholtz presented specifics on damages and said that a counter offer of \$5,000 from the agency was rejected. Most of the grassland has

already been reseeded or mulched, but this offer serves as the final offer for mitigation and release of all claims, damages, and causes of action.

### **Discussion of the use of trust funds for administrative purposes**

At the request of staff, this discussion item was tabled.

After consideration of the agenda items, Judge Brieden noted the work done by the staff on these issues. Ms. Buchholtz recognized Ms. Burgess for her contributions in light of the short time she has been in the Office of the General Counsel.

Chairman Smith recognized Mr. Fred Morse with the Friends of Parrie Haynes Ranch. Mr. Morse commended Ms. Burgess and Ms. Buchholtz for their interest and work in identifying the conditions at the ranch that need addressing. He thanked committee members for discussing important issues in the meeting today. The friends group supports the development of a habitat plan for the ranch. Judge Brieden asked if there is unauthorized hunting taking place at the ranch and if so, how is it handled.

Ms. Ona Trubee, who subleases an equestrian tract on the property, confirmed that poaching does take place. She expressed concern about the C-5 hunting lease and its impact on safety to horse riders on the property. The hunting lease also restricts the horses' access to water. She and her husband cut the grass on both the east and west side of the ranch and receive no reimbursement. Regarding cedar eradication, she said that cedar eradication took place about 25 years ago and new growth is emerging.

Ms. Trubee added that great strides had been made in terms of volunteers working with children at the ranch. Boy scouts and youth groups are making use of the property.

Mr. Bradley Ware, whose 140 year old ranch is land locked within the Parrie Haynes Ranch, complimented the work of Ms. Burgess and Ms. Buchholtz. Mr. Ware supports the

development of a habitat plan for the ranch. Fencing at the ranch needs repair and replacement and he supports addressing cedar eradication in the habitat plan.

There being no further business to come before the committee, Judge Brieden moved to adjourn the meeting. Chairman Fisher seconded. The motion passed.

Chairman Smith adjourned the meeting at 10:03 a.m.

DRAFT

**THIS PAGE LEFT BLANK INTENTIONALLY**



**Texas Juvenile Justice Department**

**Finance and Audit Committee Meeting**

11209 Metric Blvd., Building H - Lone Star Conference Room  
Austin, Texas 78758

Thursday, January 30, 2014– 11:00 a.m.

**BOARD MEMBERS PRESENT:**

Calvin Stephens, Committee Chairman  
Scott W. Fisher, Board Chairman  
The Honorable John Brieden

**BOARD MEMBERS ABSENT:**

Jane King

**EXECUTIVE STAFF PRESENT:**

Mike Griffiths, Executive Director  
Brett Bray, General Counsel  
Linda Brooke, Chief of Staff  
Eleazar Garcia, Chief Internal Auditor  
Elaine Mays, Chief Information & Technology Officer  
Mike Meyer, Chief Financial Officer  
Dr. Rajendra Parikh, Medical Director  
Jeannette Cantu, Executive Assistant

**OTHER GUESTS PRESENT:**

Camilla Cannon, TJJD  
Deidre Hernandez, TJJD  
Art Hinojosa, TJJD  
Susan Humphrey, Bell Co. JPD  
John Isle, TJJD  
Carolyn Jackson, TJJD  
Kati Kieffer, TJJD  
Jeannette Lepe, TJJD  
Estela Medina, Travis Co. JPD  
Fred Meinke, TJJD  
Kenneth Ming, TJJD  
Kevin Niemeyer, LBB  
Nora Oakmon, TJJD  
Rob Ries, Lt. Governor's Office  
Dorothy Roberts, TJJD  
Clynisse Smith, TJJD  
Rebecca Thomas, TJJD

Finance and Audit Committee Meeting  
January 30, 2014

### **Call to order**

Committee Chairman Stephens called the meeting to order at 11:00 a.m.

### **August 29, 2013 meeting minutes**

Board Chairman Fisher moved to recommend approval by the full board. Chairman Stephens seconded. The motion passed.

### **Updates from the Chief Informational & Technology Officer**

- a. KRONOS update
- b. JCMS update
- c. CAPPs update
- d. Office 365 Email system
- e. AVPN Circuit/Bandwidth Upgrade
- f. Key Milestones

Elaine Mays, Chief Informational & Technology Officer, presented updates from the Informational & Technology (IT) Division. The IT division has several high level projects going on within the agency. The new time keeping program, KRONOS, is 77% complete and began running live effective January 19, 2014, for all employees. The Juvenile Case Management System (JCMS), which serves the counties across the state of Texas, is 45% complete. The Centralized Accounting and Payroll/Personnel System (CAPPs) program is 60% complete. Currently, different levels of employees are participating in training workshops provided by the Comptroller's Office through the end of February.

Office 365 E-mail system is 50% complete. Office 365 is a cloud based operation network and will run much faster. TJJJD is running on the legacy 2003 exchange email system and far behind any other state agency. Upgrading to Office 365 will help the agency move forward and be in line with standards along with other agencies in the state of Texas.

The AT&T Virtual Private Network is also running on a legacy system and TJJJD is currently in the process of making a change mandated by the Department of Information Resources (DIR). DIR drives the technology for the network and if the agency remains on the legacy network we will see our data network costs increase. Another advantage of upgrading the private network is if we were to lose connectivity here at the Braker H location, other sites will still have the capability to connect to the data center services and still be able to communicate with each other.

Ms. Mays has met with TJJJD Senior Division Directors to discuss and understand their division needs for IT and how they can partner together to meet these needs. Development of high level roadmaps will be useful to integrate legislative appropriations requests (LARs). At meetings facilitated by Sandy Goins,

Project Management, the IT team established their own vision and mission statements for teams as well as the division and created a logo. Ms. Mays had each employee complete a skill assessment in order to understand where their skill set is and where they need to be in the future. A training grid will be developed to build their strengths and bring their standards up-to-date.

TJJD is currently running on legacy homegrown in house applications. IT supports approximately 60 applications and 45-50 of those have been built internally. This creates a huge risk to our agency in reference to IT support for these applications. IT is going back and making sure all applications are updated on a regular basis and something set in place for the future. Chairman Stephens suggested we keep better documentation regarding in house applications.

Ms. Mays stated recently a Security Assessment of all state agencies was performed by Gartner Security. We expect the report will be ready March 26, 2014. In the conversation it was understood we have to change our business practices. In the interim, a Change Management policy will be put in place in order to address the changes in the environment as it relates to applications or any changes in the environment. Until a tool is purchased, IT will establish a process that addresses all changes. Ms. Mays has been working with Human Resources (HR) regarding reorganization within the IT Division. This task is very challenging due to the decrease in IT staff, mandated budget cuts and not being able to offer competitive salaries to match other state agencies. Mike Griffiths, Executive Director, stated this will be a priority in our LAR. Chairman Stephens suggested at some point we should refocus on how we can get one or two people in key positions and how we can keep the best people we have to make IT more efficient thus making our agency more efficient.

**Updates from the Chief Financial Officer**

- a. Follow-up from October Board Meeting
- b. First Quarter Budget Highlights
- c. First Quarter Performance Measure Highlights
- d. Corsicana Residential Treatment Center-Pending LBB Decision

Mike Meyer, Chief Financial Officer, presented updates from the Finance Division. At a previous meeting, board members had questions regarding contracts active prior to the formation of the current board. At this time there are 199 said contracts in place and a list is provided for reference in the board packet. Many of these have come before the current board for annual renewal, material changes or other contractual reasons.

In most areas, TJJD's first quarter expenditures were within the expenditure range. Disbursements of probation funds are uploaded in the fiscal year and that affects any strategy beginning with A. The combined general revenue spending in all other areas of the agency was below projections by close to \$670,000.00 of which a little less than half was attributable to the strategies directly related to managing the institutional population. Being below projections may not precisely continue as certain operational conditions that affected first quarter expenditures will change, in particular once legislative direction on the fate of Corsicana is received and a reluctance to fill agency positions eases. However it is instructive and encouraging to see the results from the first quarter.

TJJD has been awarded grant funds from the Governor's Office to use towards IT purchases as well as law enforcement vehicles. The agency will be requesting capital budget authority from the Legislative Budget Board (LBB) in the upcoming weeks. We have been informed that beginning FY 2015, TJJD will be responsible for the cost of the use of the Braker H office building which may approach \$1.4 million per year. The agency did request funds for this purpose during the legislative session but did not receive them. We have begun conversations internally and have notified LBB staff with hopes of reaching a resolution to this matter. Chairman Fisher asked if there are there any other state agencies that do not get funded and have to cover their lease out of their general revenue funds. Mr. Meyer stated most facilities are responsible for covering these types of costs but are appropriated funds for that purpose. However, TJJD is in a unique situation in that the agency moved from a state-owned and managed building (Brown-Heatly) to a non-state building (Braker H) toward the end of the legislative session.

Funds for the additional costs of occupancy were not switched over from the budget of the building's previous tenant, Health and Human Services Commission (HHSC), to TJJD's budget. There was a formal agreement made with HHSC where they would continue to pay the lease through the end of FY 2014, and an informal agreement extending through FY 2015. However we have since received notice that they intend to end its commitment with the end of FY 2014. Mr. Griffiths stated he has since then contacted the commissioner of HHSC and feels they will work out a solution. In future years, once the lease cost becomes part of our budget, it will continue to be appropriated moving forward. In a point of reference, Mr. Meyer stated though he has not made a calculation, lease expenses could be 25% or more of TJJD's 2015 Central Administration budget.

The entirety of the first quarter performance measures have been submitted to the LBB. A few of those items have been placed in the board packet for your review. The first groups of items are within 5% of the general appropriations target. If you are beyond 5% from the target, then you have to explain that variance. The second group of items shows measures outside of a 5% percent variance. For example, the

first quarter institutional populations are above predictions about 6%. That amount has come down a little bit. Second quarter is not over as of yet however we're still above population projections so far this year. Judge Brieden asked for clarification regarding the LBB's prediction that TJJD's population would continue to go down, but that it appears not to be doing so. Mr. Meyer stated the population has declined but the year to date figure remains above projections.

Embedded in the institutional population figure you will notice the use of halfway houses has been below projections and the use of contract care has been above projections. The use of contract care has been intentional as an operational decision and the use of halfway houses has been low due to difficulty in finding youth who are appropriate for those types of placements. The institutional population in secure facilities has been high, halfway houses low and contract care high. The total population has been above projections.

Regarding the fate of our Corsicana facility, recently agency staff was asked to develop operational and budgetary projections around a plan in which the facility would house vocational and transitional populations either with TJJD operating the facility or operated by a contract provider. Most recently we were also asked to show the differences in those plans if the agency were to seek additional appropriations versus if we did not receive additional appropriations but were provided the ability to move the funds from 2014 to 2015. These conversations are ongoing and any additional information, regarding these scenarios, may be provided. Mr. Meyer would like to thank budget, education and operational staff that have spent many, many hours working on producing these projections and making plans, some of which will never happen. Conversations with leadership and LBB staff are ongoing and we're hopeful to receive direction soon.

**Contract Items requiring Board approval: amounts exceeding \$500,000.00, material changes, and/or other matters deemed appropriate for Board review and action**

- a. Ayers Halfway House
- b. University of Texas Medical Branch (UTMB)

Kenneth Ming, Director of Business Operations & Contracts, presented a contract amendment and a new contract. The first item to be discussed is the UTMB medical services contract. This long awaited contract that has been delayed due to ongoing negotiations and uncertainty regarding the Corsicana facility. In the interim the FY 2013 contract was extended twice. This is the final version of the contract covering FY 2014-2015. If approved, it will be effective March 1<sup>st</sup> and replaces the two previous amendments to the FY 2013 contract. The changes to this contract reflect the reduction in staff for

UTMB Medical Services, recent halfway house closures and the recent transfer of youth from the Corsicana Residential Treatment Center to the McLennan County State Juvenile Correctional Facility. The Board had previously approved the FY 2014 amount which is about \$11 million and the projected amount for FY 2015 is \$10.6 million. We are asking the Board to approve this new contract and the entire two year amount to cover the biennium. Chairman Fisher asked Mr. Meyer if that number fit into what we had been built in our budget. Mr. Meyer stated it is exactly equal to the available appropriations.

The concern our Medical Director, Dr. Parikh, has is the ability of appropriations to cover expenditures if we were to operate 6 facilities. There are staffing requirements involved and Dr. Parikh feels we do not have the funds to cover this cost. If we were to operate 6 facilities we may need to find supplemental appropriations or find some place in the budget to adjust funds. In terms to how this relates to what we've budgeted so far, we did plan under the assumption of a facility closure and project we could move funds out of medical care areas and put under treatment. Mr. Meyer feels we have done what can do at this stage and will continue monitoring.

The Ayers Halfway House is our newest halfway house and it is considered a flagship for our agency. In the beginning of 2013 we began experiencing problems with the sewage system at this location. After assessing the problem, it was determined it had to be replaced. The root of the problem is the original design of the system is too small to accommodate a 24 bed facility with youth being there 24/7.. After months of negotiations the landlord replaced the sewage system. In a demonstration of good faith, Mr. Griffiths did tell the landlord that staff would request Board approval to extend the lease contract. The original term was 10 years from 2009 to 2019. Staff proposes to exercise the two 5-year extension options which would take us up to 2029. There is very little risk to the agency; we still have the funding-out clause and we can also terminate the lease if the landlord breaches the terms of the contract. Judge Bieden asked if the cost of the contract was the original price. Mr. Ming stated yes, these projections are based on what we are currently paying. The landlord has not requested a CPI increase since 2009; if such an increase is requested it would cause a small, upward revision of the lease cost. At this time we are asking the Board to approve the Executive Director to sign off on the amendment to extend this contract for the additional time period. Chairman Fisher moved to recommend approval by the full board and requested Mr. Griffiths to get the landlords commitment to fix any problems previously reported with the air conditioning system. Judge Bieden seconded. The motion passed.

### **Architectural & Engineering Needs for Corsicana Residential Treatment Center**

Art Hinojosa, Architecture and Engineering Manager, reported that pending decisions by the LBB we have put together a capital needs plan that addresses three categories for possible construction projects at the Corsicana Residential Treatment Center. The first category deals with immediate needs which include two projects. The first one is to expand the vocational programs at the existing Education building and the other is installation of a base & top soil barrier over a large area in the middle of campus. The vocational expansion project will require the outside services of an Architecture and Engineering (A&E) firm and the cover project can be done in-house. Both will be put out for competitive bidding.

The second category is short term projects which include roof replacements, replacing the security control panel at the gatehouse, fire alarm replacements, etc. These projects were previously requested through the LAR process and will require an outside A&E firm's assistance with documentation for bid. The third and final category has to do with long term projects where funding is not yet available but will be requested in a future LAR. Where A&E services are needed, we plan to issue a Request for Qualifications (RFQ) for services using the Indefinite Delivery/ Indefinite Quantity (IDIQ) method. The RFQ would also serve to shortlist professionals for all our other facilities using appropriated funds from FY 2014-2015. Mr. Griffiths stated there is an unallocated bond from previous years; if we were to receive direction from the LBB to once again operate Corsicana Residential Treatment Center, we could seek permission to be granted those funds for some of these projects.

### **Endowment Trust Funds Audit**

Eleazar Garcia, Chief Internal Auditor, presented this draft report. The Endowment Trust Funds Audit covers activities for the Parrie Haynes and John Wende Trusts for FY 2012 and FY 2013. TJJJD has historically chosen to comply with the requirements of the Public Funds Investment Act to ensure safe management of the Trusts. The overall objective of this audit is to determine whether management has implemented effective controls over trust fund activities. In our audit, we found processes can be strengthened to ensure consistent practices and be in compliance with the Public Funds Investment Act.

The Audit included findings related to the following:

- Controls over the processes to contract with external investment firms. Improvements in this area would ensure compliance with the agency's contractual requirements.

- IT security access controls. Improvements in this area would assist the agency to ensure access within the financial systems is authorized and controlled.
- The need to improve the oversight over the reconciliation process.

The audit did note the Revenues are accounted and recorded and expenditures met the intent of the trust funds. We also noted the agency properly accounted for land values. Management concurs with our findings and responses to the recommendations can be found on page 335 of the Board Packet. Chairman Fisher moved to recommend approval by the full board. Judge Brieden seconded. The motion passed.

**Follow-up on Prior Audit Recommendations:**

Mr. Garcia presented this report primarily for informational purposes only. The Internal Audit Charter and the Audit Standards require Internal Audit to follow-up and report on the current status of prior audit recommendations, as well as to verify effective implementation for recommendations that have been reported as implemented by management. A very important requirement for Audit is to ensure whether or not identified issues are addressed. For this review, there are 92 total recommendations in 18 audits, including 17 internal audits and one external State Auditor's Office (SAO) Audit, dating from FY 2012 to FY 2014. Management provided status updates on the outstanding recommendations.

This report was completed to determine the status of the 40 outstanding recommendations that were to be implemented on or before September 3, 2013. Internal Audit performed verification on those recommendations that were reported by management as implemented. The chart on page 385 illustrates the current status as determined through our follow up process. It is important to note that the percentages reflected on this table are not compliance percentages. This illustrates where we are on implementation of the 40 recommendations that originally were reported as potentially being implemented by September 3. There are external factors that could affect implementation. The important thing on this chart would be if a recommendation is withdrawn or delayed. Judge Brieden inquired about the report that is delayed. Mr. Garcia stated this relates to IT. It may be due to the unavailability of resources that may have delayed implementing the recommendations. If the new date for proposed implementation goes past 12 months, Internal Audit considers this delayed, regardless of the surrounding issues. Ms. Mays stated the delay in reference is due to the change management process. In the interim, until we can purchase a service management tool that manages the entire work flow for IT, we are going to put a manual process in place to address the change management. She will go

back and evaluate how this main process will address that particular problem. Chairman Stephens asked if this was the reason for the delay and Ms. Mays stated yes.

Judge Brieden asked for clarification regarding the manual process. Ms. Mays stated they would create an Excel document process to be able to do something a tool would be able to do for us. Judge Brieden stated through no fault of IT, this is a sign of an un-efficient organization. Mr. Garcia did state Internal Audit has seen a lot of positive movement and management in IT since Ms. Mays has joined TJJD. In particular Sandy Goins and Diana Sawyers, with the Project Management Team, have been helpful over this area.

The chart on page 386 illustrates the 18 audits with outstanding recommendations during this reporting process. The Chart on page 387 provides more details on the 40 recommendations followed-up during this report; it also includes the status, and management's response. Chairman Fisher and Judge Brieden asked Mr. Garcia to clarify what he means when he states the implementation is verified. Mr. Garcia stated they actually test that the implementation has resolved the issue. Chairman Fisher wanted to clarify that Internal Audit tests the process to make sure it is functioning as instructed to be implemented. Mr. Garcia stated yes; if they find it is not, it is not accepted and tagged as needing additional work. He also stated some management may report as implemented but because of the timeframe for the implementation date, Internal Audit may not have tested it yet and it will be tested on the next report.

**Adjourn**

The meeting was adjourned at 12:08 p.m.

**THIS PAGE LEFT BLANK INTENTIONALLY**



## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Elaine Mays, Chief Information & Technology Officer

Subject: Updates from the Chief Information & Technology Officer

Date: March 6, 2014

This memo is primarily for informational purposes; none requires formal Board action at this time.

**Kronos:** 81% complete. This is the time keeping system.

Key Milestones	Start Date	End Date
Transition to Kronos Global Support (for HR application)	TBD	
Workforce Scheduler Training & Implementation (allows for automated scheduling of facility and halfway house staff allowing for managers to accurately create schedules that align staff with anticipated demand)	3/2/14	6/17/14
Deployment of Analytics ( in-depth reporting capabilities) <i>*6 months of Timekeeper data recommended for implementation</i>	5/21/14	10/8/14

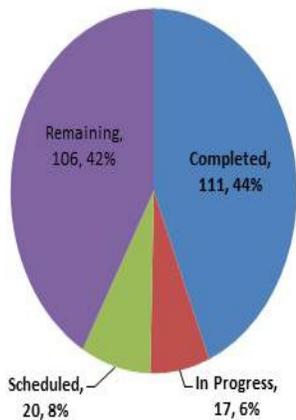
**CAPPS (Centralized Accounting & Payroll/Personnel System):** 85% complete on in-house tasks and 94% complete on prototype.

Key Milestones	Start Date	End Date
Prototype workshops with TJJJ	1/2/14	2/28/14
System Testing	2/28/14	5/2/14
TJJJ Acceptance Testing	5/2/14	8/8/14
TJJJ Go-Live with CAPPS	9/1/14	9/1/14

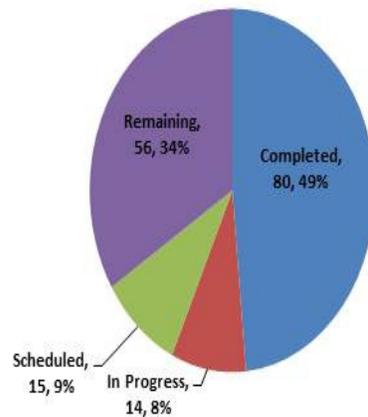
**JCMS: Statewide implementation.**

The ongoing implementation of the web-based Juvenile Case Management System (JCMS) continues to make excellent forward progress toward the ultimate goal of converting all juvenile probation departments to JCMS by the end of 2015. The charts below highlight the number of juvenile departments and counties already utilizing the system as well as the number in flight and remaining to be scheduled. There is also a yearly comparison to highlight the improvements made in the migration process.

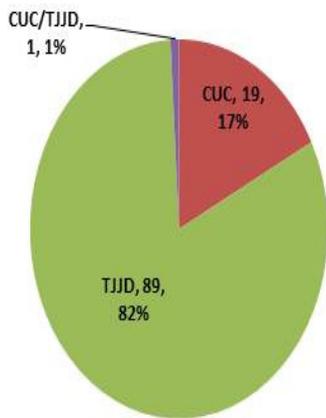
**Implementation Status:  
County Perspective**



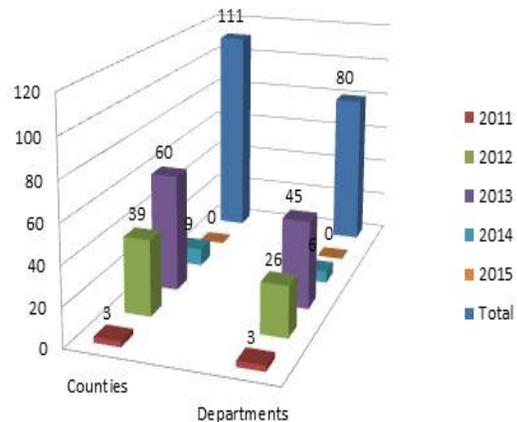
**Implementation Status:  
Department Perspective**



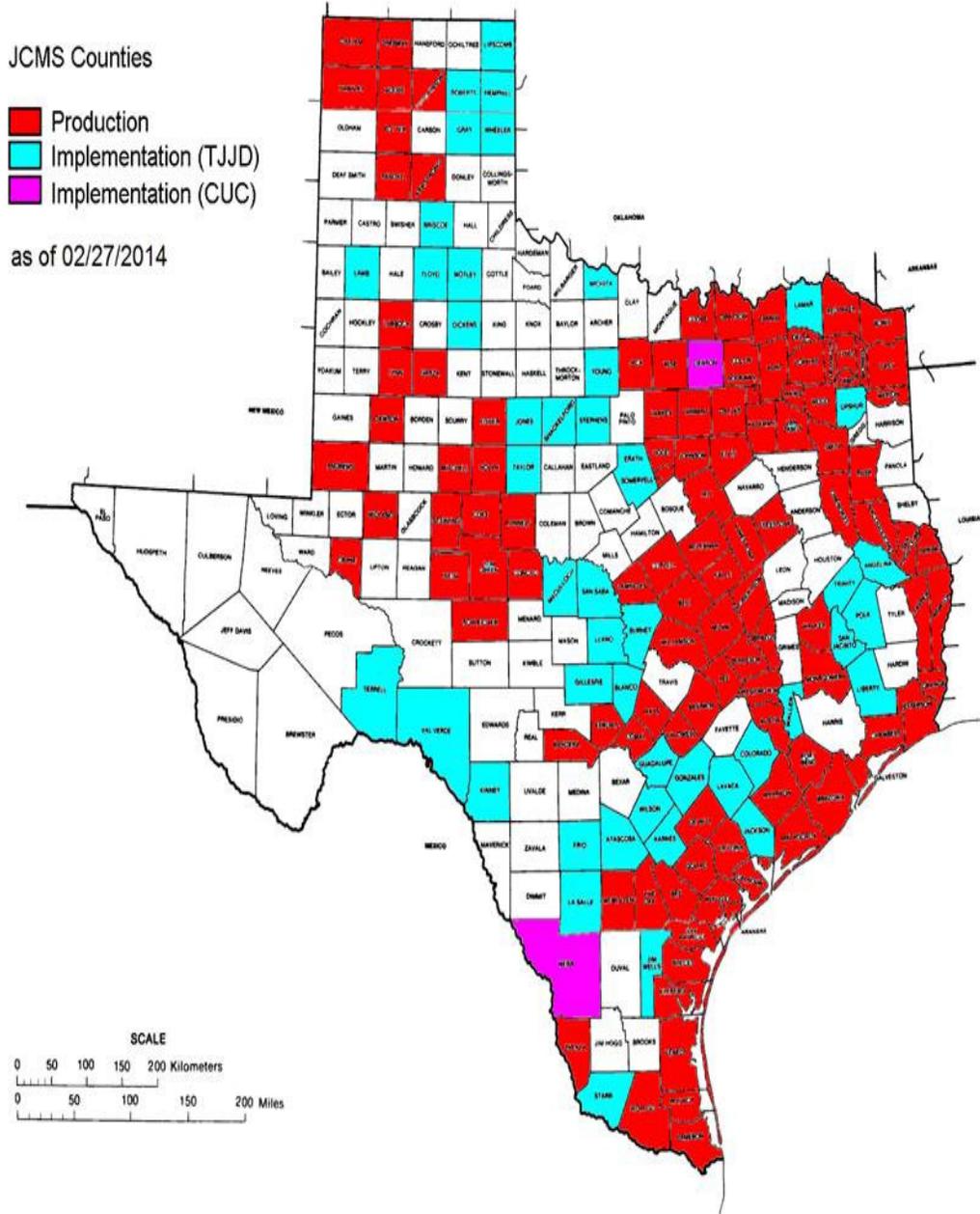
**Implementations Led by**



**Yearly totals - by County &  
Department**



**JCMS Counties:**



**Office 365:** 74% complete. This is to replace legacy hardware and email application system.

Key Milestones	Start Date	End Date
Server Acceptance	2/6/14	2/6/14
Migration Schedule/Final Baseline	2/24/14	2/28/14
Email Migration Completion	3/20/14	3/20/14
Project Closure	4/28/14	5/31/14

**AVPN Circuit/Bandwidth Upgrade:** This is to migrate from the statewide legacy network.

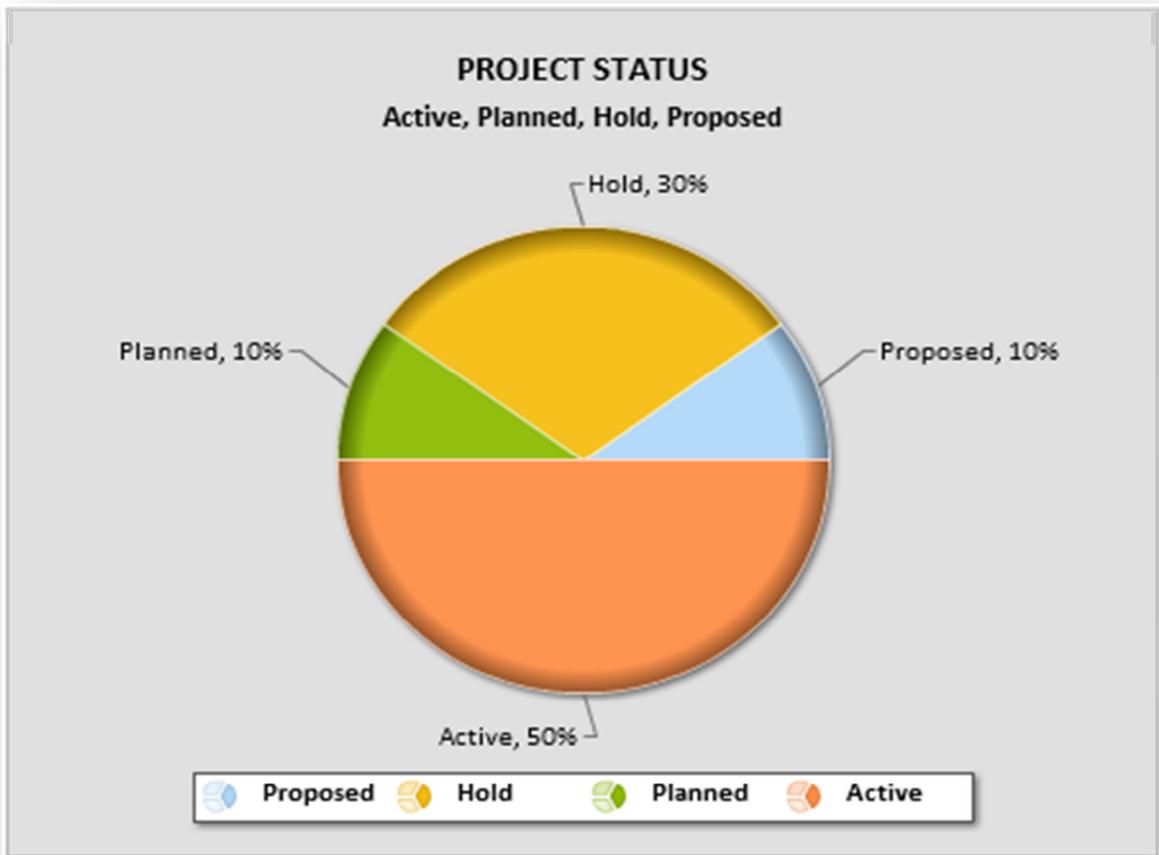
Key Milestones	Start Date	End Date
• Austin, TX	03/03/2014	03/03/2014
• Ayers House	In progress	03/31/2014
• Corsicana	03/06/14	04/07/14
• Cottrell House	In progress	03/31/2014
• Dallas District Office	In progress	03/31/2014
• Edinburg (Evins)	In progress	03/31/2014
• Edna Tamayo House	03/18/2014	03/18/2014
• Fort Worth District Office	In progress	03/31/2014
• Gainesville	In progress	03/31/2014
• Gainesville	In progress	03/31/2014
• Giddings	In progress	03/31/2014
• Houston District Office	In progress	03/31/2014
• Lubbock District Office	03/12/2014	03/12/2014
• Mart	In progress	03/31/2014
• McFadden Ranch	In progress	03/31/2014
• New Waverly District Office	In progress	03/31/2014
• Ron Jackson (Brownwood)	03/11/2014	03/11/2014
• San Antonio Office	In progress	03/31/2014
• Schaeffer House/El Paso Parole	In progress	03/31/2014
• Willoughby House	In progress	03/31/2014
• York House	In progress	03/31/2014

## IT Overall Update:

Key Milestones
<ul style="list-style-type: none"><li>• IT working to automate the account management process.</li></ul>
<ul style="list-style-type: none"><li>• IT evaluating current legacy applications in order to prioritize them for conversion to new agency standards.</li></ul>
<ul style="list-style-type: none"><li>• Received approval for grant funds to replace Window XP machines, in the procurement phase</li></ul>
<ul style="list-style-type: none"><li>• IT continues to evaluate processes and identify opportunities for streamlining</li></ul>
<ul style="list-style-type: none"><li>• Continue to develop draft roadmaps for IT for the next 5 years</li></ul>
<ul style="list-style-type: none"><li>• Continue to develop IT standards</li></ul>
<ul style="list-style-type: none"><li>• Continue to address and work through outstanding audits (6)</li></ul>
<ul style="list-style-type: none"><li>• Project Management team (PMO) continues to provide project training to employees and other agencies.<ul style="list-style-type: none"><li>○ <i>Managing Projects Effectively</i> training -36 participants</li><li>○ <i>PMP Boot Camp</i> (2/21 through 4/5) -36 to 40 participants</li></ul></li></ul>
<ul style="list-style-type: none"><li>• Submitted proposal for IT reorganization.</li></ul>
<ul style="list-style-type: none"><li>• Started security training via Department of Information Resource (DIR) for IT and other employees in the agency.</li></ul>
<ul style="list-style-type: none"><li>• Continue to work with the Business Continuity Team to establish agency Disaster Recovery plan</li></ul>
<ul style="list-style-type: none"><li>• Continue to work with juvenile departments on the training and implementation of the JCMS application</li></ul>
<ul style="list-style-type: none"><li>• Continue to work with DIR and Gartner on the Security assessment of the agency</li></ul>
<ul style="list-style-type: none"><li>• Initiated mapping of agency's legacy youth management system to JCMS to assess fit</li></ul>
<ul style="list-style-type: none"><li>• Continue to work on modernization of the agency Intranet.</li></ul>
<ul style="list-style-type: none"><li>• Replacement of DVR equipment running Windows XP</li></ul>

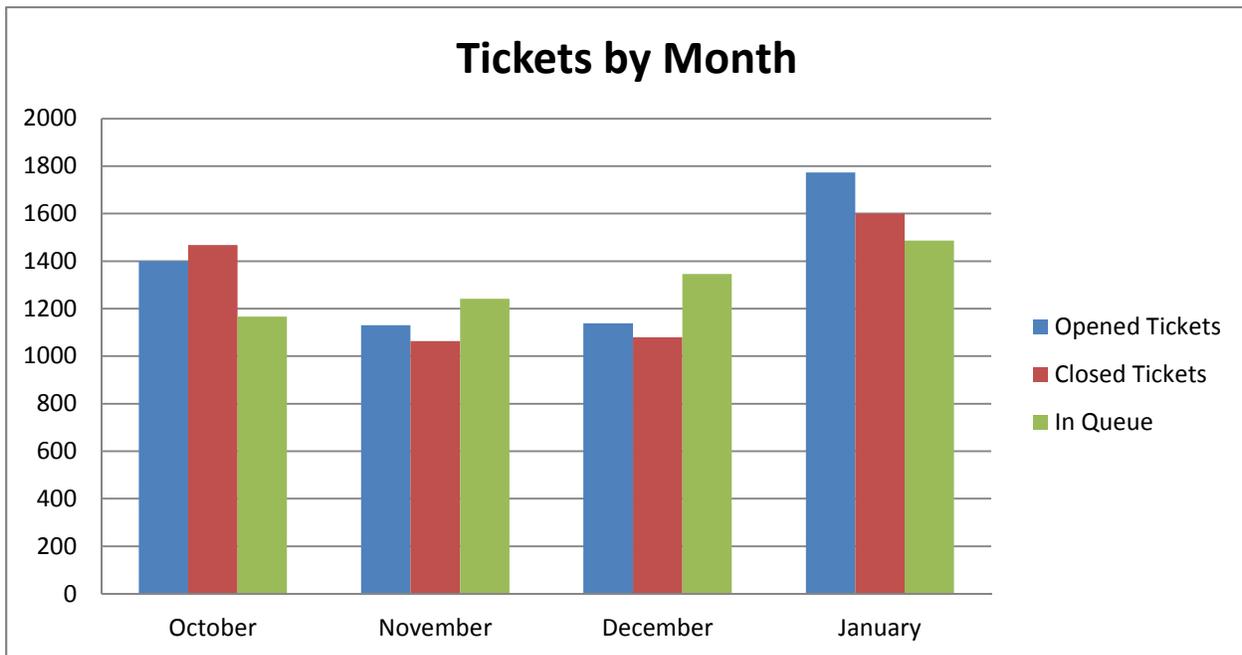
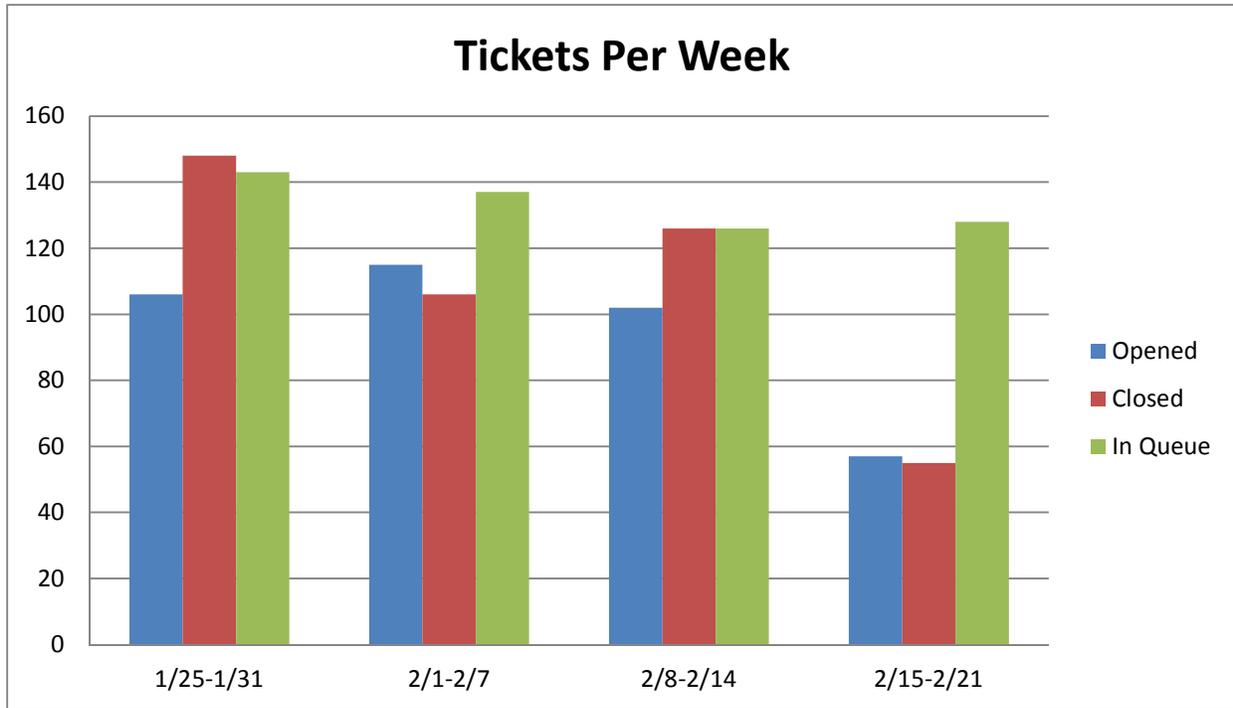
## IT/Agency Projects:

- 10—Active
- 6—On Hold
- 2—Planned (*awaiting resource availability*)
- 2—Proposed (*not yet requested/presented to the Governance Steering Committee by User Group*)
- 6—Closed *\*since November 5, 2013*



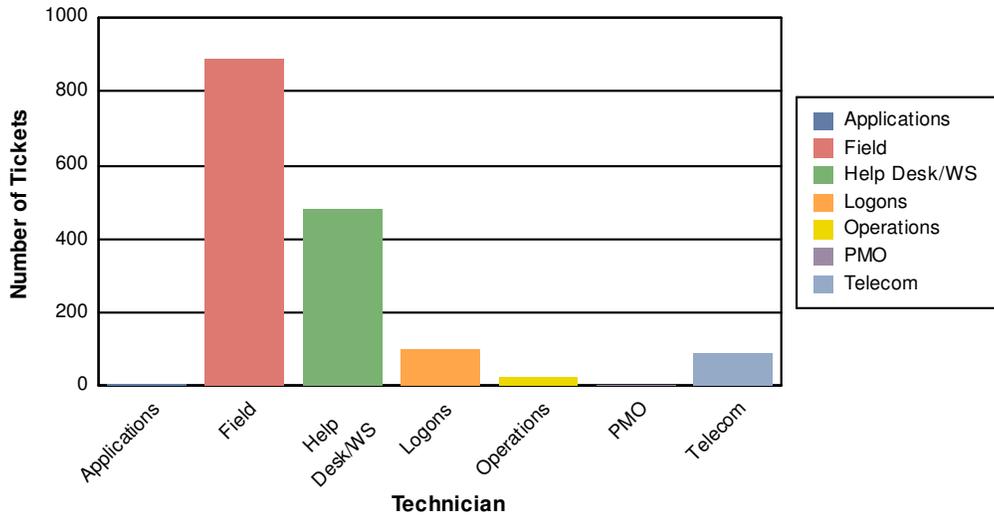
**Support Calls:**

- Help Desk: The graphs represent the number of request for support IT received based on weekly and monthly request as well as the number of support calls still pending.

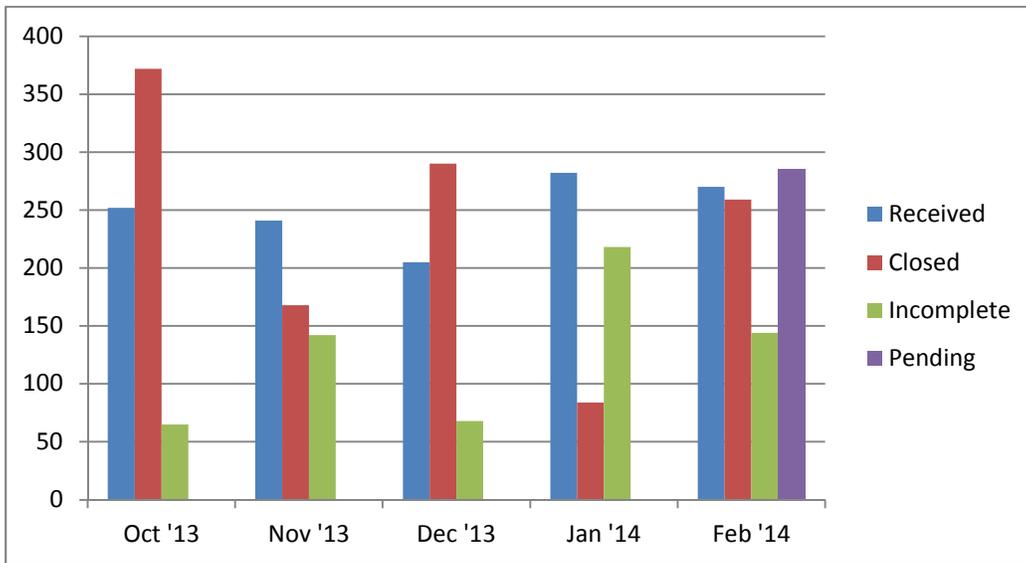


ALL IT Resources  
 Represents support tickets closed by section within IT

### Tickets Closed by Team



**Account Management:** The graph represents the number of request received for new user accounts, transfer users accounts and user access to files/folders.





TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director

Chelsea Buchholtz, Deputy General Counsel

Subject: Updates regarding HB 3648 related to material changes to contracts requiring Board approval

Date: March 19, 2014

---

The relevant language of HB 3648 is as follows:

- a) Notwithstanding any other law, the performance of a contract for goods or services awarded under this chapter must substantially comply with the terms contained in the written solicitation for the contract and the terms considered in awarding the contract, including terms regarding cost of materials or labor, duration, price, schedule, and scope.
- b) After a contract for goods or services is awarded under this chapter, the governing body of a state agency, if applicable, must hold a meeting to consider a material change to the contract and why that change is necessary. For purposes of this section, a material change includes:
  - (1) extending the length of or postponing the completion of a contract for six months or more; or
  - (2) increasing the total consideration to be paid under a contract by at least 10 percent, including by substituting certain goods, materials, products, or services. (Emphasis added).

The above language requires TJJJ to follow the terms listed in our written solicitation for a contract and the terms considered when awarding the contract or the Board must (in a meeting) consider a material change to the contract. A material change "includes" an extension of six months or longer or increasing the total consideration by at least ten percent. Determining what else could be a material change is up for our interpretation.

We presented this bill to the Board at its September 2013 meeting, and were asked to follow-up with information regarding how other agencies are handling this legislation. Ken Ming, Director of Business Operations and Contracts, collected the information contained in the attached document, which details each agency's approach to HB 3648. We anticipate most material changes to center on

time and/or consideration extensions; however, we will address all other material changes on a case-by-case basis and ensure they are also presented to the Board as necessary.

## HB 3648 Implementation by Other Agencies

March 27, 2014

State Agency	What is considered “Material Change”?	What is not considered a “Material Change”?	When are “Material Changes” taken to the Board in an Open Meeting?	Agency Comments:
<b>Texas Parks and Wildlife Dept.</b>	1. Change to contract amount > 10%; 2. Extensions of the term greater than 6 months 3. Other changes that would be considered material.	Any change for which language is provided in the original contract.	Board meets every other month. A list of changes is presented at each meeting for information purposes. Approvals are not required unless required by the internal approval authority policy.	<i>Most of what goes to the Board are unexpected changes such as internal repairs, emergency purchases, contracts unexpectedly delayed that need to be extended for a period of time.</i>
<b>Texas Department of Transportation (TxDOT)</b>	1. Change to contract amount > 10%; 2. Extensions of the term greater than 6 months 3. Other changes that would be considered material.	Any change for which language is provided in the original contract.	As needed.	<i>The key to a good contract is to make sure change requirements are addressed in the initial contract. TPASS agrees with this interpretation in an open discussion at SACC meeting.</i>
<b>Texas Commission on Environmental Quality (TCEQ)</b>	1. Change to contract amount > 10%; 2. Extensions of the term greater than 6 months 3. Other changes that would be considered material.	Any change for which language is provided in the original contract.	As needed.	<i>Commissioners already have delegated purchasing authority to Procurement and Contracts office and contract signature authority to the Executive Director.</i>
<b>Texas Facilities Commission</b>	1. Change to contract amount > 10%; 2. Extensions of the term greater than 6 months 3. Other changes that would be considered material.	Any change for which language is provided in the original contract.	Submit list of changes that fall into the “material change” definition at next Board meeting.	<i>Have approval matrix they follow for Board approval.</i>
<b>Texas Department of Criminal Justice (TDCJ)</b>	Approval is dollar driven. If the contract is over \$1 million, then it is sent to the Board for approval. Any modifications thereafter will go as well. TDCJ obtains Board approval before anything is issued or any action is taken.	Extensions or renewals.	As required by internal policy.	<i>If the procurement is under 1 million but more than \$500,000, then it goes for review and we do not have to wait for review.</i>
<b>Comptroller of Texas</b>	Agency managed by elected official. State Comptroller approves contracts & contract changes.	N/A	N/A	<i>In an open discussion at a SACC meeting in 3<sup>rd</sup> quarter 2013. TPASS Director of Procurement and Contracts agreed with all of the above interpretations.</i>

**THIS PAGE LEFT BLANK INTENTIONALLY**



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director  
Mike Meyer, Chief Financial Officer

Subject: Updates from the Chief Financial Officer

Date: March 5, 2014

---

The following memo provides informational updates on several matters of interest to the Board.

### **Follow-up from prior Board discussions**

At the January meeting of the TJJJ Board, Chairman Fisher asked Mr. Griffiths to address the challenge of having budget data readily available in order to effectively manage agency expenditures. Mr. Griffiths reported that the implementation of the Centralized Accounting and Payroll/Personnel System (CAPPS) system will achieve that goal, and offered to provide an update at the March meeting.

Real-time budget and expenditure data cannot be provided to managers and directors using the current accounting system, but rather is only available on a monthly basis primarily through the "701 Report" (example attached). This report is most useful to managers with small budgets involving only one or few activities. Managers of large budgets spanning several locations and activities have found the 701 Report challenging to interpret.

Prior to the start of the current fiscal year, Budget staff provided a monthly report which consolidated information from the 701 Report by location, budgetary strategy, and other categories, and provided other updates related to metrics such as daily population and staffing. Budget reductions to the agency's Central Administration strategy in the current biennium led to position eliminations in financial services that have made it impossible to generate this extensive report. Agency staff is currently reviewing how to address this for the remainder of the fiscal year.

As stated by Mr. Griffiths, the CAPPS system will dramatically enhance agency staff's ability to generate budget and expenditure reports and other data. The system compiles information on a real-time basis; hence managers will be able to see basic information about the status of their respective budgets at any hour on any day, along with certain graphical representations of that information. The system will also make it considerably easier for Budget staff to prepare reports similar to those previously generated; however, there may still be a need for increased staffing in this area to meet agency data and reporting needs.

### **CAPPS Update**

The attachment provides an update of the CAPPS project as of February 24, 2014. Over the last several months TJJD staff met with CPA and Xerox staff to solidify the underlying coding elements for the system related to TJJD's organizational and budgetary structure and business processes. These are now being built into the system, after which the agency will enter a testing phase which may reveal needed changes to coding elements or agency procedures. TJJD remains on track to go live with the CAPPS system at the start of fiscal year (FY) 2015.

### **Second Quarter Budget and Performance Measure Highlights**

Any available updates in these areas will be distributed to Board members in hard copy form no later than the meeting of the Finance and Audit subcommittee.

### **Budget Planning Update: FY14, Third and Fourth Quarters**

TJJD Budget staff are conducting a review of planned versus actual expenditures from the first two quarters of FY14. The objectives of this review are to: (1) set aside funds for carry forward into FY15; and (2) align agency and division budgets with revised available funding amounts and newly established operational plans.

TJJD staff learned in early January that, based on the Legislature's planned appropriated cost per day in Strategy B.1.2 (Secure Facilities), the agency's FY14 appropriation was approximately \$2.8 million higher than intended, and lower than intended by that same amount in FY15. This was the impetus for suggestions from legislative offices that the agency identify FY14 funds to carry forward into FY15, which was discussed briefly at the Board's meeting in January. The original intention of the carry forward was to mitigate the projected budgetary shortfall associated with the continued operation of six facilities. However, agency staff subsequently determined that, regardless of the ultimate direction received on the use of the Corsicana facility, prudent budgetary management would suggest carrying forward as many of these dollars as possible.

The challenge for the agency is that more than a third of the fiscal year had concluded before this issue was identified. As a result, the funds recommended for carry forward may come from across the agency, and may not reach the \$2.8 million target. It should also be noted that whenever funds are taken from somewhere other than Secure Facilities, where

the issue occurred, this will require deferring needed purchases or the filling of positions, and will jeopardize the agency's ability to recruit and retain staff.

After identifying funds to carry forward to FY14 and needed budgetary revisions based on facility operating plans, the agency's budget will need to be realigned to match updated planned expenditures. At this time it is not known which divisions will be affected, however the area most affected will be facility operations. Realignment will reflect lower overall available funding, as well as adjustments for Corsicana operations (which extended beyond the original planned closure date of October 31, 2013), as well as the increased use of contract placements. This planning and adjustment process will go hand-in-hand with some initial planning for the FY15 operating budget, especially for facilities operations.

An update on this item will be provided at the next meeting of the Board.

10 GENERAL FUNDS

FISCAL YEAR 2014

## EXPENDITURES

OBJ	PCA	DESCRIPTION	BUDGETED \$ YEAR	EXPENDED \$ YTD	ACCOUNTS \$ PAYABLE	ENCUMBERED	CURRENT AVAIL BAL	FCST ANN BAL AVAIL	FORECAST E ANN EXP Q
100000	51011	SALARIES AND WAGES		14,333			14,333-	172,000-	172,000
170020	51011	SALARIES & WAGES - C & N-C PERMANENT	565,847	29,227			536,620	215,119	350,728
170220	51011	LONGEVITY PAY	9,020	620			8,400	1,580	7,440
272400	51011	CONSULTANT SERVICES	2,000				2,000	2,000	
371011	51011	TRAVEL IN-STATE - PUBLIC TRANSPORTATI	4,250		52		4,198	3,630	620
371021	51011	TRAVEL IN-STATE - MILEAGE	500				500	500	
371051	51011	TRAVEL IN-STATE - INCIDENTAL EXPENSES	650	14			636	486	164
371052	51011	TRAVEL IN-STATE - TRANSACTION FEES	300				300	300	
371053	51011	TRAVEL IN-STATE - LOCAL (COUNTY & CIT	650				650	650	
371061	51011	TRAVEL IN-STATE - MEALS & LODGING	5,250				5,250	5,250	
371081	51011	TRAVEL IN-STATE - ACTUAL MEAL EXPENSE	120				120	120	
371111	51011	TRAVEL OUT-OF-STATE - PUBLIC TRANSPOR	1,100				1,100	1,100	
371151	51011	TRAVEL OUT-OF-STATE - INCIDENTAL EXPE	75				75	75	
371152	51011	TRAVEL OUT-OF-STATE - TRANSACTION FEE	20				20	20	
371161	51011	TRAVEL OUT-OF-STATE - MEAL AND LODGIN	1,200				1,200	1,200	
400000	51011	OPERATING EXPENSE-OTHER			12	6,710	6,723-	80,674-	80,674
472010	51011	MEMBERSHIP FEES & DUES	2,700				2,700	2,700	
472030	51011	REGISTRATION FEES-EMPLOYEE TRAINING	2,000				2,000	2,000	
472731	51011	REPRODUCTION & PRINTING SERVICES	2,400				2,400	2,400	
472770	51011	LAUNDRY & CLEANING SERVICES	411				411	411	
473672	51011	MAINTENANCE & REPAIR - TELECOMMUNICAT	250				250	250	
473680	51011	MAINTENANCE & REPAIR - MOTOR VEHICLES	1,700				1,700	1,700	
574700	51011	RENTAL OF SPACE	2,800	240			2,560	81-	2,881
672760	51011	UTILITIES - COMMUNICATION SERVICES	625				625	625	
772110	51011	EMPLOYEE CERTIFICATES, PINS, & PLAQUE	350				350	350	
773001	51011	CONSUMABLE SUPPLIES	6,900				6,900	6,900	
773030	51011	MAGAZINES & SUBSCRIPTIONS	150				150	150	
773040	51011	FUELS & LUBRICANTS	4,000				4,000	4,000	
773340	51011	FURNISHINGS & EQUIPMENT	1,400				1,400	1,400	
773780	51011	COMPUTER EQUIPMENT < \$5,000 - FAS TAG	1,500				1,500	1,500	
773820	51011	BOOKS & REFERENCE MATERIALS	175				175	175	
TOTAL EXPENDITURES			618,343	44,434	64	6,710	567,134	3,836	614,507

## The CAPPS Project

2.24.14

**Description:** The Central Accounting and Payroll/Personnel System (CAPPS) are Web-based systems that will enable agencies to have real-time access to financial information and provide enhance reporting capabilities.

**85% Complete of the in-house tasks.**

**94% Complete of the prototype sessions to be completed by 2.28.14**

### **Dashboard:**

- Schedule – Green on target
- Budget – Green on target
- Resources – Green available resources from Finance and Purchasing
- Risks/Issues – Green none at this time

### **Accomplishments this reporting period:**

- Completed Origins
- Completed reports needed
- Completed Attribute list
- Completed codes for Budget Appropriations
- Completed combo-edit rules
- Completed commitment controls

### **Time-line:**

Key Milestones	Start Date	End Date
• Signed Contract	8.26.13	8.31.13
• Kick-off Meeting with CPA	8.28.13	8.28.13
• Overview with CPA	9/11/13	9/11/13
• TJJJ review Modules	9/13/13	9/27/13
• TJJJ Action items	9/27/13	2/5/14
• CPA workgroup on General Ledger Module	11/14/13	11/14/13
• Meet with CPA to review high level milestones	11/21/13	11/21/13
• Prototype workshops with TJJJ	1/2/14	2/28/14
• System Testing	2/28/14	5/2/14
• TJJJ Acceptance Testing	5/2/14	8/8/14
• TJJJ Go-Live with CAPPS	9/1/14	9/1/14

### **Accomplishments next reporting period 3.03.14**

- Complete Prototype Work sessions 2.28.14
- Meet with CPA and Grant Managers and Developer 3.7.14
- Complete Report Mapping
- Complete reports and Fit/GAP analysis, begin Conversion Analysis 3.24.14

**THIS PAGE LEFT BLANK INTENTIONALLY**

**Review of Other Funded Programs: Preliminary Projections (final awards TBD)**

<b>FISCAL YEAR 2015</b>	<b>Border Justice Project</b>	<b>Harris County Leadership Academy</b>	<b>Special Needs Diversionary Program (SNDP)</b>	<b>JJAEP: Mandartory Start Up / Daily Rate: \$86</b>	<b>Prevention and Intervention Demonstration*</b>	<b>JJAEP: Discretionary</b>
ANDERSON						
ANDREWS						
ANGELINA			\$56,490.00			
ATASCOSA						\$55,000.00
AUSTIN						
BAILEY						
BANDERA						
BASTROP					\$64,250.00	
BAYLOR						
BELL				\$23,395.09		
BEXAR			\$216,511.00	\$136,938.24	\$589,230.00	
BOWIE						
BRAZORIA				\$23,767.97		
BRAZOS				\$14,983.83		
BREWSTER						
BROOKS						
BROWN						
BURNET					\$17,305.00	
CALDWELL						
CALHOUN						
CALLAHAN						
CAMERON	\$24,953.68		\$107,163.00	\$32,955.97	\$126,924.00	
CASS						
CHAMBERS						
CHEROKEE						
CHILDRESS						
COCHRAN						
COKE						
COLEMAN						

**Review of Other Funded Programs: Preliminary Projections (final awards TBD)**

<b>FISCAL YEAR 2015</b>	<b>Border Justice Project</b>	<b>Harris County Leadership Academy</b>	<b>Special Needs Diversionary Program (SNDP)</b>	<b>JJAEP: Mandartory Start Up / Daily Rate: \$86</b>	<b>Prevention and Intervention Demonstration*</b>	<b>JJAEP: Discretionary</b>
COLLIN				\$48,336.28		
COMAL					\$54,748.00	
COMANCHE						
COOKE						
CORYELL						
CRANE						
CROSBY					\$60,000.00	
CULBERSON						
DALLAM						
DALLAS			\$239,632.00	\$218,138.67		
DAWSON						
DEAF SMITH						
DENTON				\$42,565.62		
DEWITT						
EASTLAND						
ECTOR					\$75,927.00	
ELLIS					\$150,000.00	
EL PASO			\$50,360.00	\$66,813.24	\$184,742.00	
ERATH						
FANNIN						
FAYETTE						
FLOYD						
FORT BEND			\$54,413.00		\$64,258.00	
FRIO				\$34,845.97		
GAINES						
GALVESTON						
GARZA				\$24,592.89		
GOLIAD						
GRAY						

**Review of Other Funded Programs: Preliminary Projections (final awards TBD)**

<b>FISCAL YEAR 2015</b>	<b>Border Justice Project</b>	<b>Harris County Leadership Academy</b>	<b>Special Needs Diversionary Program (SNDP)</b>	<b>JJAEP: Mandartory Start Up / Daily Rate: \$86</b>	<b>Prevention and Intervention Demonstration*</b>	<b>JJAEP: Discretionary</b>
GRAYSON					\$87,000.00	
GREGG						
GRIMES						
GUADALUPE					\$98,500.00	
HALE			\$42,545.00		\$124,920.00	\$55,000.00
HARDIN						\$55,000.00
HARRIS		\$1,000,000.00	\$260,617.00		\$132,313.00	
HARRISON				\$334,308.85		
HASKELL						
HAYS			\$48,965.00			
HENDERSON				\$9,593.92		
HIDALGO			\$97,384.00			
HILL				\$55,983.58		\$55,000.00
HOCKLEY						
HOOD						
HOPKINS						\$55,000.00
HOUSTON						
HOWARD						
HUNT						
HUTCHINSON						
JACKSON						
JASPER						
JEFFERSON			\$54,703.00			
JIM WELLS				\$24,778.99		
JOHNSON						
JONES				\$12,466.72		
KARNES					\$118,140.00	\$55,000.00
KAUFMAN						
KENDALL						

**Review of Other Funded Programs: Preliminary Projections (final awards TBD)**

<b>FISCAL YEAR 2015</b>	<b>Border Justice Project</b>	<b>Harris County Leadership Academy</b>	<b>Special Needs Diversionary Program (SNDP)</b>	<b>JJAEP: Mandartory Start Up / Daily Rate: \$86</b>	<b>Prevention and Intervention Demonstration*</b>	<b>JJAEP: Discretionary</b>
KERR						
KLEBERG						
LAMAR						
LAMB						
LAMPASAS						
LASALLE						
LAVACA						
LEON						
LIBERTY						
LIMESTONE						
LUBBOCK					\$62,500.00	
LYNN				\$23,852.62		
MCCULLOCH						
MCLENNAN			\$46,008.00			
MADISON						
MATAGORDA						
MAVERICK						
MEDINA				\$20,990.73		
MIDLAND						
MILAM						
MONTAGUE						
MONTGOMERY						
MOORE				\$28,880.16		
NACOGDOCHES						
NAVARRO						
NOLAN						
NUECES			\$31,940.00			
OCHILTREE				\$30,834.26		
ORANGE						

**Review of Other Funded Programs: Preliminary Projections (final awards TBD)**

<b>FISCAL YEAR 2015</b>	<b>Border Justice Project</b>	<b>Harris County Leadership Academy</b>	<b>Special Needs Diversionary Program (SNDP)</b>	<b>JJAEP: Mandartory Start Up / Daily Rate: \$86</b>	<b>Prevention and Intervention Demonstration*</b>	<b>JJAEP: Discretionary</b>
PALO PINTO						
PANOLA						
PARKER						
PECOS						
POLK			\$27,581.00			
POTTER						
RANDALL			\$55,711.00		\$9,834.00	
RED RIVER						
REEVES						
REFUGIO						
ROCKWALL						
RUSK						
SAN PATRICIO			\$107,047.00			
SCURRY						
SHELBY						
SMITH						
SOMERVELL						
STARR						
SUTTON						
SWISHER						
TARRANT			\$216,800.00		\$336,111.00	
TAYLOR				\$142,176.95		
TERRY				\$12,441.55		
TITUS						
TOM GREEN			\$31,940.00		\$154,000.00	
TRAVIS			\$153,725.00		\$102,220.00	
TYLER			\$27,580.00	\$79,854.77		
UPSHUR						
UPTON						

**Review of Other Funded Programs: Preliminary Projections (final awards TBD)**

<b>FISCAL YEAR 2015</b>	<b>Border Justice Project</b>	<b>Harris County Leadership Academy</b>	<b>Special Needs Diversionary Program (SNDP)</b>	<b>JJAEP: Mandartory Start Up / Daily Rate: \$86</b>	<b>Prevention and Intervention Demonstration*</b>	<b>JJAEP: Discretionary</b>
UVALDE						
VAL VERDE	\$48,752.02					
VAN ZANDT					\$53,412.00	
VICTORIA						
WALKER						
WALLER						
WARD						
WEBB	\$26,294.30				\$89,630.00	
WHARTON				\$18,985.22	\$121,475.00	
WHEELER						
WICHITA						
WILBARGER				\$12,943.81		
WILLACY					\$50,000.00	
WILLIAMSON			\$46,919.00		\$29,000.00	
WINKLER				\$24,574.11		
WISE						
WOOD						
YOAKUM						
YOUNG						
ZAPATA					\$63,700.00	
<b>TOTALS</b>	<b>\$100,000.00</b>	<b>\$1,000,000.00</b>	<b>\$1,974,034.00</b>	<b>\$1,500,000.00</b>	<b>\$3,020,139.00</b>	<b>\$330,000.00</b>

\* Prevention Grants include two grants, Family Intervention (S) and School Attendance (T). Amounts shown are the combination of FY14 Grant S allocations and approved FY15 Grant T allocations. Final award for both Prevention Grants will be based on review of performance and compliance with approved RPP.

**TEXAS JUVENILE JUSTICE DEPARTMENT  
INTERNAL AUDIT DEPARTMENT**

**Status of Projects  
FY 2014**

<b>PROJECTS COMPLETED</b>	<b>REPORTED TO BOARD</b>
<b>Mandatory Audits</b>	
14-3 Endowment Trust Funds	1/2014
 <b>Other Projects</b>	
FY 2014 Semi-Annual Follow Up	1/2014
Internal Audit Charter	10/2013
Annual Quality Assurance and Improvement Program Review	10/2013
Annual Internal Audit Report	10/2013

**ADDITIONAL REQUESTS (Consulting/Assistance Projects - No Report Issued to the Board)**

**CAPPS Implementation** - Auditors attend meetings and participate in discussions.

**IT Governance** - The Chief Auditor is a non-voting member of the IT Steering Committee and audit staff members are non-voting members of the individual User Groups. As such, they attend meetings and provide input on risk and control related information.

<b>PENDING PROJECTS</b>	<b>PROJECTED START DATE</b>
<b>Mandatory</b>	
Halfway House Audit	3/2014
Contract Care Audit	3/2014
Facility Audit	5/2014
 <b>Discretionary</b>	
Staff Development and Training	5/2014
Fixed Assets Audit	7/2014
Gang Intervention Audit	7/2014
Human Resources Audit	7/2014
 <b>Other Projects</b>	
FY 2014 Semi-Annual Follow Up	6/2014
Annual Quality Assurance and Improvement Program Review	6/2014
Annual Internal Audit Report	8/2014

**TEXAS JUVENILE JUSTICE DEPARTMENT  
INTERNAL AUDIT DEPARTMENT**

**Status of Projects  
FY 2014**

UNDERWAY PROJECTS	PROJECTED PHASE COMPLETION DATE		
	Survey	Fieldwork	Report
<b>Mandatory</b>			
14-1A Mart Facility Audit	11/2013	2/2014	3/2014
14-5 Medical Services	1/2014	2/2014	3/2014
<b>Discretionary</b>			
14-6 Student Transportation	1/2014	2/2014	3/2014
14-7 Community Relations	2/2014	2/2014	5/2014
<b>Other Projects</b>			
	<b>Start</b>		<b>Complete</b>
14-4 Annual Risk Assessment	12/2013		7/2014

**Report on Performance Measures**

Performance Measures		
Measure	To Date	Goal
The percent of the approved 2014 audit plan completed.	33%	>= 80%
The percent of audits completed within 110% of budget.	100%	>= 75%
The percentage of high-risk areas included in audit work.	50%	>= 70%
The percent of staff time spent on planned audit activities.	86%	>= 70%



**Texas Juvenile Justice Department**

**Safety & Security Committee Meeting**

Thursday, July 25, 2013 – 3:30 p.m.  
11209 Metric Boulevard, Building H - Lone Star Conference Room  
Austin, Texas 78758

**BOARD MEMBERS PRESENT:**

Joe Brown, Committee Chairman  
The Honorable Carol Bush  
Becky Gregory

**BOARD MEMBERS ABSENT:**

The Honorable Laura Parker

**EXECUTIVE STAFF PRESENT:**

Mike Griffiths, Executive Director  
Linda Brooke, Chief of Staff  
Brett Bray, General Counsel  
Chelsea Buchholtz, Deputy General Counsel  
Eleazar Garcia, Chief Internal Auditor  
Roland Luna, Chief Inspector General  
Dr. Rajendra Parikh, Senior Director of Medical Services  
Teresa Stroud, Senior Director of State Programs and Facilities  
James Williams, Senior Director of Probation and Community Services  
Jeannette Cantu, Executive Assistant

**OTHER GUESTS PRESENT:**

Daniel Berumen, TJJD  
Nadine Butler, TJJD  
Xavier Casares, TJJD  
Karol Davidson, TJJD  
Kavita Gupta, TJJD  
Lizet Hinojosa, TJJD  
Stephanie Melot, TJJD  
Nancy Slott, TJJD  
Robert Walker, TJJD  
Terry Dollar, TJJD

Katrena Plummer, TJJD  
Martha Carroll, TJJD  
Ashley Kintzer, TJJD  
Kevin Dubose, TJJD  
Peter Heller, TJJD  
Jeannette Lepe, TJJD  
Steve Roman, TJJD  
Rod Venner, TJJD  
Christine Mallette, TJJD  
Christina Ybarra, TJJD

### **Call to Order**

Chairman Brown called the meeting to order at 3:30 p.m. A quorum was present.

### **March 21, 2013 meeting minutes**

A motion was made and seconded to approve the March 21, 2013 meeting minutes. The motion passed unanimously.

### **May 30, 2013 meeting minutes**

A motion was made and seconded to approve the May 30, 2013 meeting minutes. The motion passed unanimously.

### **Office of the Inspector General update**

Chief Inspector General Roland Luna referred to the Investigative Analysis for OIG, reporting a 7% increase in total calls to the IRC. He noted that the numbers are actually trending down through the month of June. He responded to an inquiry regarding a 56% increase in criminal investigations opened. Chief Luna responded that complaints have increased over the past three fiscal years in part due to reporting; youth reports have been constant with no increase in reports from staff. On March 15, 2013, there was a change to the automatic reporting policy, but a decrease in complaints resulted. Mr. Griffiths stated that investigations opened have increased and may be attributed to Mr. Luna's focus on that issue and updating the division. Ms. Stroud suggested that the increase may be due to a different standard and more comprehensive review of data. She stated that the OIG reviews data much more in depth than in the past. Ms. Stroud also said information provided by OIG can help follow trends and help with policy decisions. Mr. Luna noted that what is important is the number sustained and referred for prosecution because that number is much smaller, but more cases are referred due to more allegations. A question was raised as to whether the numbers are increasing because of increased availability of institutional vehicles in place which encourage youth to report issues. Mr. Luna stated that youths have always had the ability to report complaints to the IRC.

Ms. Stroud commented that in 2007 when the hotline was first implemented, there was a large spike in the number of reports. As the hotline system was better defined, calls became more appropriate. Mr. Luna said approximately 40 percent of calls made to the IRC are processed by one of the divisions. A query could be done to research and explore factors in increased complaints. Mr. Luna gave a number of potential factors and noted there are many variables. Ms. Stroud reported that there was a new poster put out by Youth Rights to encourage reporting of grievances; and also, anxiety at Corsicana due to an uncertain future, could be factored in.

Chairman Brown inquired why a report of such a large increase was not accompanied by an explanation. Ms. Stroud promised an answer and acknowledged that the numbers are worrisome.

Mr. Luna explained the Investigative Life Cycle and noted a large decrease in the number of days for final disposition as compared to last fiscal year, even with a large increase in the number of investigations opened.

Mr. Luna also highlighted that the OIG has developed new firearms proficiency, conducted tactical training for the apprehension program, completed all peace officer TCLEOSE-required training, and has received initial certification for evidence procedures. Process improvements have also been implemented; including, warrant checks being conducted for state programs for incoming youth; and developing an entrance policy and procedure with the General Counsel's office.

### **Administrative Investigations update**

Kevin Dubose referred members to page 305 of the board packet, and discussed the numbers in general, specifically, numbers by program and allegation type from county-operated facilities. He stated that the majority of allegations originate from secure detention and placement facilities; with the highest number of allegations being physical abuse by physical restraint. Mr. Dubose referred to Page 307 relating to disposition of cases through July 18 and explained the definition of findings with 75 of 277 allegations ruled out; Page 308 concluded the county report, which showed a 16% decrease in the number of allegations assigned for investigations through May and June had spiked, and a 14% decline in serious incidents was reported, though no decline in total.

Mr. Dubose referred to Page 309 that listed all counties that have reported any allegations stating that larger numbers are associated with larger jurisdictions such as Bexar, Dallas and Harris counties; the state facilities report on Page 311 shows that 724 of 753 cases originated within secure facilities with a significant decline from last year. There was also a decline in the number of cases completed with no findings being overturned last year; and Page 303 showed summary comparison. Mr. Dubose pointed out highlights and explained staff vacancies.

### **State Programs and Facilities update**

Ms. Stroud directed members to Page 315 of the Safety & Security Report as of July 10, stating that all capacity is being used in contract care with the agency JCO turnover rate remaining fairly static. She pointed out that the turnover report showed that Gainesville improved greatly due to positive feedback about new the superintendent and his management team.

Ms. Stroud pointed out that the agency has reached a new low in workmen's compensation claims. She stated that the annual injury frequency rate has decreased, with a total reduction in cost of about \$500,000 this year, including the cost of previous years' accidents still being paid out. She also highlighted that overtime reduction in costs shows a reduction trend to date of 70% in high-risk facilities and 60% in halfway houses with an overall savings equal to \$1.2 million.

Ms. Stroud also announced that Debra Noles and her staff have just completed training at the Evins facility specifically on the Santa Muerte gang with the goal of educating staff to help curtail gang activity. She also highlighted other good news regarding staff.

**Discussion and possible approval to publish proposed new Texas Administrative Code Chapter 355 (relating to Non-Secure Correctional Facilities) in the Texas Register for a 30-day public comment period.**

Mr. Williams pointed out similarities between emergency standards and proposed new standards for TAC 355, including definition of non-secure facility and changes in staffing requirements. Mr. Williams acknowledged many who helped and requested approval of placing the standard in the Texas Register for public comment. Kavita Gupta explained the contraband definition and list by stating that the standard gives a minimum because of a variability of items are allowed in non-secure facilities. Mr. Williams provided further information about the broadness. A motion was made and seconded to recommend approval by the full Board. The motion passed unanimously.

**Review, Discussion, and Possible Action Regarding the Travis County Juvenile Board Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.634 Related to Requirements for Levels of Resident Supervision in Multiple-Occupancy Housing Units**

This item was deferred and will be brought back to committee at a later date

**Discipline of certified officers – Default Judgment Orders**

- a. John Bailey DH No. 13-19756-130033
- b. Michael Arguellas DH No. 13-24549-120368
- c. Chris Brown DH No. 13-25695
- d. Rafael Figueroa DH No. 13-25734-120359
- e. Timothy Dunn DH No. 13-25754-120375

A motion was made and seconded to recommend approval by the full Board. The motion passed unanimously.

**Discipline of certified officer - Agreed Orders**

a. Alan Galvan DH No. 13-26894

b. Louie McClain DH No. 13-24649

A motion was made and seconded to recommend approval by the full Board. The motion passed unanimously.

**Adjourn**

The meeting was adjourned at 4:35 p.m.

DRAFT



**Texas Juvenile Justice Department  
Safety & Security Committee Meeting**

Thursday, October 17, 2013– 2:00 p.m.

11209 Metric Boulevard, Building H - Lone Star Conference Room

Austin, Texas 78758

**BOARD MEMBERS PRESENT:**

The Honorable Laura Parker  
Becky Gregory

**EXECUTIVE STAFF PRESENT:**

Mike Griffiths, Executive Director  
Linda Brooke, Chief of Staff  
Brett Bray, General Counsel  
Jim Hurley, Communications Manager  
Dr. Rajendra Parikh, Senior Director of Medical Services  
Teresa Stroud, Senior Director of State Programs and Facilities  
James Williams, Senior Director of Probation and Community Services

**OTHER GUESTS PRESENT:**

Edward Maldonado, TJJD  
Karol Davidson, TJJD  
Stephanie Melot, TJJD  
Steve Roman, TJJD  
Rebecca Thomas, TJJD  
Peter Heller, TJJD  
John Isle, TJJD  
Ashley Kintzer, TJJD  
Martha Carroll, TJJD  
Terri Dollar, TJJD  
Jose Castillo, Cameron County JPD  
Lauren Rose, Texans Care for Children  
Chelsea Buchholtz, Deputy General Counsel

**BOARD MEMBERS ABSENT:**

Joe Brown, Committee Chairman  
The Honorable Carol Bush

Eleazar Garcia, Chief Internal Auditor  
Elaine Mays, Chief Information Officer  
Michael Myer, Chief Financial Officer  
Jeannette Cantu, Executive Assistant

Rod Venner, TJJD  
Fred Meinke, TJJD  
Kavita Gupta, TJJD  
Katrena Plummer, TJJD  
Kevin Dubose, TJJD  
Debbie Houser, TJJD  
David Tuminson, Cameron Co. JPD  
Darryl Beatty, Travis Co. JPD  
Estella P Medina, Travis Co. JPD  
Shakira Pumphrey, Speaker Straus's Office  
Brandy Baptiste, Travis Co. JPD  
Kimberly Schmid, Lt. Gov. Office

### **Call to Order**

The Honorable Laura Parker presided in the absence of Committee Chairman Joe Brown and called the meeting to order at 2:00p.m. Judge Parker stated there was not quorum present.

### **July 25, 2013 meeting minutes**

Due to a lack of a quorum the minutes were tabled.

### **Administrative Investigation Update**

Mr. Kevin Dubose, Director of Administrative Investigations, provided a statistical summary of the administrative investigations division for both state and county investigation units, including comparisons of FY 2013 to FY 2012. The state facilities had 953 open administrative investigations in FY 2013 and county facilities and programs had 1,007 classified grievances.

Mr. Dubose presented the Community Based Programs and Facilities Report. There were 2,612 reports; 1,199 originated from the OIG's incident reporting center, 800 of those originated from the detention facilities and were direct calls from the youth in the county facilities; 296 were from secure placement. Of these 1,199 calls, 86 were classified as allegations for abuse, neglect and exploitation (ANE). The vast majority of those calls, 926, were classified as grievances.

Of the 339 ANE investigations opened, 188 originated from secure detention and 107 from secure placement. The majority of those allegations were physical abuse by physical restraint, with 135 of the 339 classified as such, and 94 were physical abuse not involving physical restraint.

Mr. Dubose reported that 616 serious incidents were classified in FY 2013 and the classifications of those serious incidents were broken down in the report. On the county side, the statistical decline in terms of investigations of abuse, neglect and exploitation were 10% in administrative investigations and 13% in serious incidents. Allegations by county and type were reported and include only the counties that filed an ANE report.

On the state side, there were a total of 953 administrative investigations that were opened, 912 of which originated from secure facilities and 29 from halfway houses. The report also includes a statistical breakdown by disposition which provides more in-depth information on which facilities had higher numbers of confirmed findings as well as which facilities had not confirmed, exonerated or unfounded findings.

Statistics not seen in the board packet are related to average days to closure of investigations which is 116 days on the county side which falls within the recommended parameter. On the state side it is approximately 162 days and is an area where we are focusing on improving. We are in the process of refining policy, GAP 380.9333 which will expand the current 30 day requirement for completion of investigations. Further discussion ensued on this agenda topic.

### **State Programs and Facilities Update**

Teresa Stroud, Senior Director of State Programs and Facilities presented the Safety and Security report outlining the current population at our secure restriction facilities, halfway houses and contract care facilities. Of note is the decrease in population at Giddings State School and, effective November 1, 2013, there will be a reduction in population at Mart as they begin moving their Orientation and Assessment (O&A) Unit youth to Ron Jackson. They will soon resume sending youth to the G4S – Youth Services facility and the other contracted facility is full with minus one bed. As we start moving youth to O&A, we'll see some of the numbers go down.

TJJD has closed two halfway houses in the last couple of months: Turman House in Austin and Beto House in McAllen. A small halfway house has been opened in Brownwood for girls. Girls were received there October 1, 2013. Willoughby House, located in Ft. Worth has been converted to accept boys in a step-down program from the mental health treatment program. Because that is a fragile population, youth were moved to a transition dorm in Corsicana so that they could live together and gain some skills in independent living prior to being moved to Willoughby House.

Ms. Stroud reported that, beginning in October, her division started cross-training all institutional dorm supervisors and program supervisors. It was decided that it would be more efficient and effective to have one person supervise all staff in the dorm and would aid in improving the delivery of service to the youth. That will become effective in January, with new job descriptions in effect at that time.

A lot of reorganization and changes in management have been made at the facilities. Ms. Stroud reported that there are still issues at Giddings and some issues are under investigation. The Superintendent was replaced by the Assistant Superintendent of Corsicana. The reduction of population and the staffing changes have helped improve the culture. Following a recent incident that compromised the safety of staff and youth at the Giddings facility, case reviews of the youth involved in the incident are being conducted expeditiously. The determinate sentenced offenders involved will have their packet review expedited for a recommendation for transition from TJJD. Many youth contributed to safety during the incident, resulting in a recommendation of reduced minimum length of stay or early

transition to a medium restriction placement or home. Ms. Gregory requested to be advised of the results when they become available.

Regarding overtime, Ms. Stroud provided the new budgeting capacity for the facilities. The total expenditures, including the one month to date in FY 2013, show a million dollar savings at Corsicana from FY 2012 to FY 2013, reductions at Evins and Gainesville, an increase at Giddings and another small increase of three thousand at Mart. They will continue to monitor this closely.

Ms. Stroud announced that Luis Hernandez, formerly the Superintendent of Beto House, is now serving as Superintendent of Cottrell House. Jimmy Prince, Superintendent at Willoughby House, is now Superintendent at McFadden House in Roanoke, Texas. Allen Wallace, a former Ombudsman for the agency was selected to serve as Superintendent at Willoughby House. Jerome Finley was selected to serve as Superintendent of the Brownwood Halfway House and has a lot of experience working with the female population. Several vacancies in central office have recently been filled by individuals who have current or former agency experience.

Ms. Stroud stated that her division would be co-hosting the upcoming Strengthening Youth and Families conference to be held in San Marcus in November.

**Review, discussion and possible action regarding the Travis County Juvenile Board application for a permanent variance for Title 37 Texas Administrative Code Section 343.634 Related to Requirements for Levels of Resident Supervision in Multiple Occupancy Housing Units**

Mr. Scott Friedman, TJJD Monitoring and Inspections Division, presented a responsive variance application submitted by the Travis County Juvenile Board. The variance application is related to a secure post-adjudication facility with housing units that have 20 double occupancy rooms designed to accommodate 2 youth. The use of these rooms does not always allow for the staff to maintain a line of sight to allow for the constant visual supervision of the two residents. There has been considerable discussion between TJJD staff and the staff of Travis County to make sure that the recommended conditions are agreed upon and doable, and TJJD staff is recommending the variance be granted with the stipulated conditions. Mr. Friedman disclosed that, since distributing the board packets, some small discrepancies have been identified from the staff summary document and draft resolution and a revised resolution has been prepared. Mr. Griffiths added that the facility is accredited by the American Correctional Association.

**Review, discussion and possible action regarding the Cameron County Juvenile Board applications for permanent variance for Title 37 Texas Administrative Code Sections 343.352 (related to requirement for resident visitation), 343.354 (related to requirements on limitations on resident visitation), 343.358 (related to requirements for resident telephone use), 343.360 (related to requirements for resident mail), 343.600 (related to requirements for pre-admission records) and 343.606 (related to requirements for resident orientation).**

Mr. Friedman advised that Cameron County has submitted numerous applications for variance and TJJD has identified six standards that they feel are in need of a variance. Unlike the Travis County application which dealt with an existing facility, this is a proposed program within their secure post-adjudication program where they are attempting to start a weekend program. The existing standards are designed for multi-month stays and were never designed for weekend stays. Cameron County has looked at Bexar County Juvenile Probation Department's weekend program and would like to replicate that program. The six variances have been consolidated into one resolution. TJJD feels the applicant's six applications have satisfied all of the required and authorization criteria, and TJJD is recommending that the variances be granted with the stipulated conditions.

**Discussion and possible approval to publish proposed revisions and one new rule in 37 TAC Chapter 343 in the Texas Register for a 30-day public comment period for the following rules: 343.100, 343.322, 343.406, 343.407, 343.600, 343.800, 343.804, 343.816**

Mr. Griffiths asked the sub-committee and full board that this be tabled until the next board meeting as this request is based on extensive comments received from community advocates. Further review is needed. Judge Parker tabled this agenda item.

**Discussion and possible approval to publish proposed revisions to 37 TAC Code 380.9198 relating to Therapeutic Restraints in the Texas Register for a 30-day public comment period.**

Dr. Rajendra Parikh, Senior Director of Medical Services, provided information about the full restraint policy that establishes clearly defined criteria for the safety and security of the youth. These clearly defined procedures and protocols will document the observation and actions taken, ensuring that the physician, psychiatrists and mental health professionals are fully involved in the decision-making process to start the process, to maintain the ongoing 4-point restraint and take the appropriate action going forward. The mental health professional will be on site within 2 hours of initiation of the 4-point restraint; within 4 hours, the psychiatrist will be informed of it; within 8 hours, psychiatric consultation will be obtained. A well-trained individual will be assigned to maintain the process and document what has been done and what should be done going forward. The physician or mental health professional will be involved in the documentation, evaluation and communication with the psychiatrist to maintain ongoing 4-point restraint and when to stop use of the 4-point restraint. A psychiatrist will be on call and a psychologist would be on site. Regarding medical restraint, the process is well established in the

sense that the decision would be made by the medical provider; if there is an ongoing need to maintain the medical restraint beyond one hour, the process would begin to transfer the youth to an emergency room and continued 4-point restraint would only continue beyond one hour for the purpose of transporting the youth to the emergency room. During this time the medical provider would be fully involved in the decision-making process to start, continue or transfer the youth to the facility.

Ms. Stroud added that the 4-point restraints are only used at facilities where we have stabilization units for youth who are chronically mentally ill, currently only at Ron Jackson and Corsicana, and are used in circumstances where any other type of restraint would not be safe for a youth who is actively psychotic and in danger of harming himself, herself or others.

**Discussion and possible approval to publish proposed revisions to 37 TAC Code 380.9723 related to Use of Force, in the Texas Register for a 30-day public comment period**

Ms. Stroud and Dr. Parikh provided a summary of the proposed revisions. This policy relates to the use of OC (pepper) spray and will ensure that anyone who is carrying and using OC spray must also be exposed to OC. One of the reasons is that, if you know the impact OC has on the youth and how long it will take to decontaminate the youth and get them proper relief after administration of the agent. Additionally, if someone overtakes you and uses the OC spray on you, you are aware of the effects of the spray and how to push through it for your own safety. Since May, the agency has been requiring anyone who carries or is authorized to carry OC spray to be exposed to it unless there's a medical reason why they should not be. Clarification was added stating that use of 4-point restraints do not apply to this rule. If a youth is placed in mechanical restraints after the first 30 minutes, they have to have permission to extend that from the Superintendent or Assistant Superintendent, or the person who is on duty for serious incidents, a mid-level manager or above, and every two hours thereafter. Also added is that youth are offered food and drink and an opportunity to use the restroom at appropriate intervals, as well as clarification that, if mechanical restraint was needed beyond 12 hours, a medical provider must write an order to do that. It also specifies that, at medium restriction facilities, staff need to contact medical personnel as soon as possible after use of force but it is not imperative that they see medical personnel. In all high restrictions facilities run by the agency, youth who are mechanically restrained will see medical personnel when mechanically restrained.

**Discussion and possible adoption of the proposed repeal of 37 TAC Code 380.8761, relating to Substance Abuse Services**

Ms. Stroud stated this repeal is proposed because content of this rule already exists in 3 other rules – assessment and evaluation, case planning and under case planning offenders.

**Discussion and possible adoption of proposed new 37 TAC Chapter 355, relating to Non-Secure Correctional Facilities**

James Williams, Senior Director of Probation & Community Services, stated these standards have been published for public comment, with no comments received. The 355 standards were written in collaboration with the TJJD Advisory Council and input from the field throughout the process, and the agency is now asking that they be posted for final adoption by the board.

**Discussion and possible approval to publish the proposal to complete the rule review and publish proposed revisions for 37 TAC Chapters 342 and 380 in the Texas Register for a 30-day comment period, for the following rules: 342.1 – 342.3, 380.8571, and 380.8595**

Mr. Williams stated that the agency is asking that these proposed revisions be posted for public comment. This relates to out of state offenders that are at our facilities and includes terminology updates, reference to the need for information from the sending counties so that our personnel in our county operated and private facilities will have sufficient information on the youth, disclosure of self-harming and attempted suicide history of the juvenile, educational and other pertinent information so that we can better serve the youth.

Rule 380 relates to home studies on youth who are going on parole and going into homes. This revision would allow the agency to perform background checks on anyone over the age of 14 who is living in the home that is being considered to ensure that it is a safe place for our youth to live.

**Discussion and possible approval to publish the proposal to complete the rule review and publish proposed revisions for 37 TAC Chapter 380 in the Texas Register for a 30-day comment period, for the following rules: 380.8501, 380.8503 – 380.8555, 380.8559 – 380.8569, and 380.8575**

Ms. Stroud and Rebecca Thomas, Director of Integrated State Operated Programs & Services spoke as part of the annual requirement to review the rules to make sure there is still a need for the rules by name. A table highlighting the proposed changes was submitted to the board. Ms. Stroud briefly outlined several of the requested changes.

**Discussion and possible approval to publish the proposal to complete the rule review and publish proposed revisions for 37 TAC Chapter 380 in the Texas Register for a 30-day comment period, for the following rules: 380.8502, 380.8557, and 380.8579**

Chelsea Buchholtz, Deputy General Counsel, and Karol Davidson, TJJD Attorney, addressed the committee regarding a few substantive changes being proposed. Ms. Buchholtz spoke of 380.855, removing an Executive Director's (ED) veto power in one instance, something that Ms. Buchholtz has reviewed in detail with our ED and a change that is supported by our ED. The Release Review Panel (RRP) makes decisions about whether to extend, release or discharge youth who have met their minimal length of stay and who are with TJJD for an indeterminate sentence but who have not completed their programming. A previous administration requested a rule change that allowed for final say by the ED on whether or not a youth is released or discharged. This meant if the youth was a high severity offender they could not be released based on the vote of the RRP, the ED had final say in discharge or release. This provision is being removed because the Human Resources code requires that the RRP decision be the decision for the department. Mr. Griffiths has not utilized the decision making power. Ms. Buchholtz assured the committee that the ED would continue to be made aware of releases or discharges but reiterated that they were removing the requirement of his approval because the provision is not legal.

Ms. Davidson presented two additional rules whose approval is being sought for the 30-day comment period. The first is GAP 380.8502 dealing with the legal requirements for admission of youth to TJJD. This rule specifically deals with the documentation that juvenile courts are required to submit to TJJD when they commit a youth to TJJD. The proposed rule now conforms to what is consistent in the Human Resources code. A couple of requirements were removed as they were not used and not required per the HR code. This rule makes clear what documents are required before TJJD will admit a youth. For example, if a youth has not arrived with a certified commitment order or vaccination records, we will not admit the youth.

The other rule that is being recommended for change is GAP 380.8535 which addresses placement planning for undocumented foreign nationals. The proposed change would change the rule number and more appropriately place it under the rule for Placement Planning. In addition to that change, all the operating procedures are being removed and they will be placed in Case Management Standards. The substantive changes to this rule address TJJD's responsibility with interacting with the Immigration Customs and Enforcement Section (ICE). It proposes that TJJD will work with ICE to determine the residency status of a youth when we don't have documentation identifying the residency. This will allow TJJD to more appropriately provide services to the youth and transition services when the youth returns to that community.

**Discipline of certified officers – default judgment orders**

Mr. Brett Bray, General Counsel, stated there are four individuals listed on the agenda for recommendation to the full board for approval of default judgment orders but Emmanuel Munoz from Cameron County should be removed. The Munoz case will be brought back to the Board at its next scheduled meeting.

**Officer of the Inspector General update**

Mr. Roland Luna, Chief Inspector General presented an investigative analysis for OIG which represent the aggregates for the FY 2013. A total of 11,854 calls came into the IRC. Calls are broken down for each division: AID was 622, Probation on the AID side was 1,198, OIG for criminal was 1,716, Youth Rights was 5,663, and State Programs was 1,570. Closed cases, either via a directive or a result of a duplicate case, were 985. Total number of criminal investigations submitted for prosecution was 411. While the numbers may be higher than in FY 2012, the percentage of cases being referred for prosecution has decreased, with 32% in FY 2012 and 23% in FY 2013. Prosecution by category was 304 in the assaultive category, 50 in the sexual offense category, 7 for property damage, 28 for contraband, 22 for miscellaneous other categories, 81 for directives/apprehensions by OIG and 290 by other agencies. Mr. Luna then reported on the breakdown of the life cycle from inception to completion and reported an approximate time frame of 258 days, an improvement from FY 2012. Ms. Gregory asked about the increase of sexual offenses from 34 to 50. Mr. Luna said he will check on that and will provide an update at the board meeting tomorrow.

**Adjourn**

The meeting was adjourned at 3:10 p.m.

**THIS PAGE LEFT BLANK INTENTIONALLY**

**Texas Juvenile Justice Department  
Administrative Investigations Division  
Summary Comparisons**

	<b>FY13 Thru February</b>	<b>FY14 Thru February</b>
<b>State Facilities (SIU) Administrative Investigations</b>		
Opened	442	632
Completed	460	524
Confirmed	221	316

<b>County Facilities and Programs (CIU)</b>		
Allegations of Abuse, Neglect & Exploitation	150	199
Complaints	23	27
Grievances	525	534
Non-Jurisdiction	24	38
Non-Reportable	266	256
Other Reports ( <i>Non-Jurisdiction, Standards Violation</i> )	22	30
Serious Incidents	317	378
<b>Total from County Facilities and Programs</b>	<b>1331</b>	<b>1462</b>

<b>Average Daily Populations - County</b>	<b>December 2013</b>	<b>January 2014</b>
<b>Pre-Adjudication</b>	1455	1327

<b>Average Daily Populations - County</b>	<b>December 2013</b>	<b>January 2014</b>
<b>Post-Adjudication</b>		
Non-Secure	942	897
Secure	1135	1097

**Definitions for the State Investigation Unit (SIU):**

**Administratively Closed:** The circumstances, facts, and/or evidence show there is no merit to the allegation, or the likelihood of solving the case is so negligible further investigation is unwarranted. However, if additional information is later received, the case may be re-opened for investigation.

**Administratively Confirmed:** The circumstances, facts, and/or evidence are sufficient that no additional investigation is needed to confirm that the allegation or violation did occur.

**Opened** - The report was received by the Incident Reporting Center (IRC), processed by Central Office and assigned to an AID investigator.

**Completed** – The investigator has concluded the investigation and the report has been submitted for the supervisor’s review.

**Closed** - The investigation and all Supervisor Reviews have been completed.

**Confirmed** - Investigation established that the allegation is supported by a preponderance of evidence that the allegation did occur.

**Definitions for the County Investigation Unit (CIU):**

**Complaint** – A report submitted by a parent/guardian, staff or any other source, but not a juvenile/youth.

**Grievances** – When received by AID, these reports are reviewed to determine if TJJD’s involvement is warranted. If TJJD’s involvement is unwarranted, the report is forwarded to the county for processing at the local level.

**Non-Jurisdiction** –The TJJD does not have investigative authority or the matter is outside of the scope of the juvenile justice system.

**Non-Reportable** - In accordance with Texas Administrative, Code Chapter 358, the incident does not meet the definition for reporting to TJJD or local law enforcement.

**Serious Incident** - Attempted escape, attempted suicide, escape, reportable injury, youth-on youth physical assault or youth sexual conduct.

**THIS PAGE LEFT BLANK INTENTIONALLY**

Texas Juvenile Justice Department  
Administrative Investigations Division - County Investigations Unit  
Community Based Programs and Facilities  
Fiscal Year 2014  
(September 2013 – February 2014)

Overall Year-To-Date Total by Report Type From All Sources (*)							
<i>*Reports are received via fax, e-mail, phone and the Incident Reporting Center</i>	Sept	Oct	Nov	Dec	Jan	Feb	Total
Allegations of Abuse, Neglect, Exploitation	29	23	35	30	43	39	199
Complaints	2	5	3	11	4	2	27
Grievances	68	128	95	78	109	56	534
Non-Jurisdiction	8	6	6	10	8	0	38
Non-Reportable	40	47	39	37	42	51	256
Other (Contract, Duplicates, Standard Violations, Tech. Asst., PFI)	5	4	1	11	7	2	30
Serious Incidents	51	58	55	81	74	59	378
<b>Total Reports Received</b>	<b>203</b>	<b>271</b>	<b>234</b>	<b>258</b>	<b>287</b>	<b>209</b>	<b>1462</b>
Reports by Month to the Incident Reporting Center (IRC) Via the Toll-Free Number							
Allegations of Abuse, Neglect, Exploitation	7	11	17	7	16	12	70
Complaints	2	4	3	10	4	1	25
Grievances	69	124	90	75	109	47	513
Non-Jurisdiction	7	4	4	8	2	0	25
Non-Reportable	6	3	3	0	1	1	14
Serious Incidents	1	3	6	5	4	1	20
Other (Contract, Duplicates, Standards Violation, Tech Asst or PFI)	1	3	1	4	5	3	17
Total by Program Type							
Day Reporting	0	0	0	0	0	0	0
Detention	58	108	49	65	75	54	409
JJAEP	1	0	0	0	1	0	2
Non-Secure Placement	0	4	0	0	2	0	6
Probation/Parole	1	1	2	3	2	1	10
Secure Placement	30	38	72	37	59	10	246
Other (i.e. Holdover, Non-Jurisdiction Locations)	3	1	1	4	2	0	11
<b>Total Reports Received</b>	<b>93</b>	<b>152</b>	<b>124</b>	<b>109</b>	<b>141</b>	<b>65</b>	<b>684</b>

Administrative Investigations							
Total by Program Type	Sept	Oct	Nov	Dec	Jan	Feb	Total
Day Reporting	0	0	0	0	1	0	1
Detention	19	13	15	10	26	28	111
JJAEP	0	1	1	2	1	1	6
Non-Secure Placement	1	2	4	4	4	1	16
Probation	0	0	0	2	0	0	2
Secure Placement	9	7	15	12	11	9	63
Emotional Abuse	1	1	1	2	1	1	7
Exploitation	2	0	2	0	0	0	4
Firearm Related	0	1	0	0	0	0	1
Neglect - Medical	0	0	0	1	2	1	4
Neglect - Supervisory	1	2	1	3	6	2	15
Physical Abuse – Mechanical Restraint	0	0	0	0	0	1	1
Physical Abuse – Not Involving Restraint	10	5	8	8	11	10	52
Physical Abuse – Physical Restraint	13	10	21	7	13	20	84
Serious Physical Abuse	0	0	0	1	1	0	2
Sexual Abuse – Contact	1	3	1	3	7	3	18
Sexual Abuse – Non Contact	1	1	1	5	2	0	10
Verbal Abuse	0	0	0	0	0	1	1
<b>Total Cases Received</b>	<b>29</b>	<b>23</b>	<b>35</b>	<b>30</b>	<b>43</b>	<b>39</b>	<b>199</b>

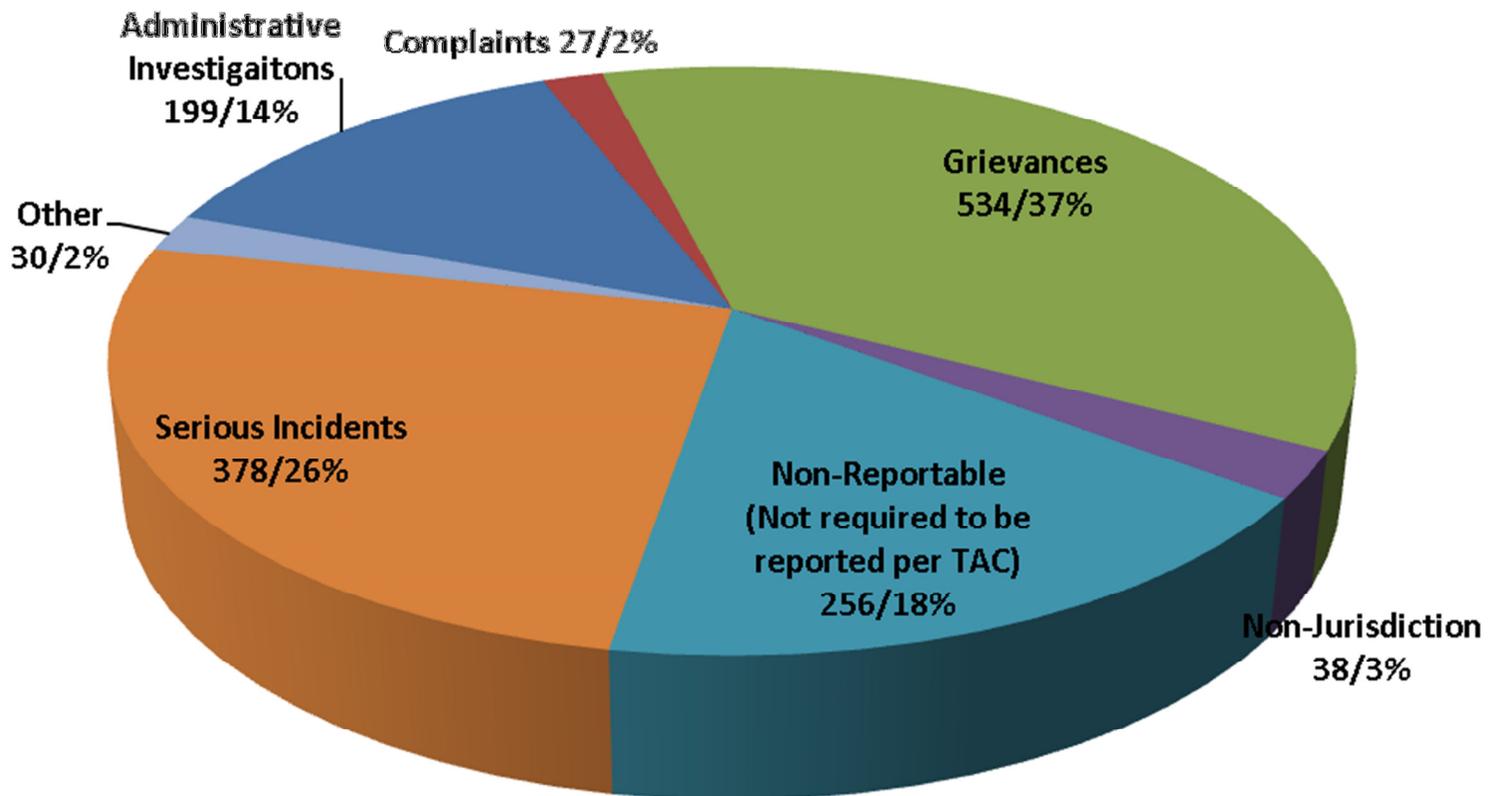
### Summary of TJJJ Dispositions

**Total by Disposition** The dispositions will change every month as additional cases are closed. For example, the numbers listed in the disposition columns for February will change in March depending on how many cases were closed since the last report was run. **\*Other dispositions may include:** Not Under TJJJ Jurisdiction, Referred to DSHS, Referred to Law Enforcement for Investigation, Unable to Determine, and Unable to Investigate – No Information.

Total by Program Type	Sept	Oct	Nov	Dec	Jan	Feb	Total
Baseless	0	0	0	0	0	0	0
Concur	1	1	0	0	0	0	2
Does Not Meet Definition of ANE	1	1	1	1	0	0	4
Reason to Believe	2	2	0	0	0	0	4
Ruled Out	5	5	6	3	1	0	20
Unable to Determine	2	2	2	1	0	1	8
Other Dispositions*	0	0	1	0	2	0	3
Pending	18	12	25	25	40	38	158
<b>Total</b>	<b>29</b>	<b>23</b>	<b>35</b>	<b>30</b>	<b>43</b>	<b>39</b>	<b>199</b>

	FY 13 thru Feb	FY 14 thru Feb	% Change
Administrative Investigations	150	199	+33%
Serious Incidents	317	378	+19%
<b>Total Reports (ANE, Grievances, Complaints, etc.)</b>	<b>1331</b>	<b>1462</b>	<b>+10%</b>

## All Report Types FY 2014 Thru February



**Total of All Reports= 1462**

**Texas Juvenile Justice Department  
Administrative Investigations Division - State Investigations Unit  
State Facilities/Halfway Houses/Contract Facilities  
Fiscal Year 2014 Through February**

TOTAL CASES OPENED BY LOCATION							
Secure Facilities							
	Sept	Oct	Nov	Dec	Jan	Feb	Total
Corsicana	7	9	5	5			26
Evins	9	20	22	24	44	28	147
Gainesville	16	23	31	24	28	26	148
Giddings	17	13	14	24	17	22	107
McLennan	9	9	13	15	17	13	76
McLennan – O&A (Moved to RJ 11/04/2013)	4	5	3				12
McLennan RTC				4	4	3	11
Phoenix Program	2	6	8	2	2	2	22
Ron Jackson	4	4	4	10	8	9	39
Ron Jackson – O&A			2	2	7	6	17
<b>Sub Total</b>	<b>68</b>	<b>89</b>	<b>102</b>	<b>110</b>	<b>127</b>	<b>109</b>	<b>605</b>
Halfway Houses							
Ayres House		1		2		1	4
Beto House							0
Cottrell House			1				1
Edna Tamayo House		1	1	1		3	6
McFadden Ranch			1				1
Schaeffer House	1						1
Turman House							0
Willoughby House							0
York House							0
<b>Sub Total</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>4</b>	<b>13</b>

**Contract Care Facilities**

	Sept	Oct	Nov	Dec	Jan	Feb	Total
Abraxas Youth and Family Services							
Associated Marine Institute, RGMI							
AMIKIDS DBA Rio Grande Valley	1						1
Byrd's Therapeutic Group Home							
Garza County Regional Justice Center		2		3			5
Gulf Coast Trade Center	1	1	1	1			4
G4S Youth Services, LLC		2	1			1	4
New Day Achievement Center							
Specialized Alternatives for Youth							
Unity Childrens Home							
<b>Sub Total</b>	<b>2</b>	<b>5</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>14</b>

**Parole Regions**

East							
North							
Region Central							
<b>Sub Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Open</b>	<b>71</b>	<b>95</b>	<b>108</b>	<b>117</b>	<b>127</b>	<b>114</b>	<b>632</b>

<b>Secure Facilities – Confirmed</b>							
	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Total</b>
Corsicana	1	5	12	25	3	1	47
Evins	7	1	1	16	5	14	44
Gainesville	3	14	5	10	7	6	45
Giddings	13	11	16	35	4	7	86
McLennan							0
McLennan – O&A							0
McLennan - RTC				3			3
Phoenix Program	10	22	15	11	20	23	101
Ron Jackson (Brownwood)		3		5	4		12
Ron Jackson – O&A							0
<b>Sub Total</b>	<b>34</b>	<b>56</b>	<b>49</b>	<b>105</b>	<b>43</b>	<b>51</b>	<b>338</b>
<b>Secure Facilities - Not Confirmed</b>							
	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Total</b>
Corsicana	2	1	1	1	1	2	8
Evins	5	1		9	1		16
Gainesville				1	1	4	6
Giddings	4	3	2	7	11	9	36
McLennan			1				1
McLennan – O&A							0
McLennan - RTC						4	4
Phoenix Program	10	2	8	20	16	2	58
Ron Jackson (Brownwood)				4			4
Ron Jackson – O&A							0
<b>Sub Total</b>	<b>21</b>	<b>7</b>	<b>12</b>	<b>42</b>	<b>30</b>	<b>21</b>	<b>133</b>

<b>Secure Facilities – Exonerated</b>							
	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Total</b>
Corsicana		1					1
Evins							0
Gainesville			1				1
Giddings	2	1		2	2		7
McLennan							0
McLennan – O&A							0
McLennan - RTC							0
Phoenix Program	3						3
Ron Jackson (Brownwood)				2			2
Ron Jackson – O&A							0
<b>Sub Total</b>	<b>5</b>	<b>2</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>14</b>
<b>Secure Facilities – Unfounded</b>							
	<b>SEPT</b>	<b>OCT</b>	<b>NOV</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Total</b>
Corsicana	3	3	8	21	10	2	47
Evins	7	5	13	17	8	1	51
Gainesville	2	8	12	11	18	9	60
Giddings	4	4	3	11	5	6	33
McLennan							0
McLennan – O&A							0
McLennan - RTC						1	1
Phoenix Program	18	3	13	13	7	21	75
Ron Jackson (Brownwood)			4		1	3	8
Ron Jackson – O&A							0
<b>Sub Total</b>	<b>34</b>	<b>23</b>	<b>53</b>	<b>73</b>	<b>49</b>	<b>43</b>	<b>275</b>

<b>Halfway House</b>	<b>Confirmed</b>	<b>Not Confirmed</b>	<b>Exonerated</b>	<b>Unfounded</b>	<b>Total</b>
Ayres House	3	3		1	7
Beto House				1	1
Cottrell House	3	2			5
Edna Tamayo House				2	2
McFadden Ranch	3				3
Schaeffer House				2	2
Turman House	2	1			3
Willoughby House	2				2
York House	1	2		1	4
<b>Sub Total</b>	<b>14</b>	<b>8</b>	<b>0</b>	<b>7</b>	<b>29</b>
<b>Contract Care</b>	<b>Confirmed</b>	<b>Not Confirmed</b>	<b>Exonerated</b>	<b>Unfounded</b>	<b>Total</b>
Abraxas					0
AMIKIDS DBA Rio Grande Valley	3	1			4
Garza County					0
Gulf Coast		4			4
G4S, Youth Services, LLC					0
New Day Achievement					0
Specialized Alternatives For Youth					0
Therapeutic Family Life				1	1
Unity Children's Home					0
<b>Sub Total</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>9</b>

<b>Parole Offices</b>	<b>Confirmed</b>	<b>Not Confirmed</b>	<b>Exonerated</b>	<b>Unfounded</b>	<b>Total</b>
Region East					0
Region North					0
Central Office	1				1
<b>Sub Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Overall Total By Disposition</b>	<b>356</b>	<b>146</b>	<b>14</b>	<b>283</b>	<b>799</b>

*\*This table reflects the total number of cases opened and the total number of dispositions assigned. One case can have multiple suspects with multiple dispositions.*

	<b>FY 13 Thru Feb</b>	<b>FY 14 Thru Feb</b>	<b>% Change</b>
Administrative Investigations Opened	442	632	+43%
Administrative Investigations Completed	460	524	+14%

*\*This table reflects only the total number cases opened and closed.*



**Texas Juvenile Justice Department  
Programs Committee Meeting**

11209 Metric Blvd., Building H, Austin, Texas 78758

Thursday, January 30, 2014– 3:00 p.m.

**BOARD MEMBERS PRESENT:**

Dr. Rene Olvera, Committee Chairman  
The Honorable Jimmy Smith  
Scott Matthew  
Melissa Weiss  
Board Chairman Scott W. Fisher (non-committee member)

**BOARD MEMBERS ABSENT:**

MaryLou Mendoza

**EXECUTIVE STAFF PRESENT:**

Mike Griffiths, Executive Director  
Teresa Stroud, Senior Director of State Programs & Facilities  
Eleazar Garcia, Chief Internal Auditor  
Dr. Rajendra Parikh, M.D., Medical Director  
Jeannette Cantu, TJJD

**OTHER GUESTS PRESENT:**

Rebecca Thomas, Director of Integrated Programs and Services  
Alan Michel, Manager of Specialized Treatment  
Stephanie Melot, TJJD  
Jeannette Lepe, TJJD  
Fred Meinke, TJJD  
Sarah McCleary, TJJD  
Lucy Rodriguez, TJJD

**Call to Order**

Dr. Rene Olvera, Committee Chairman, called the meeting to order at 3:32 p.m. Ms. MaryLou Mendoza was absent and Ms. Melissa Weiss arrived at 3:43 p.m.

### **Approval of October 17, 2013 meeting minutes**

Scott Matthew moved to approve the minutes of the October 17, 2013 meeting. The Honorable Jimmy Smith seconded. The motion passed unanimously.

### **State Performance Facilities Tracking**

Teresa Stroud, Senior Director of State Programs & Facilities, updated the committee on the status of the facility report cards. The facility report card is intended to help TJJD track the Legislative Budget Boar (LBB) Performance Measures and reflect how TJJD facilities are doing in different areas. Ms. Stroud handed out sample report cards which include data from October 2012 to October 2013.

She explained the logistics for creating such a report card including time frames, and how to read the data. The data in the report card is not in real-time. The long term goal is to have the charts automatically fill as data is entered into other programs. TJJD has a number of legacy software programs which use different statistical analyses. The incident reporting system generally has a sixty-day delay.

In reading the data, it is helpful to remember that each time there is a facility incident report regarding physical use of force or simple assault, that data is loaded into the Correctional Care System (CCS) using codes. If there are ten youth involved in an incident, it will show as ten separate reports, one linked to each youth, even though it was one single incident. If there is an altercation between two youths that results in staff need to physically restrain them, it may show up as six or seven different reports, one per code. This can make the data look somewhat alarming, so it becomes important to identify when the issues are tied to a small number of individuals as opposed to a culture within a particular campus. TJJD wants to make sure the data presented is accurate and not misleading.

Choosing the bar graph as example for reading the data, the board reviewed the numbers for the McLennan (also known as Mart) facility incident rate per 100 average daily population (ADP) vs. agency-wide mean. On the charts where "mean" is given, that is meant the mean among all the facilities. The trend analysis shows a significant drop, then it spikes again. We do see cyclical activity. For example, at one point there was significant disruption at the Giddings facility. Some of the problematic youth were sent to other facilities, separating them from each other. This seemed to have impacted Evins more than the other facilities.

The Phoenix Unit (the aggression management unit) contributes a high percentage of the events. However, comparing six months of cumulative data prior to the unit operating and six months after the youth attended the Phoenix program, the number of incidents associated with the youth affected decreased by about a thousand.

TJJD continues to look at the tie-in between state operations services and the IT department, and is working toward making the report card a useful relevant tool. Ms. Stroud will keep the committee apprised as this project moves forward.

## **Gang Intervention Program**

Alan Michel, Manager of Specialized Treatment, presented the proposed curriculum for gang intervention. Though what he presented in depth was most geared toward the gang intervention piece which needs approval, the curriculum itself covers other areas as well. TJJD is phasing out the Cognitive Life Skills (CLS), program, but this new curriculum incorporates many of those elements.

Texas Family Code requires that the gang intervention program include at least twelve hours of instruction, may include volunteer tattoo removal, and completion of the program before discharging or releasing youth to supervision.

In choosing a curriculum, the process included input from a cross section of individuals both inside the agency and outside, including facility staff, parole supervisor, training department, and gang experts from both Harris County and TJJD. The group identified five program criteria for selection: evidence based, non-confrontational, effective for TJJD youth, appropriate reading level, and overall cost-effectiveness.

The selected program, New Freedom, covers all criteria. A site license is \$5000, and one has been ordered for the Evins facility. TJJD will have the training include as many staff (and non-staff) as possible. Harris and Cameron counties are also dealing with gang-related issues and may benefit from the training. This program does not require a long term contract or continuing costs; the fee includes unlimited copies of materials, no outside requirements for “train the trainer”, and allows TJJD staff to conduct training at the facilities, reducing travel costs and enabling coaching and modeling.

Sample curriculum documents were shared with the committee.

Re-entry of youth to the community is always a challenge; it is complicated. This curriculum addresses some of those challenges, though finding the right place for discharge may be another challenge if family members are also gang members. The goal is to tie this together with parole and re-entry.

## **Adjourn**

The meeting was adjourned at 4:04 p.m.

**THIS PAGE LEFT BLANK INTENTIONALLY**



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

## Memorandum

To: TJJJ Board Members

From: Mike Griffiths, Executive Director  
Brett Bray, General Counsel

Subject: TJJJ Ethics Policy

Date: March 20, 2014

---

In January of 2014, TJJJ's Office of General Counsel came to you with proposed changes to the TJJJ Ethics policy. One aspect of those changes involved alterations to our internal Personnel and Policy Procedures Manual (PRS) Rule 2.03. At the time we presented the changes to you they had not yet been implemented. As of February 15, 2014, the new policy was officially enacted and posted on our internal website.

PRS Rule 2.03 was changed to reflect the current practice of requiring each employee to complete an annual ethics and confidentiality e-course. In its new format, it also reflects TJJJ's requirement that all employees comply with state and federal laws, administrative rules, TJJJ policies, and provisions set forth in the Employee Handbook. Lastly, the Rule now outlines reporting requirements for unlawful and unethical conduct. As was stated at the last regular board regular meeting, these changes do not alter current practices, only compile and document them in order to create an established ethics program.

(a) **Policy.**

- (1) The ethics program of the Texas Juvenile Justice Department (TJJD) is composed of this policy and related rules and laws addressing internal reporting procedures and required ethics training.
- (2) Employees must complete an annual ethics and confidentiality training course.
- (3) Employees must comply with all applicable federal and Texas laws, administrative rules, TJJD policies, and the provisions set forth in the TJJD Employee Handbook. In addition, an employee must comply with TJJD program-specific manuals and guidelines relevant to his/her position. TJJD makes no promise or representation that an employee will be guaranteed continued employment based on such compliance.
- (4) No policy manual or handbook can address every standard of conduct. The absence of a specific policy or rule covering an act tending to discredit the agency does not mean that the act is condoned, is permissible, or would not call for disciplinary action. It is an employee's responsibility to perform his/her duties in a lawful, professional, and ethical manner, know what is considered inappropriate conduct, and seek clarification when necessary from his/her supervisor, agency management, the ethics officer, or human resources staff.

(b) **Definitions.**

See the [PRS Glossary](#) for definitions of certain terms used in this policy.

(c) **Reporting Unlawful and Unethical Conduct.**

- (1) Employees with a reasonable belief or actual knowledge of conduct by an employee, volunteer, or contractor that is unlawful or that violates this ethics policy must report the matter to at least one of the following, unless there is clear evidence the matter has already been reported:
  - (A) [chief local administrator](#) or administrative duty officer;
  - (B) Office of Inspector General Incident Reporting Center;
  - (C) management in the TJJD Austin Office; or
  - (D) anyone in authority within TJJD to whom the employee feels comfortable reporting.
- (2) TJJD will not take any action against anyone for making a report of unlawful or unethical activities in good faith or for participating in an investigation into such alleged conduct. This protection does not apply to self-disclosure.

(d) **Duties of the Ethics Officer.**

- (1) As established by [GAP.05.15](#), the general counsel of TJJD is the ethics officer for the agency.
- (2) The primary function of the ethics officer is to provide legal advice and counsel to staff and board members regarding ethical situations. Other duties of the ethics officer or his/her designee include:
  - (A) overseeing the ethics program, including overseeing the implementation of new ethics-related policies;
  - (B) reviewing the annual audit report of the ethics program to determine the appropriateness of adopting suggested changes; and

- (C) periodically reviewing and updating ethics-related training materials, including those offered to the board and to agency employees.

(e) **TJJJ Employee Handbook and General Rules of Conduct for Employees.**

- (1) The [TJJJ Employee Handbook](#), which is an appendix to this manual, is incorporated by reference into this policy. The handbook establishes the general rules of conduct for employees. Some of the rules reflect requirements contained in other TJJJ policies.
- (2) The handbook is written in plain language for ease of understanding and contains a detailed description of the intent for each rule of conduct.
- (3) Employees must become familiar and comply with the rules of conduct in the handbook.

(f) **Ethics.**

Ethical conduct generally means acting in accordance with accepted standards of professional behavior, acting in accordance with what is right, and avoiding even the appearance of what is wrong. As state government employees, TJJJ employees have a special responsibility for honesty and integrity. Employees are expected to always serve in the public's best interest.

(1) **General Ethics.**

TJJJ employees have a responsibility to display ethical conduct toward youth, families of youth, and the public. To carry out this responsibility, each TJJJ employee must:

- (A) abide by all federal laws, guidelines, and rules; state laws; and TJJJ rules, policies, and procedures;
- (B) respect and protect the legal rights of all youth and their parents and/or guardians;
- (C) serve each youth with concern for the youth's welfare and with no expectation of personal gain;
- (D) respect the significance of all elements of the justice and human services systems and cultivate professional cooperation with each segment;
- (E) respect and consider the right of the public to be safeguarded from the effects of juvenile delinquency;
- (F) be diligent in his/her responsibility to record and make available any and all information that could contribute to decisions affecting a youth or the public safety;
- (G) report without reservation any corrupt or unethical behavior that could affect a youth or the integrity of the juvenile justice system;
- (H) maintain the integrity and confidentiality of juvenile information, not seek more information than needed to perform work duties, and not reveal information to any person who does not have authorized access to the information for a proper professional use;
- (I) perform all duties impartially and without regard to race, age, ethnicity, gender, disability, national origin, religion, sexual orientation, political belief, or socioeconomic status; and
- (J) treat all youth and their families with courtesy, consideration, and dignity.

(2) **Conflicts of Interest.**

TJJD employees have a responsibility to avoid real or perceived conflicts of interest between their self-interests and their duties as public servants. To carry out this responsibility, each TJJD employee must not:

- (A) accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of official duties or that the employee knows or should know is being offered with the intent to influence the employee's official conduct;
- (B) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another;
- (C) disclose confidential information, information that is excepted from public disclosure under the Texas Public Information Act (Tex. Gov't Code, Chapter 552), or information that has been ordered sealed by a court, that was acquired by reason of the employee's official position;
- (D) accept other employment, including self-employment, or engage in a business, charity, nonprofit organization, or professional activity that the employee might reasonably expect would require or induce the employee to disclose confidential information, information that is excepted from public disclosure under the Texas Public Information Act, or information that has been ordered sealed by a court that was acquired by reason of the employee's official position;
- (E) accept other employment, including self-employment, or compensation or engage in a business, charity, nonprofit organization, or professional activity that could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's official duties;
- (F) make personal investments or have a personal or financial interest that could reasonably be expected to create a substantial conflict between the employee's private interest and the public interest;
- (G) use state time, property, facilities, or equipment for any purpose other than official state business unless such use is reasonable and incidental and does not result in any direct cost to the state or TJJD, interfere with the employee's official duties, or interfere with TJJD functions;
- (H) use his or her official position or state-issued items, such as a badge, indicating such position for financial gain, obtaining privileges, or avoiding consequences of illegal acts;

Note: This does not prohibit TJJD employees from using their ID badge to obtain benefits extended to all state employees, such as reduced hotel rates for personal use or state employee discount programs.

- (I) knowingly make misleading statements, either oral or written, or provide false information in the course of official state business; or
- (J) engage in any political activity while on state time or use state resources for any political activity.

Note: Specific prohibited acts relating to political activity are set forth in the Prohibited Acts of Agencies and Individuals form, HR-154, which is provided to each employee during the new employee orientation session in compliance with state law.

(3) **Witness Fees.**

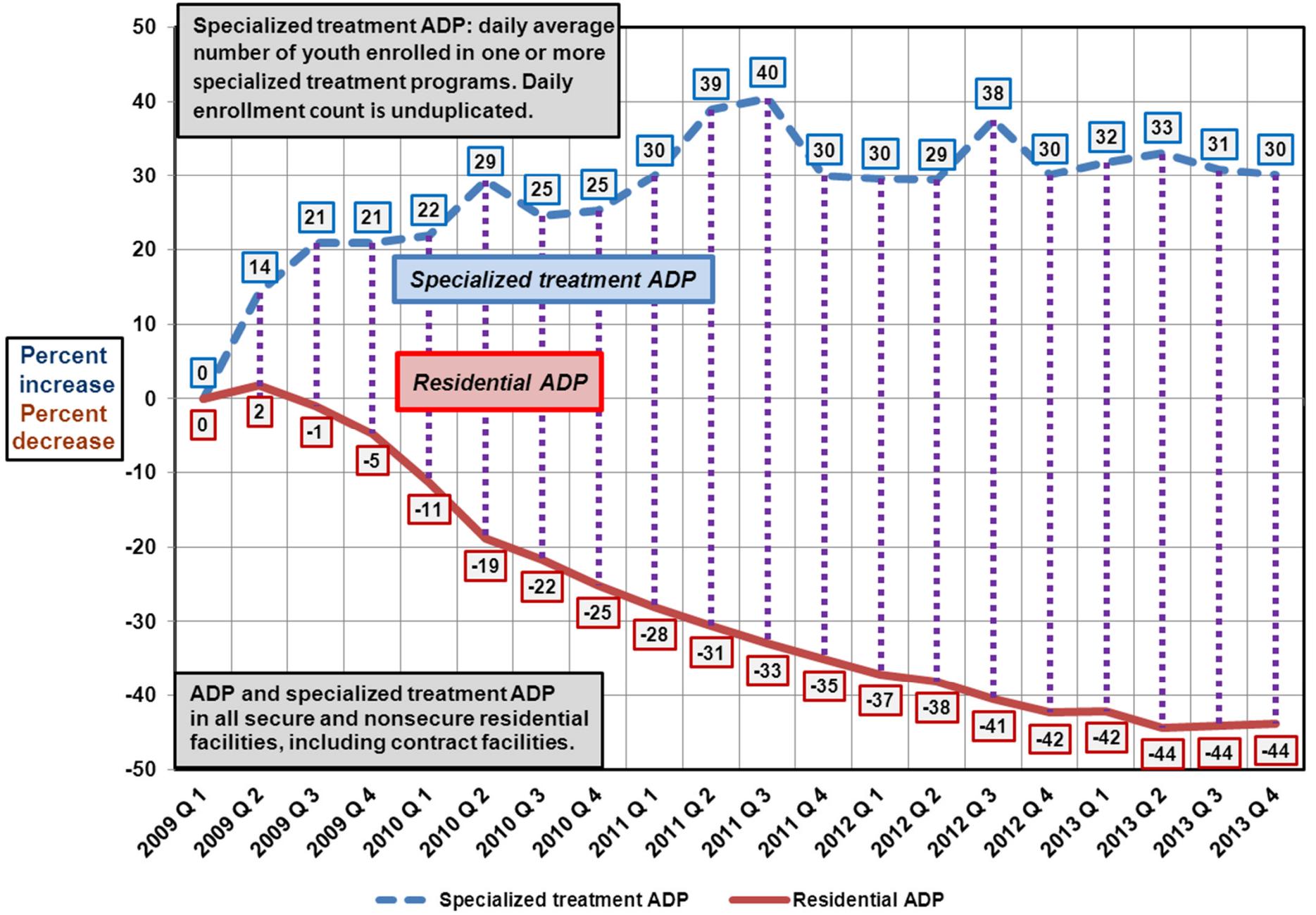
State law establishes when employees may or may not accept witness fees and reimbursement for related travel expenses.

- (A) An employee may not accept a witness fee if he/she appears as a witness in his/her official capacity as a state employee in a judicial proceeding, legislative hearing, or other process. As required by [PRS.27.15](#), the appearance is reported as time worked. The employee may receive reimbursement for travel expenses and per diem connected to the appearance from a source other than TJJJ only if he/she does not also receive such reimbursement from TJJJ.
  - (B) An employee who appears in a judicial proceeding or legislative hearing as a witness in a matter not related to his/her official capacity as a state employee is entitled to receive any customary witness fees for the appearance only if he/she is not granted emergency leave specifically for this purpose. The employee may receive reimbursement for travel expenses and per diem connected to the appearance from a source other than TJJJ. However, the employee may not receive travel and per diem reimbursement from TJJJ even if he/she is granted emergency leave.
-

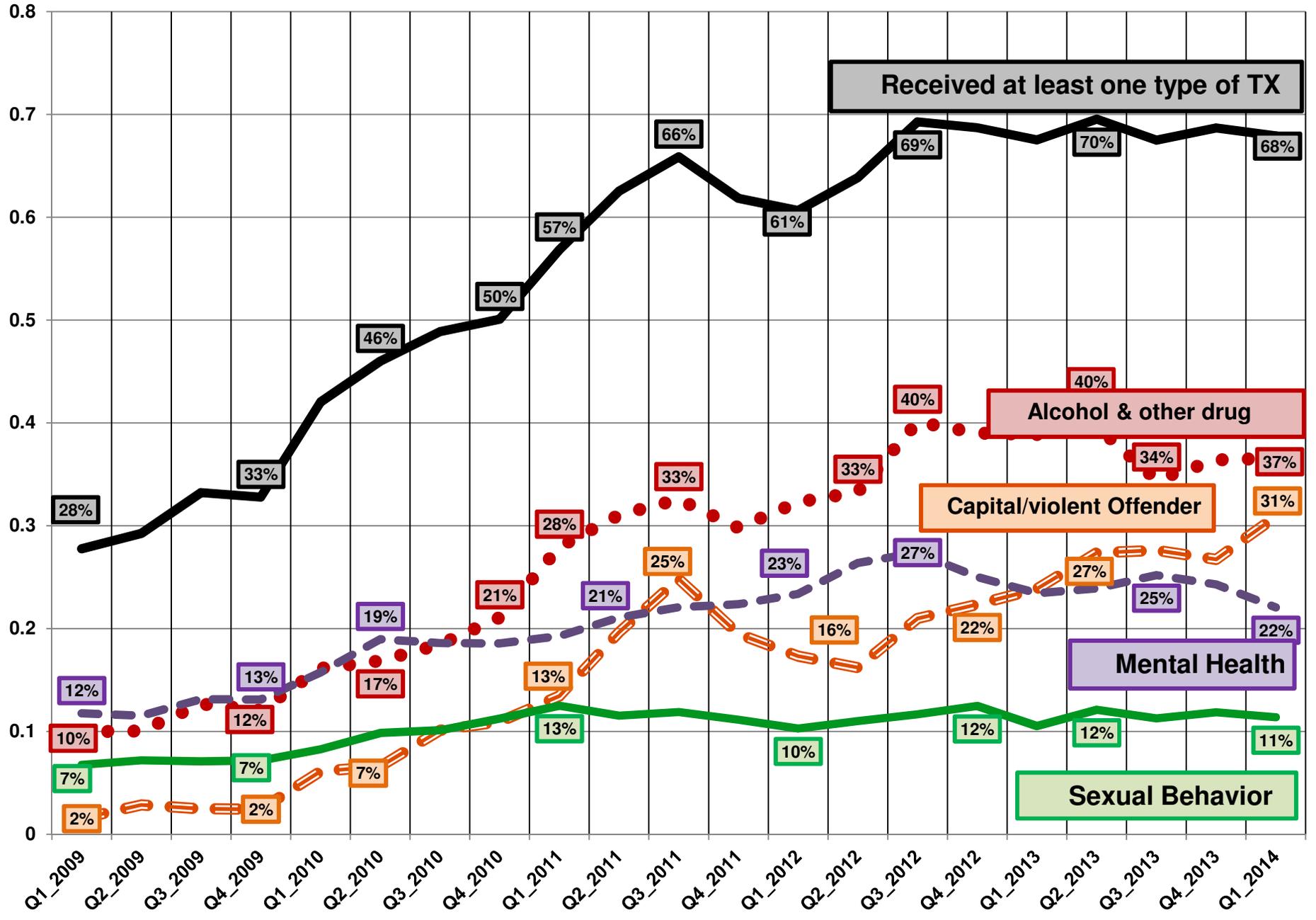
**THIS PAGE LEFT BLANK INTENTIONALLY**

# Overview of Health Care Delivery, Trends and Cost Analysis at TJJD

Percent increase in specialized treatment ADP and percent decrease in residential ADP, in relation to the levels in the first quarter of FY 2009



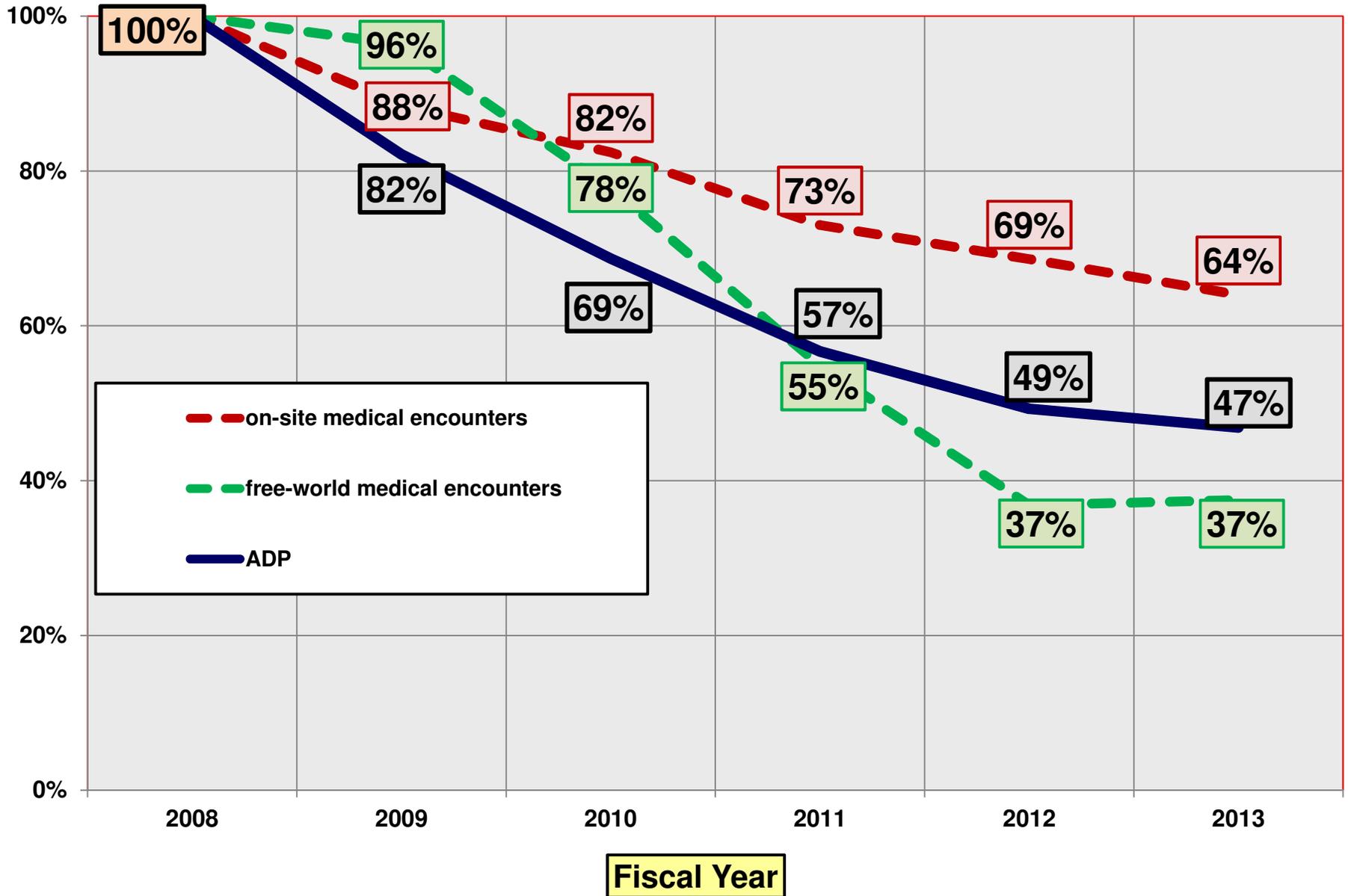
# Percentage of Youth in Specialized TX Programs, per Quarter



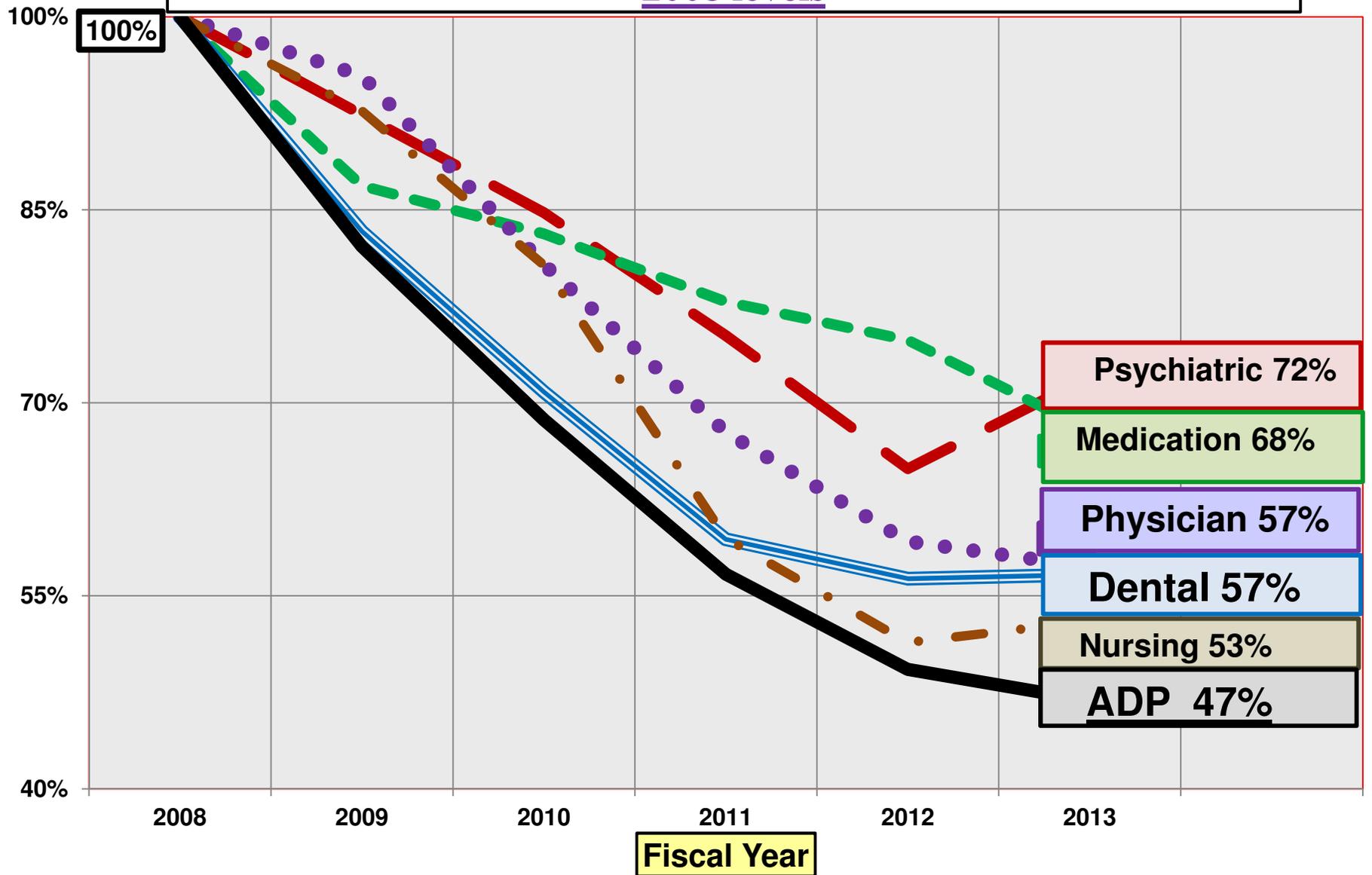
# Medical Tracking Per ADP

- ❖ Off-Site **Medical Transports**
- ❖ Off-Site **Emergent Care/ER Visits**
- ❖ Serious Medical Incidents Requiring **Hospitalization**
  
- ❖ On-Site **Health Care Utilization**
- ❖ **Missed Health Care Appointments**
- ❖ **Psychotropic Drug Utilization**
- ❖ **Injury Tracking** and Analysis
- ❖ **DMS Utilization** data
  
- ❖ Alleged Mistreatments Related to **Medical Care (AMIs)**
- ❖ **Grievance Appeals** Related to **Medical Care**

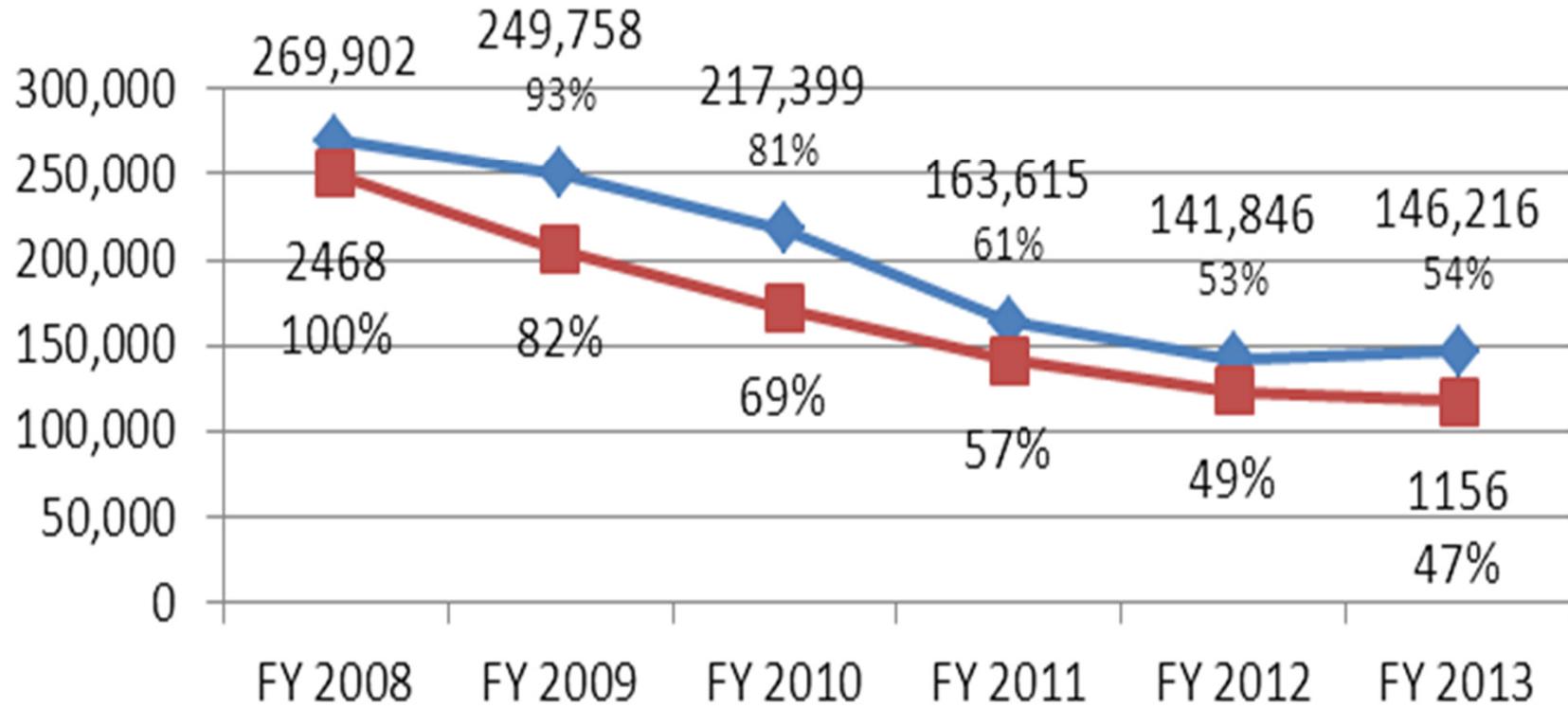
**All TJJJD institutions: ADP, On-site medical encounters and Off-site medical encounters as a percent of FY 2008 levels**



**All TJJD institutions: Trends in ADP and psychiatric, medication, physician, dental, and nursing encounters, as a percent of FY 2008 levels**



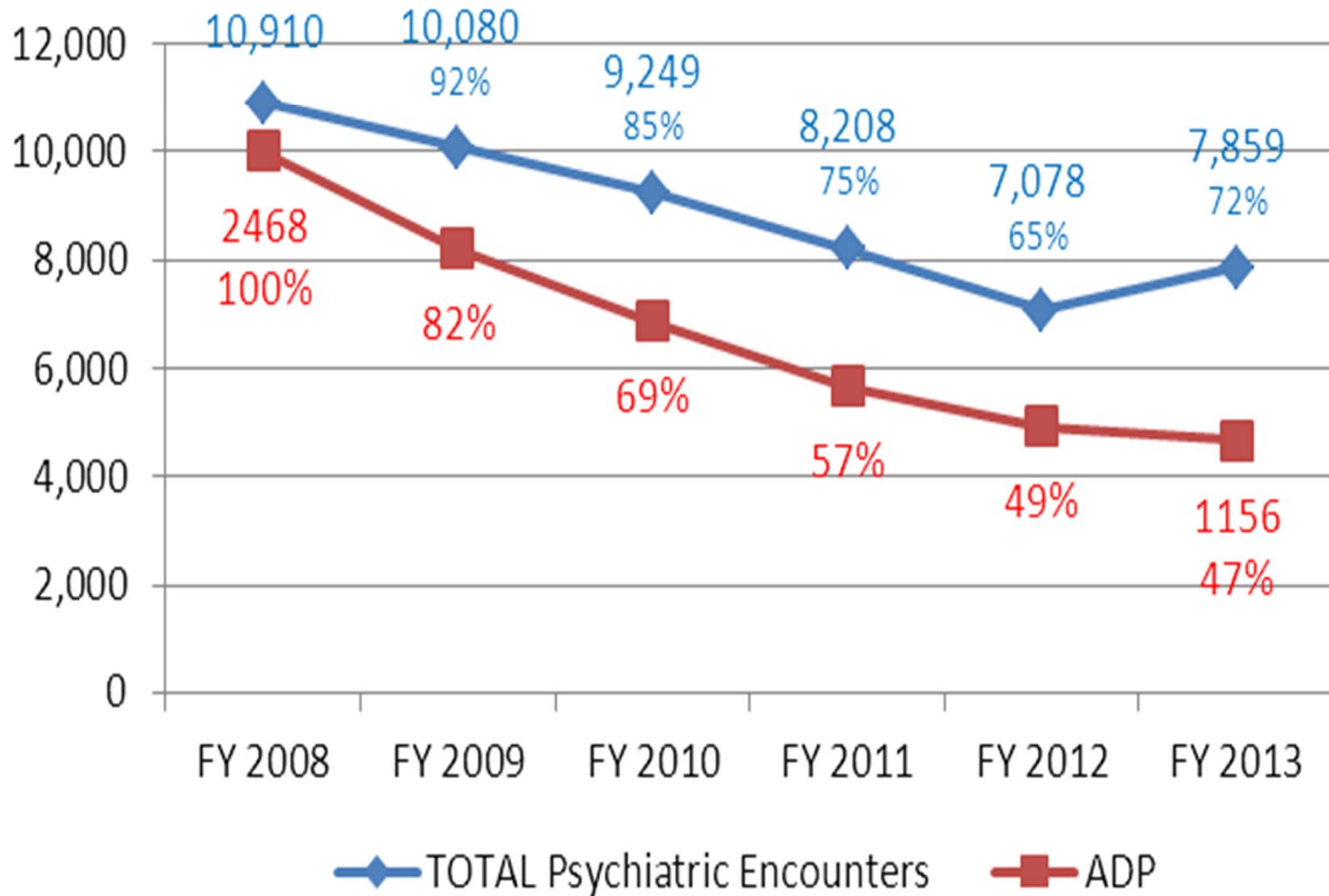
# Total On Site Encounters\*

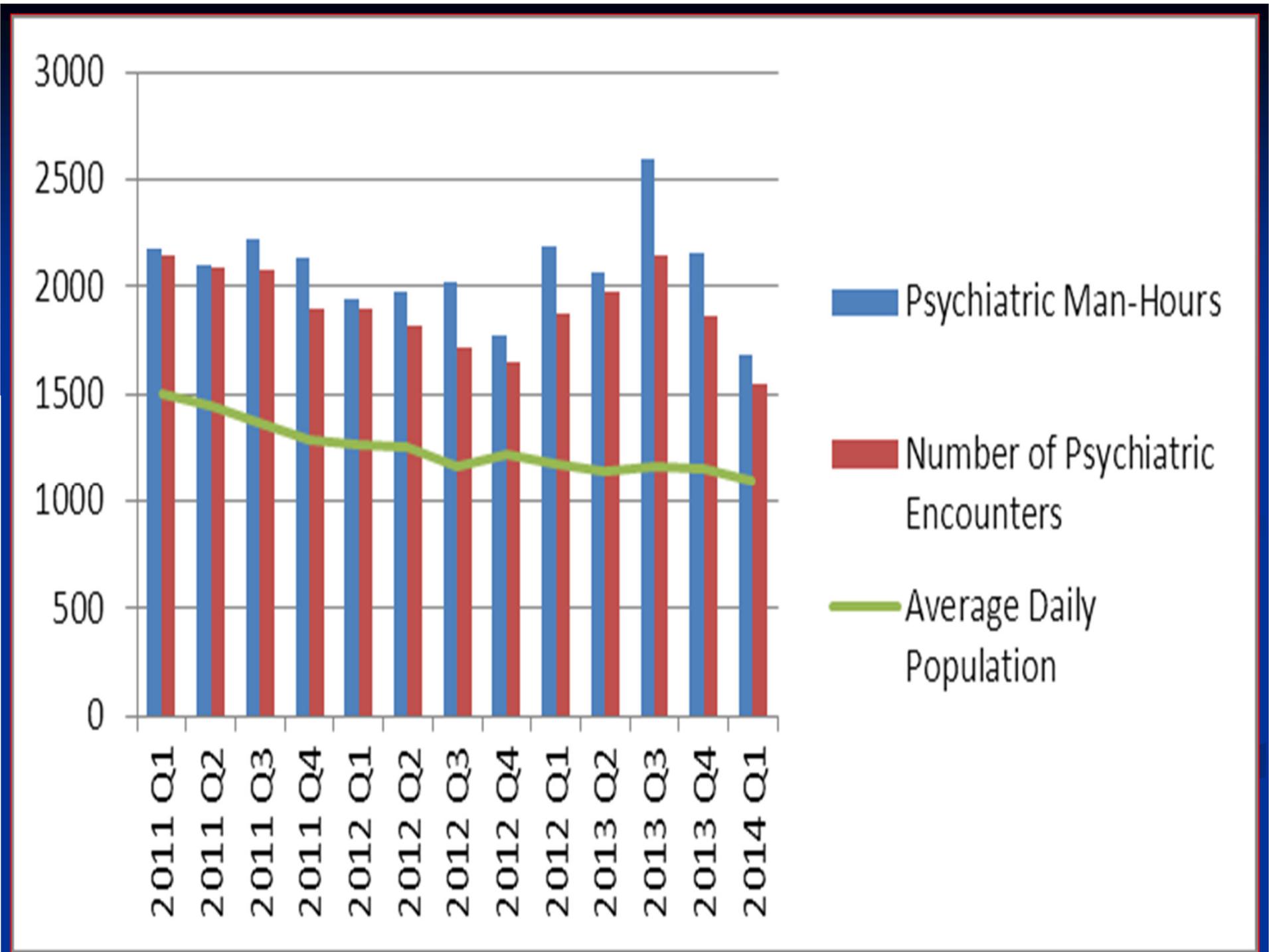


◆ On Site Encounters \*includes nursing encounters (appointments, unscheduled encounters, and scheduled sick calls), psychiatric, physician, and dental

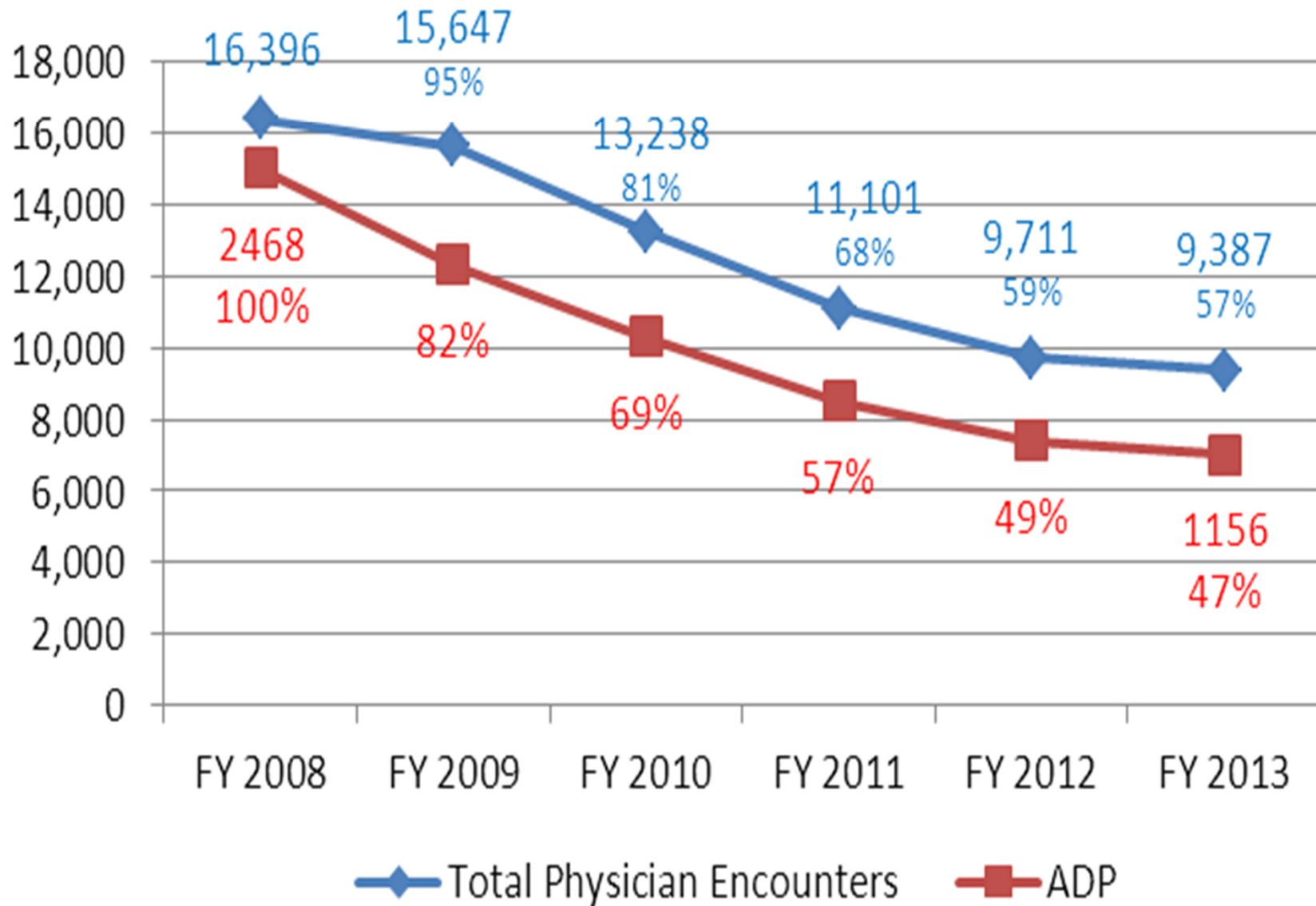
■ ADP

# TOTAL Psychiatric Encounters

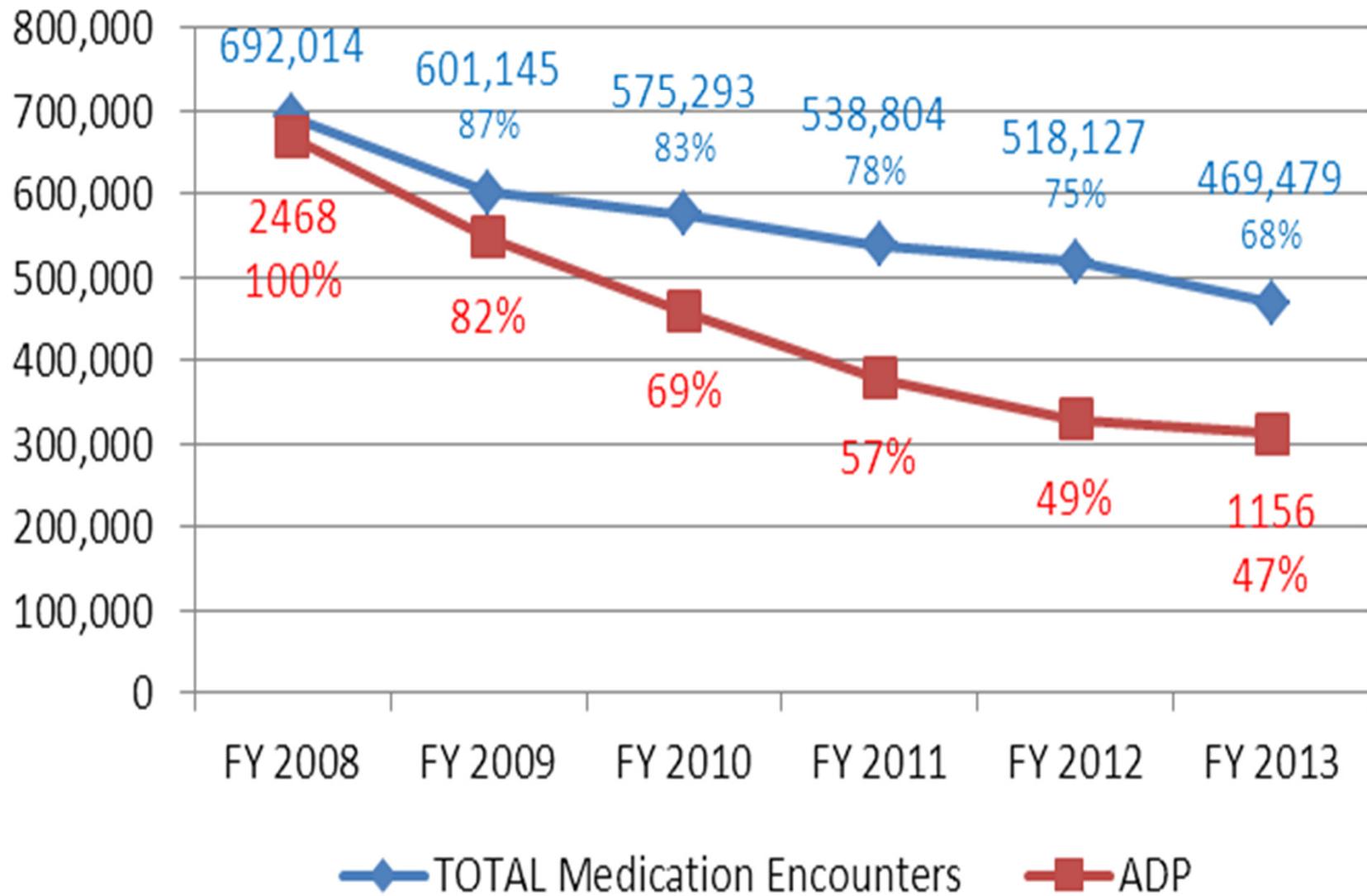




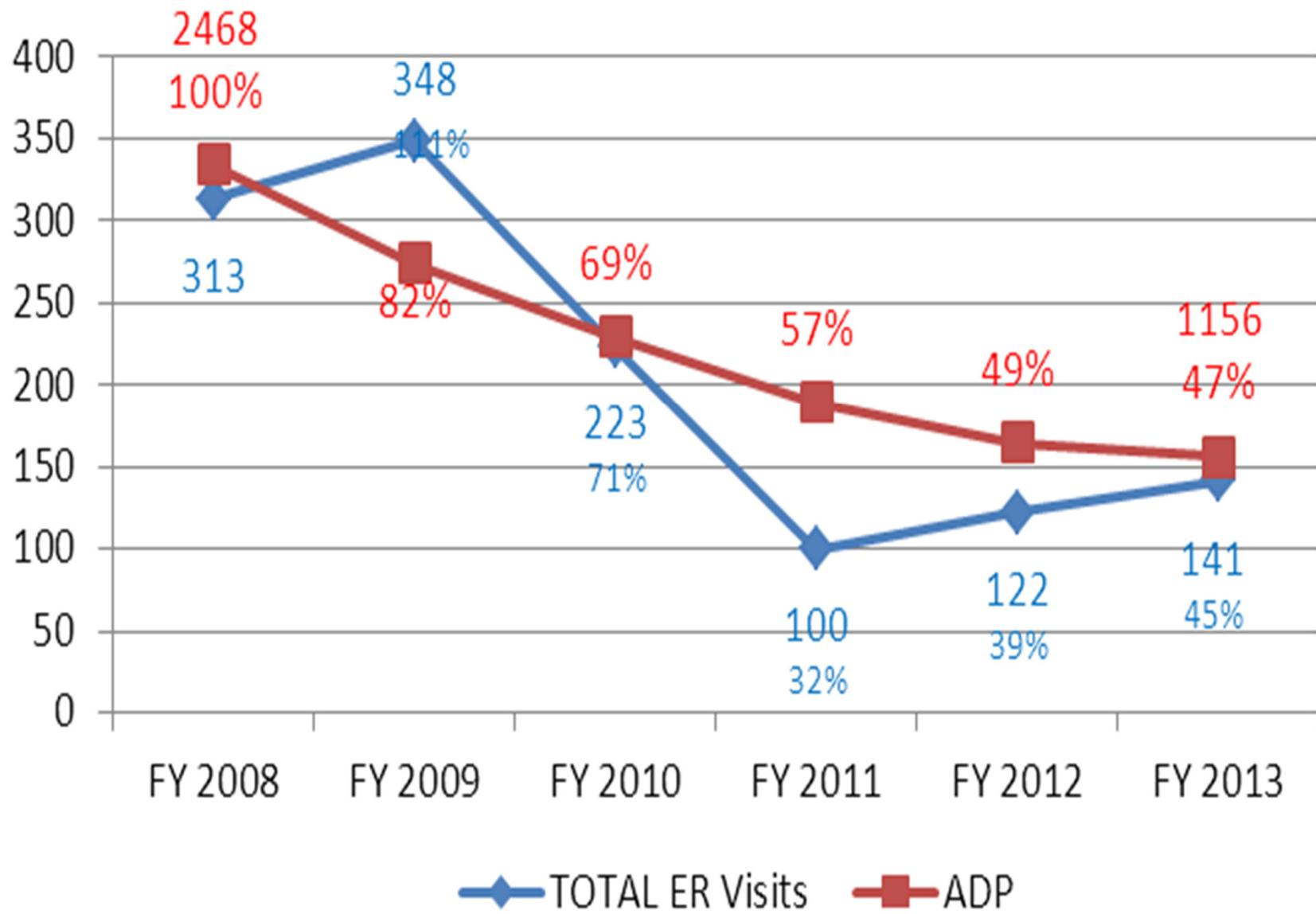
# TOTAL Physician Encounters



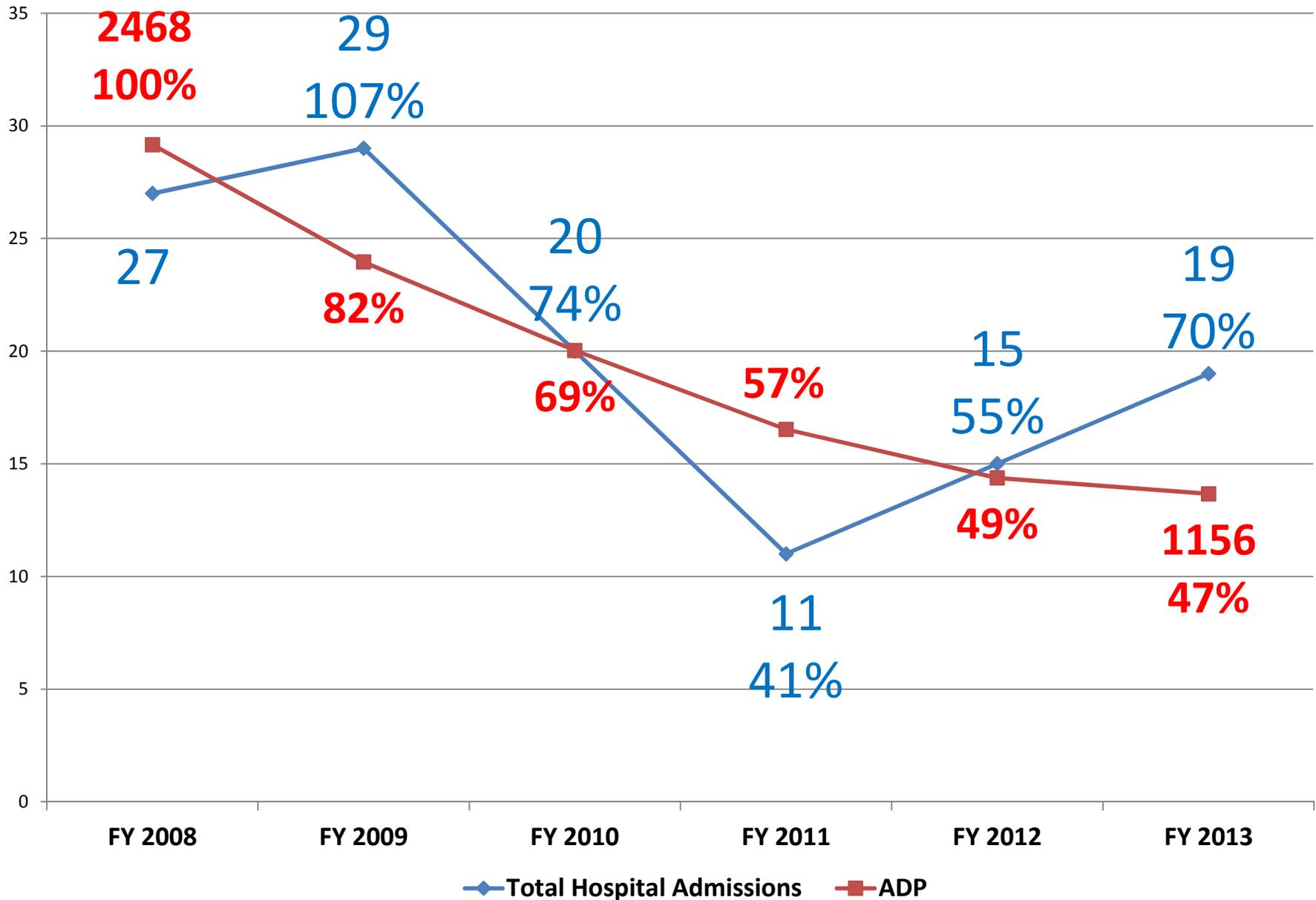
# TOTAL Medication Encounters



# Total ER Visits



# Total Hospital Admissions

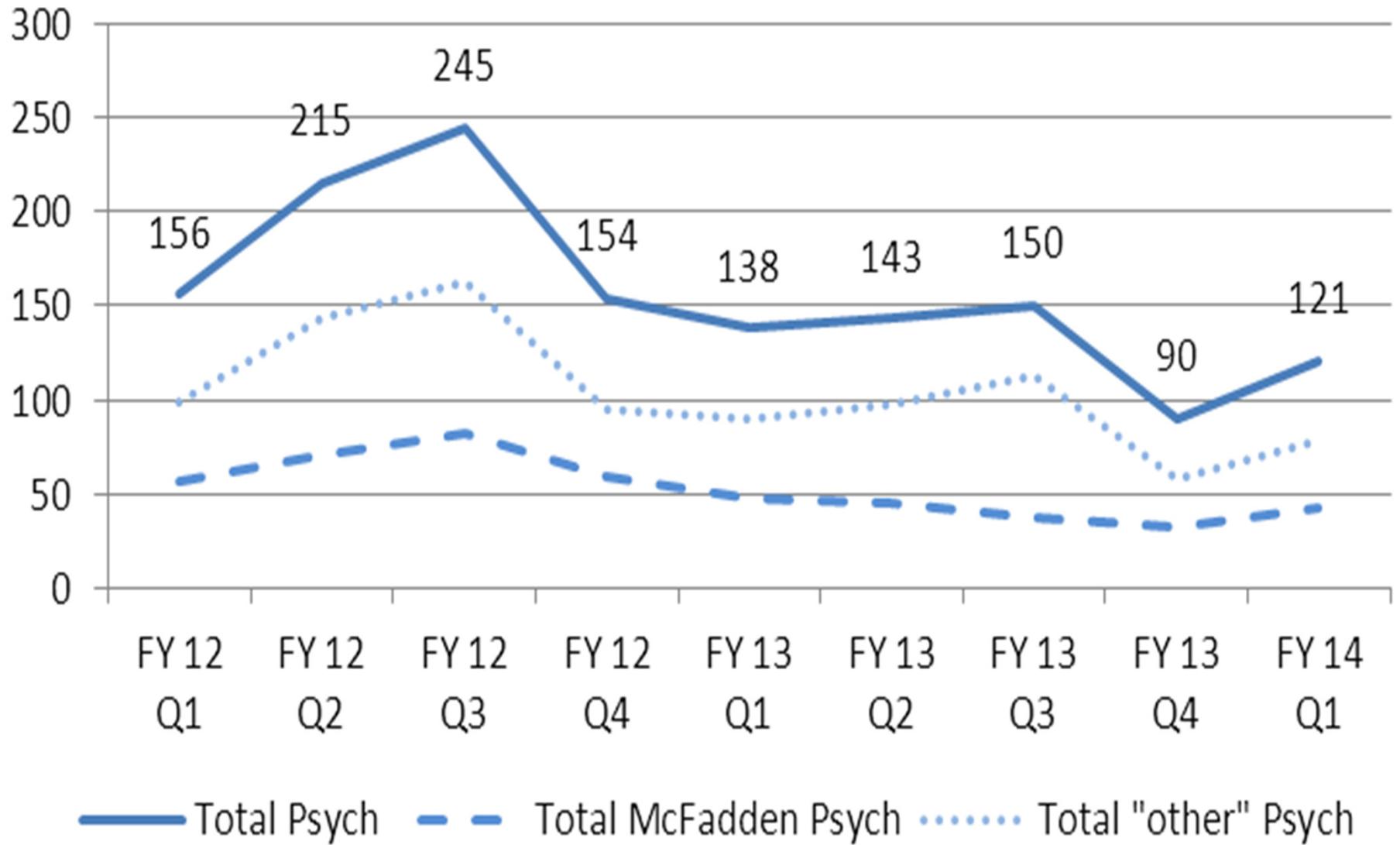


# Tele-Psychiatry

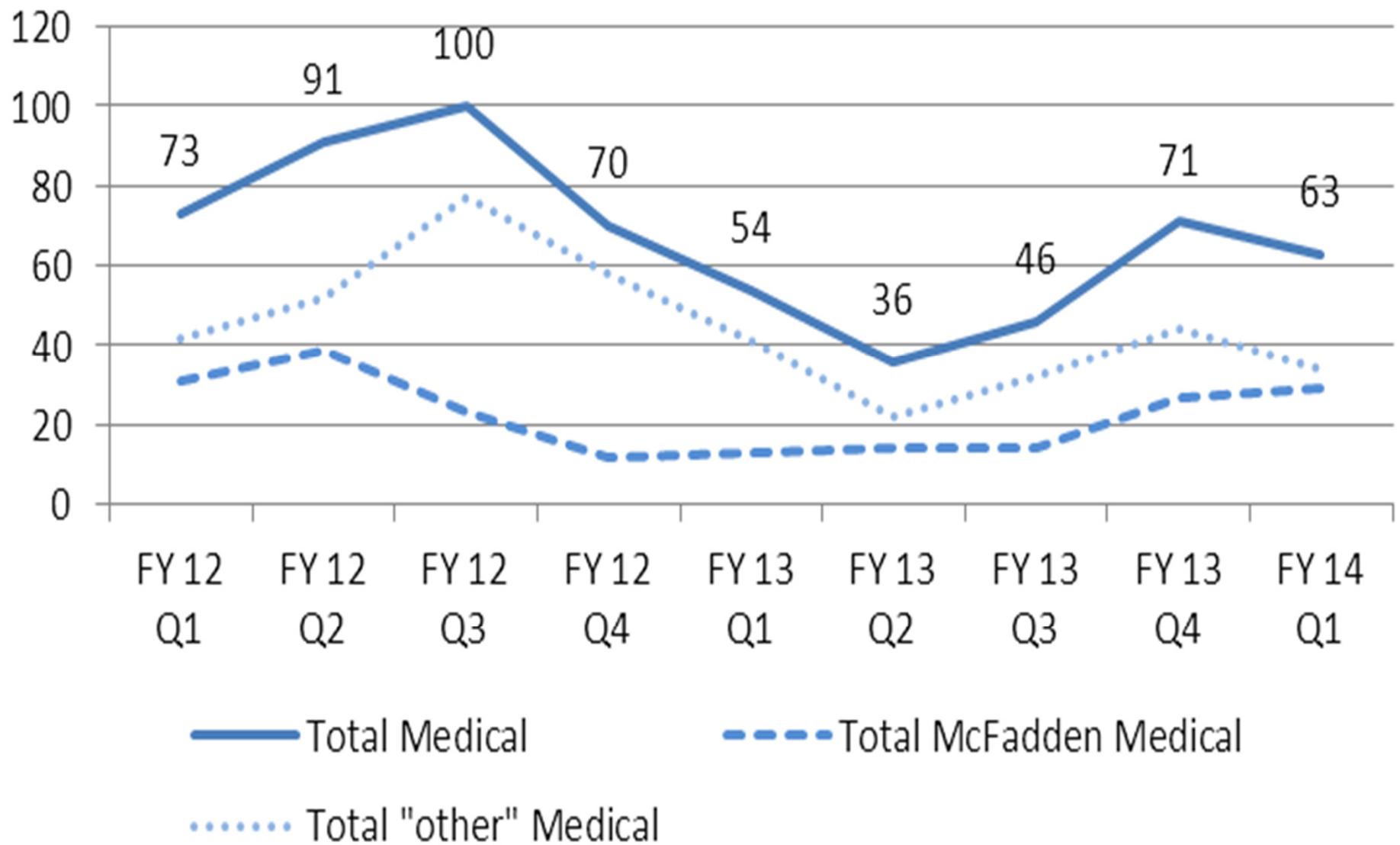
The use of a remote Psychiatric in a **correctional facility** for:

- ❖ Psychiatric **assessment**
- ❖ **Medication** consultation
- ❖ **Suicide watch**
- ❖ **Pre-parole evaluations**
- ❖ *Significant **cost savings** to correctional facilities by eliminating the need for to be **transported to off-site appointments** and **Psychiatric Interventions**.*

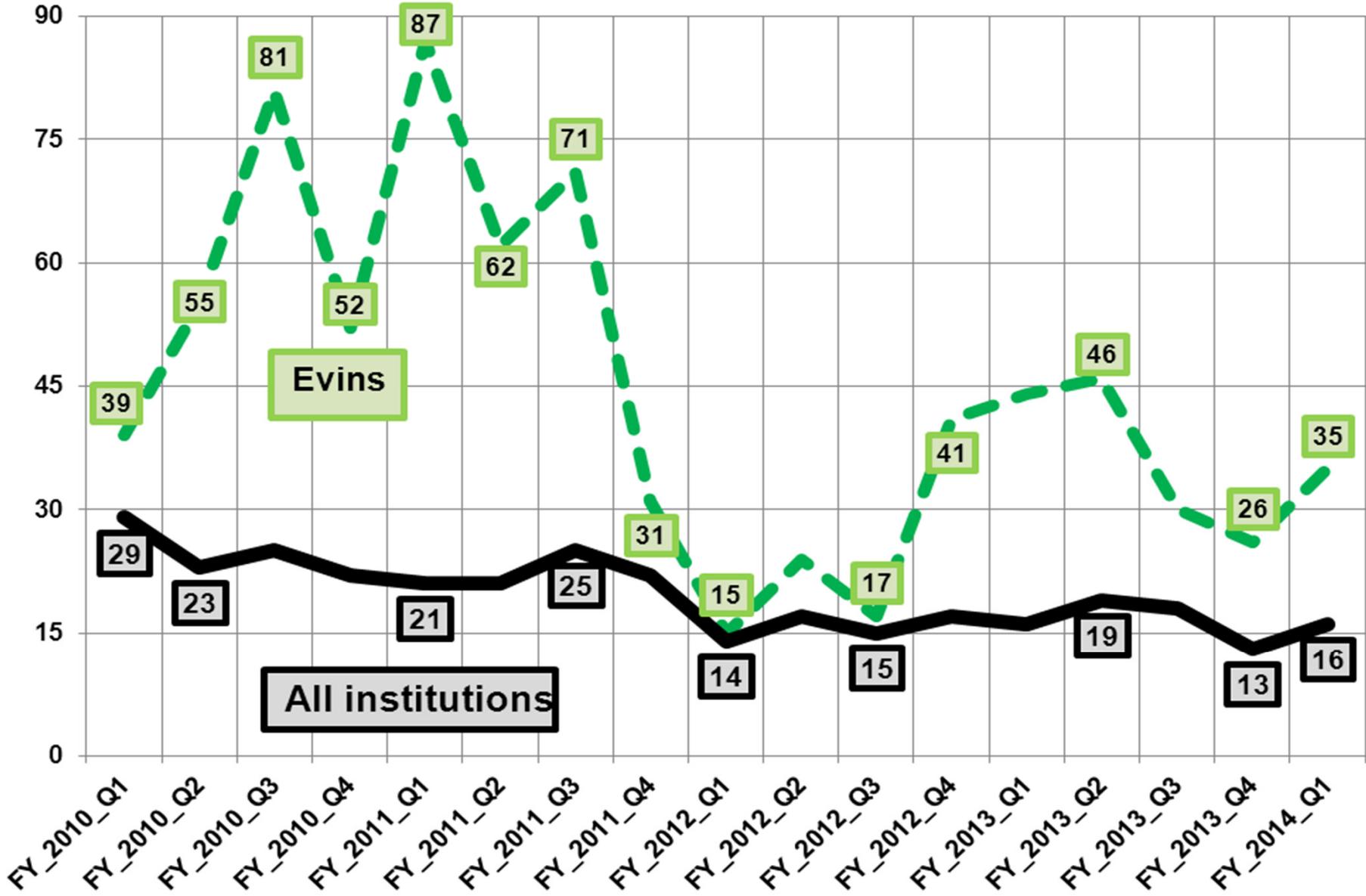
# Total DMS Psych Encounters - HWH



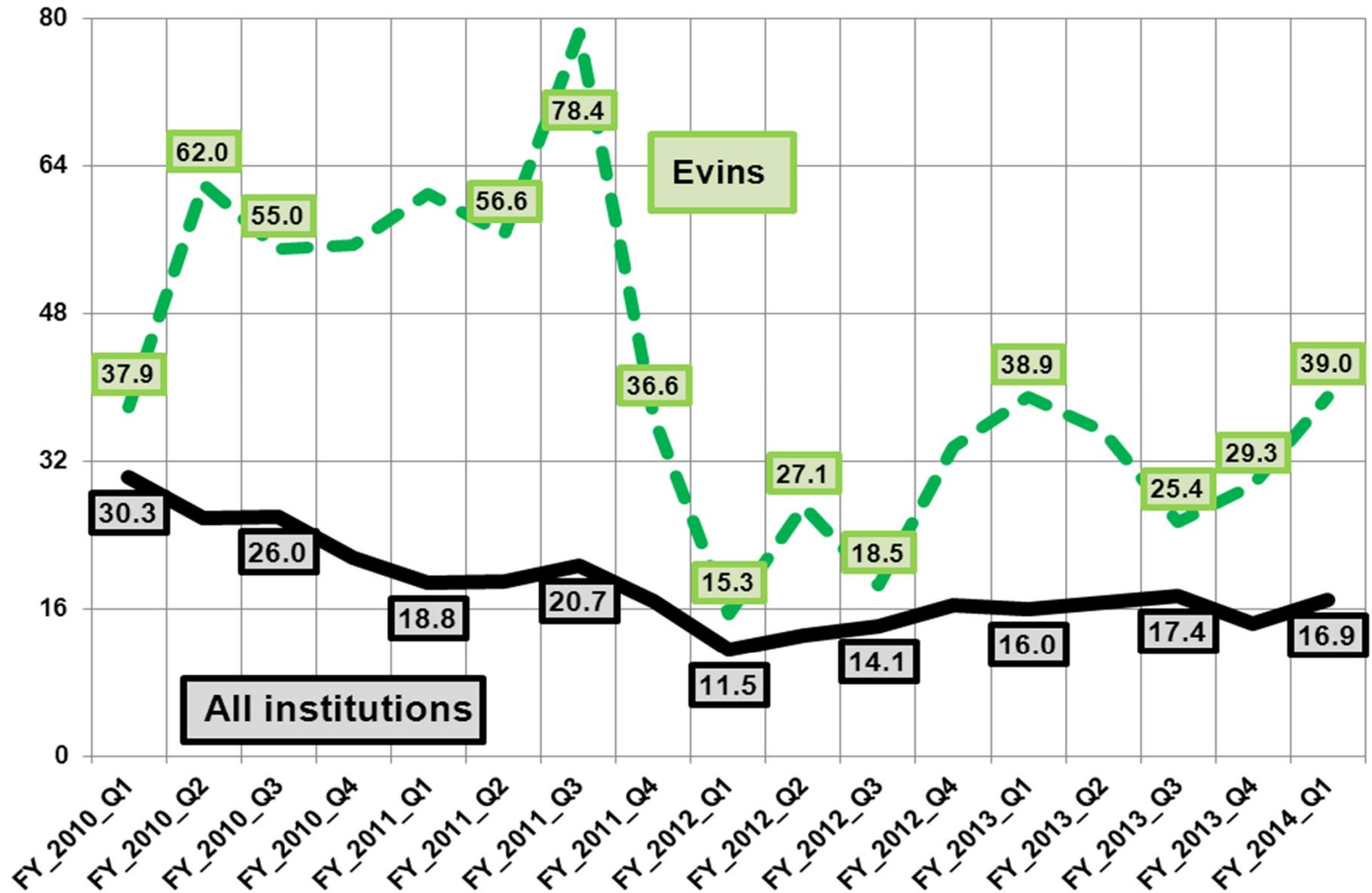
# Total DMS Medical Encounters - HWH



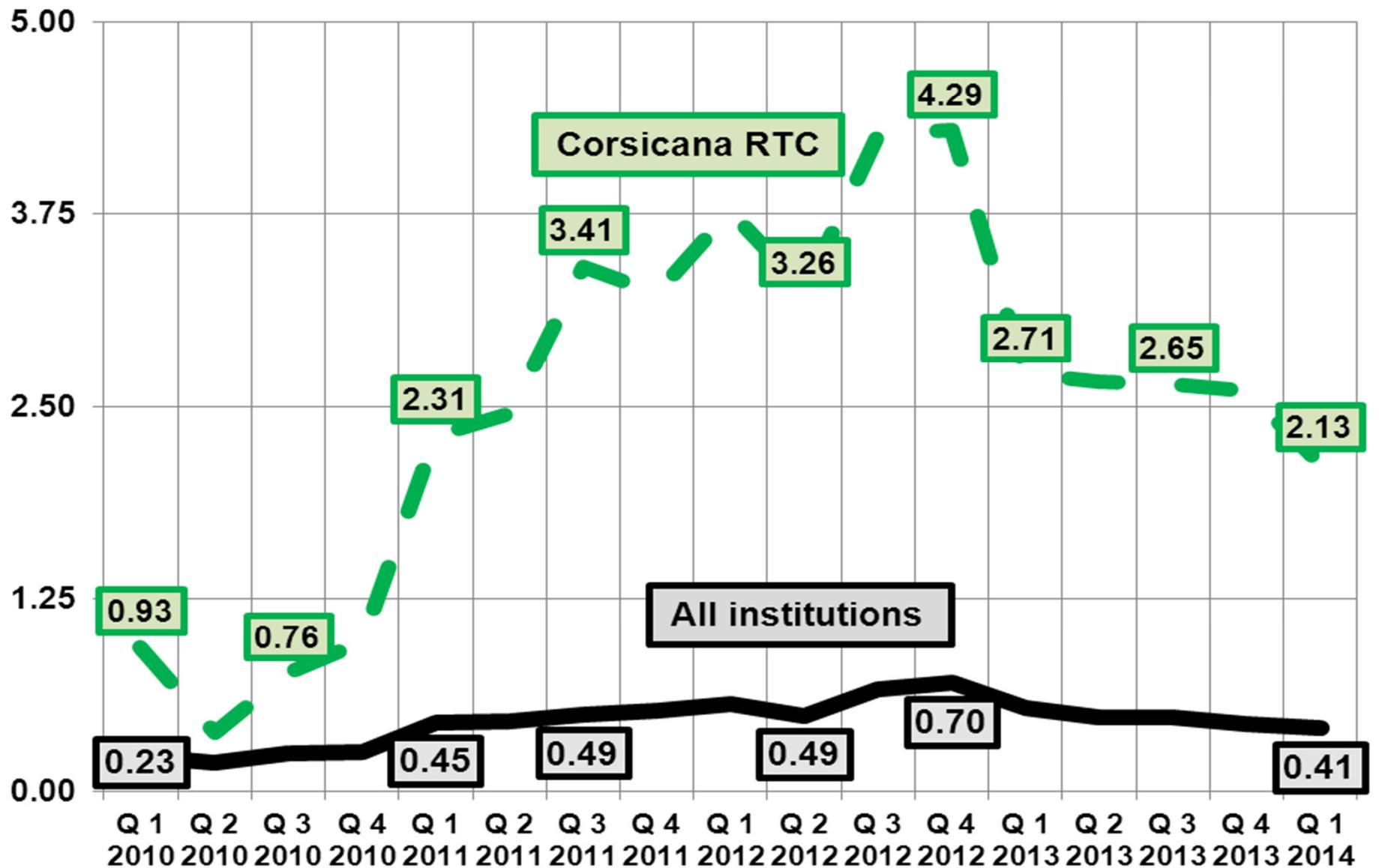
# Evins: Off-site medical appointments per 100 ADP



## Evins: Medical off-campus transports per 100 ADP



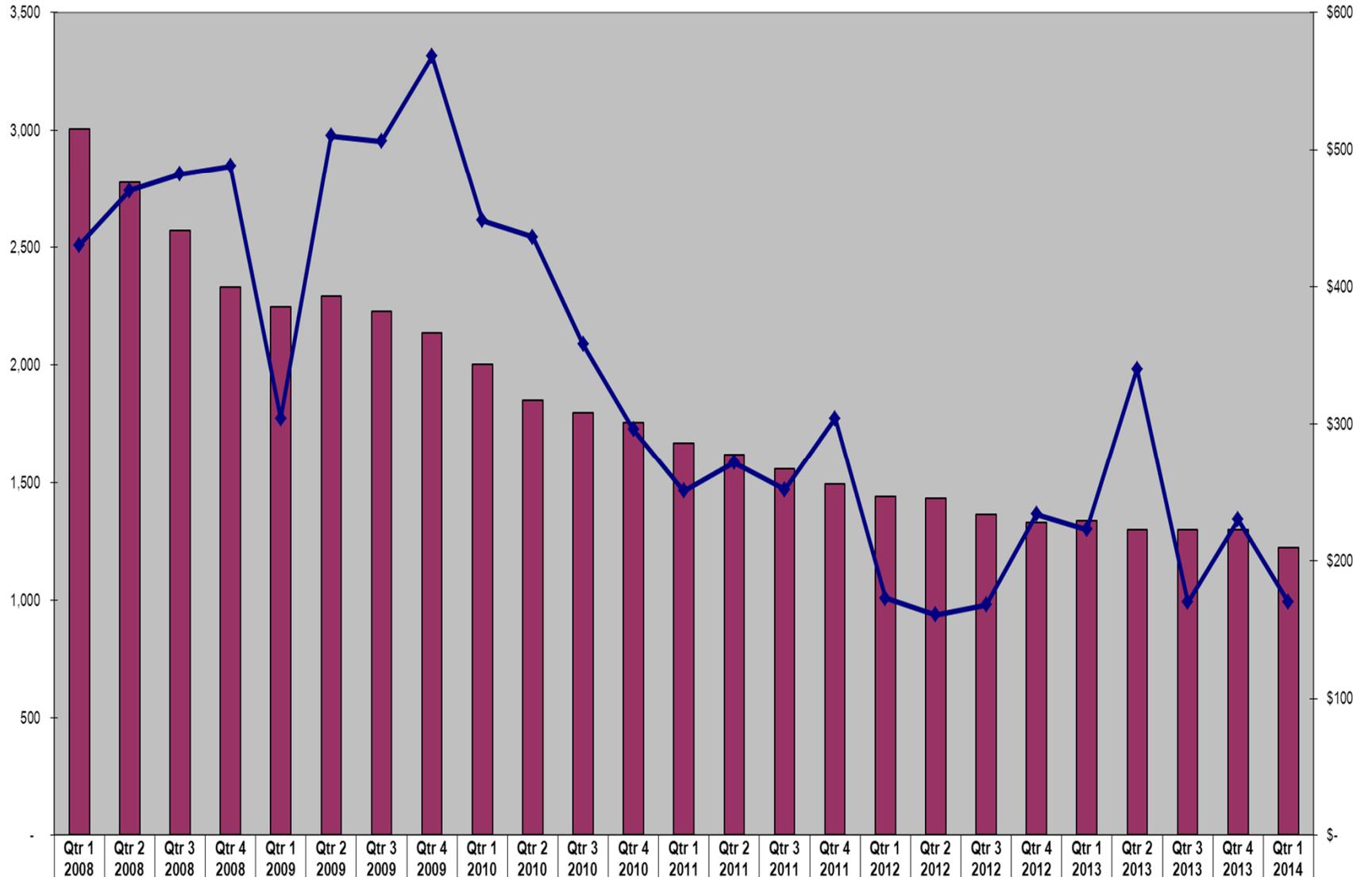
**Corsicana RTC: Daily average number of minor, moderate, and serious injuries due to self-injury, per 100 youths**



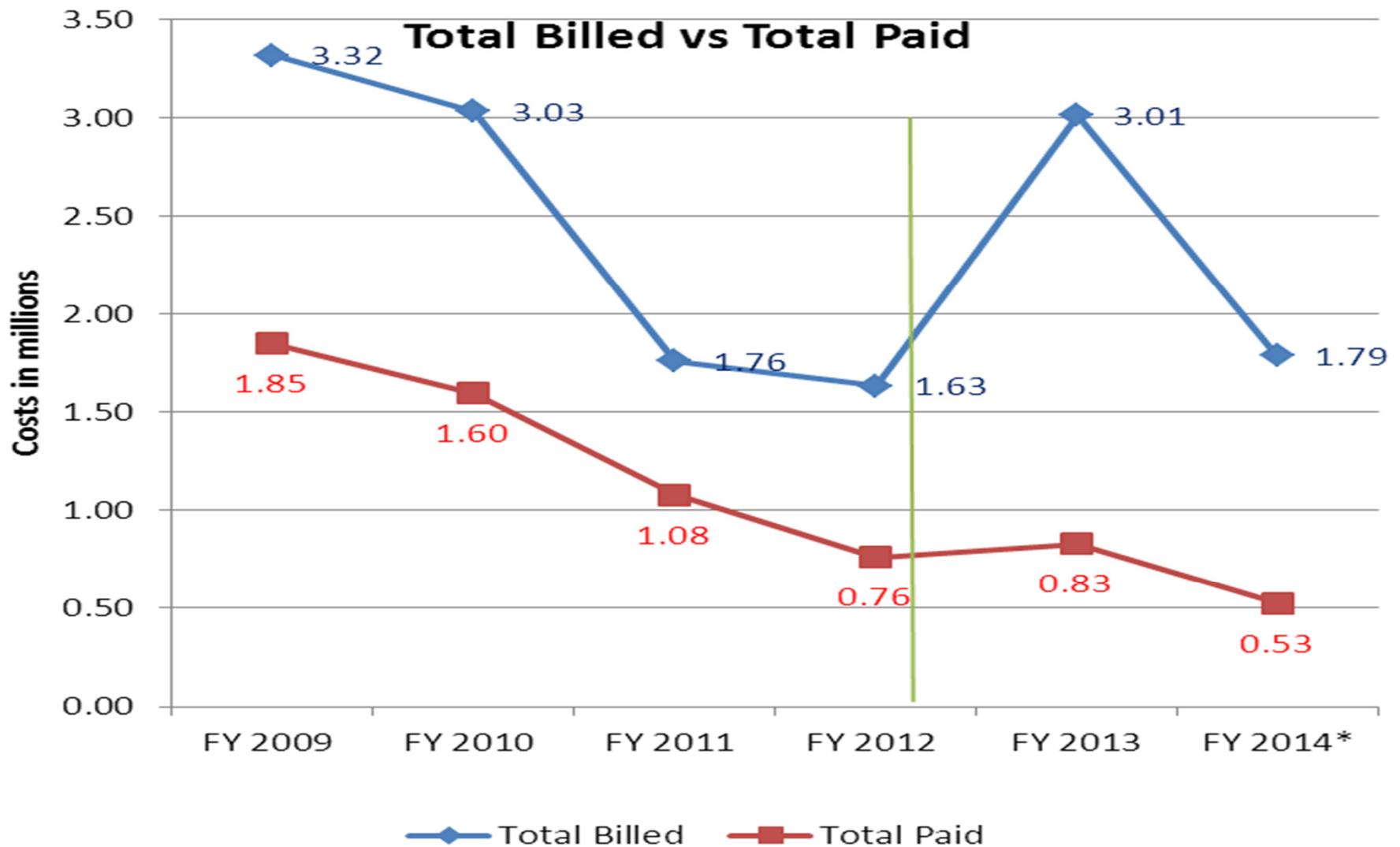


Bennett Chattanooga Times Free Press

Quarterly Free World Costs and Average Daily Population  
 FY 2008 thru YTD FY 2014  
 (In one hundred thousands)



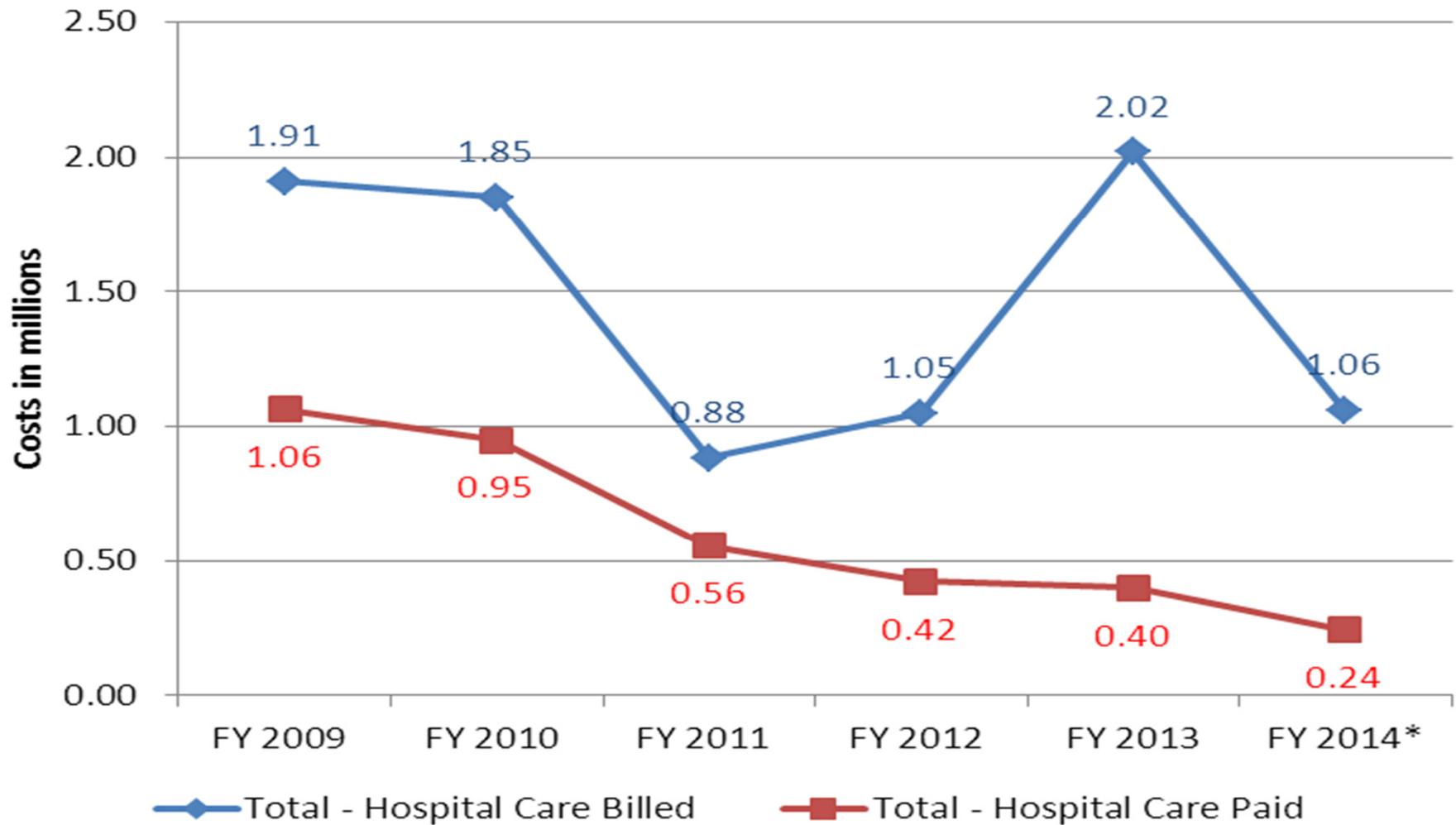
	Qtr 1 2008	Qtr 2 2008	Qtr 3 2008	Qtr 4 2008	Qtr 1 2009	Qtr 2 2009	Qtr 3 2009	Qtr 4 2009	Qtr 1 2010	Qtr 2 2010	Qtr 3 2010	Qtr 4 2010	Qtr 1 2011	Qtr 2 2011	Qtr 3 2011	Qtr 4 2011	Qtr 1 2012	Qtr 2 2012	Qtr 3 2012	Qtr 4 2012	Qtr 1 2013	Qtr 2 2013	Qtr 3 2013	Qtr 4 2013	Qtr 1 2014
<b>Ave. Population</b>	3,005	2,777	2,571	2,332	2,249	2,291	2,229	2,135	2,005	1,850	1,800	1,756	1,670	1,621	1,557	1,492	1,441	1,431	1,366	1,331	1,336	1,301	1,298	1,298	1,223
<b>Total Cost</b>	\$430	\$470	\$482	\$488	\$304	\$510	\$506	\$568	\$448	\$436	\$358	\$296	\$251	\$272	\$252	\$304	\$173	\$161	\$168	\$234	\$223	\$340	\$170	\$230	\$170



Total - Hospital care, Outpatient, Medical providers and ancillary services.

2014\* data is annualized (based on 4 months of data).

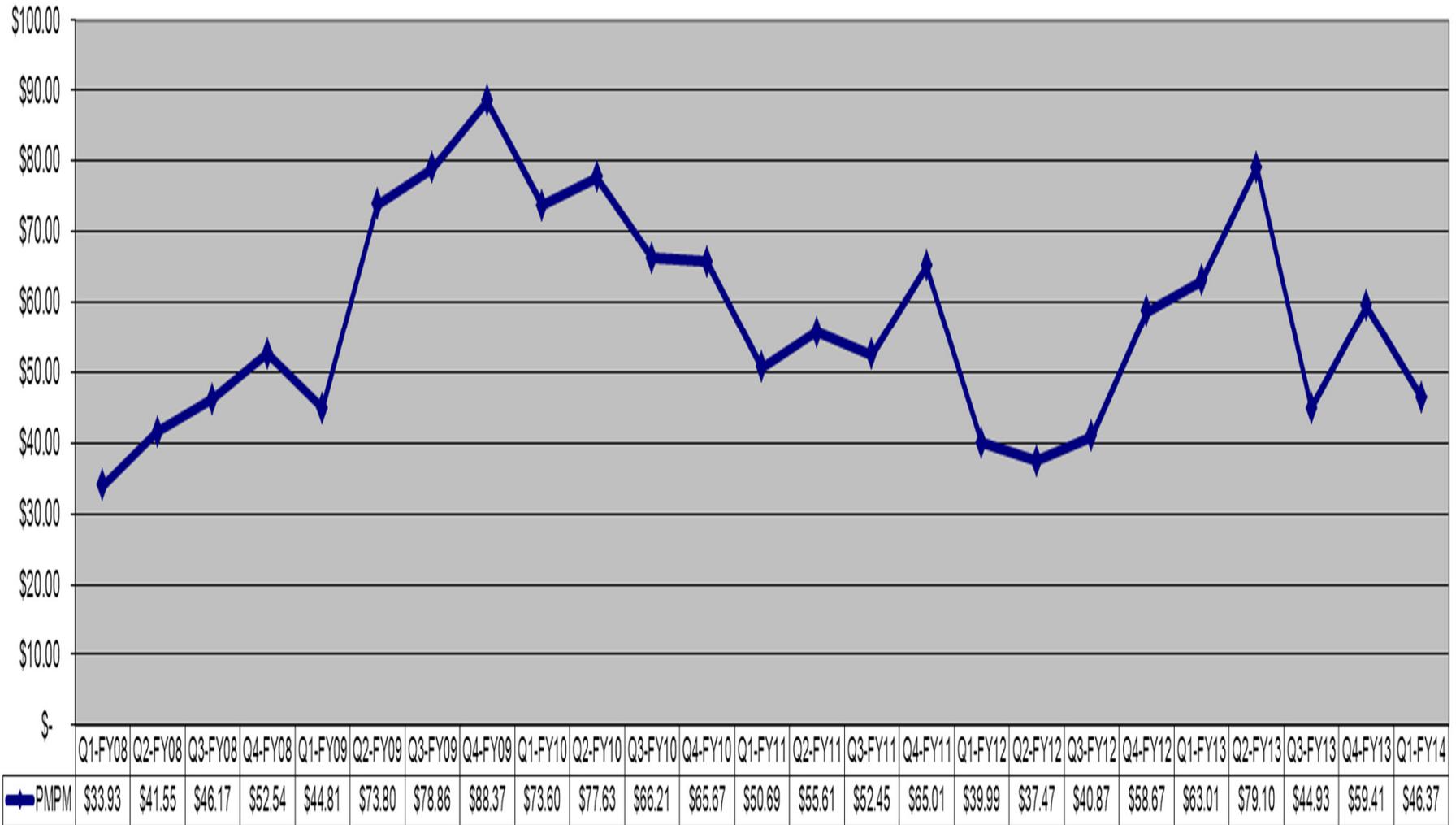
## Total Billed vs Total Paid - Hospital Only



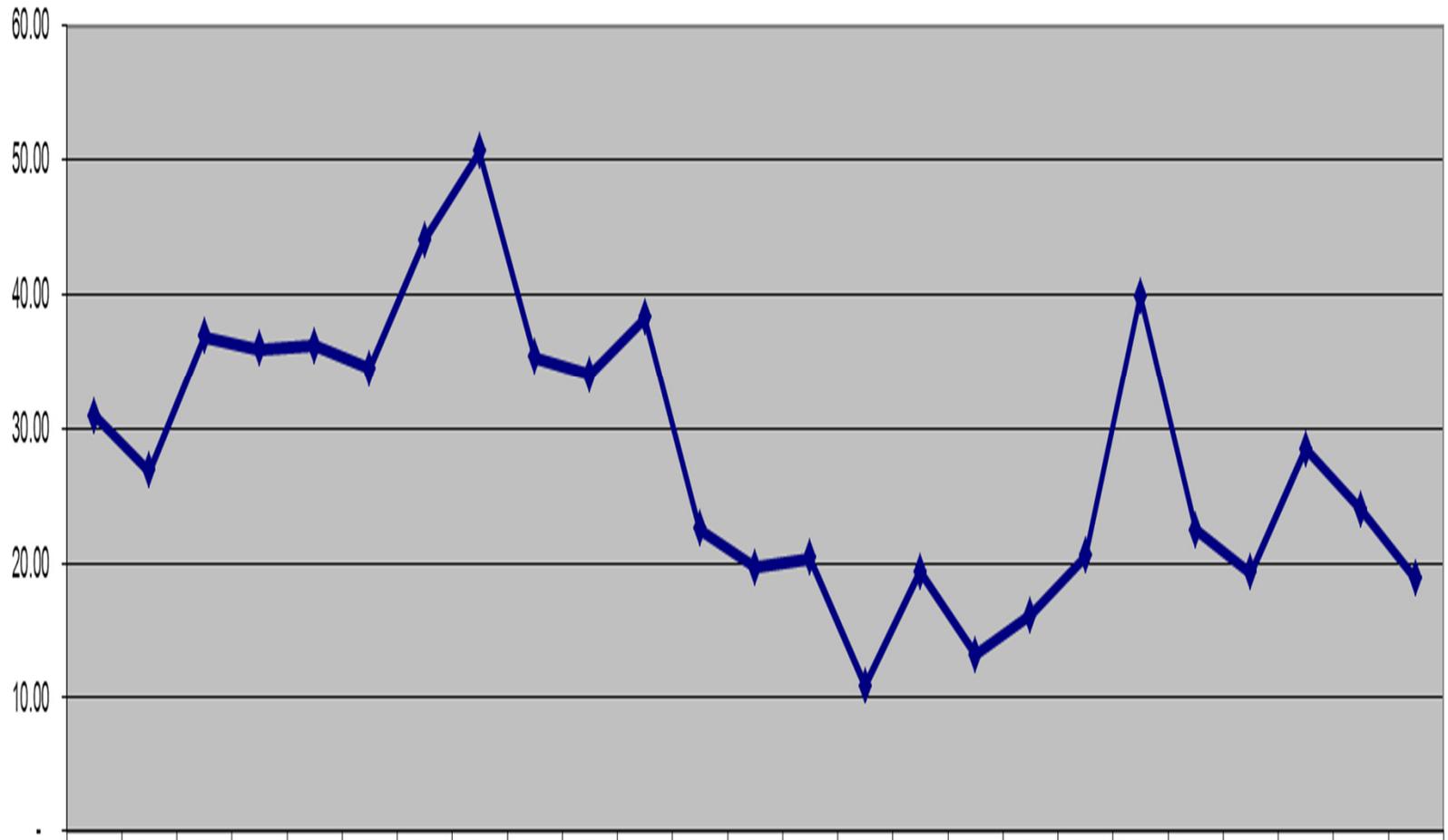
2012 TJJJ changed the contract methodology of payment.

2014\* data is annualized (based on 4 months of data).

Freeworld Care  
 Per Member Per Month  
 FY 2008 thru YTD FY 2014

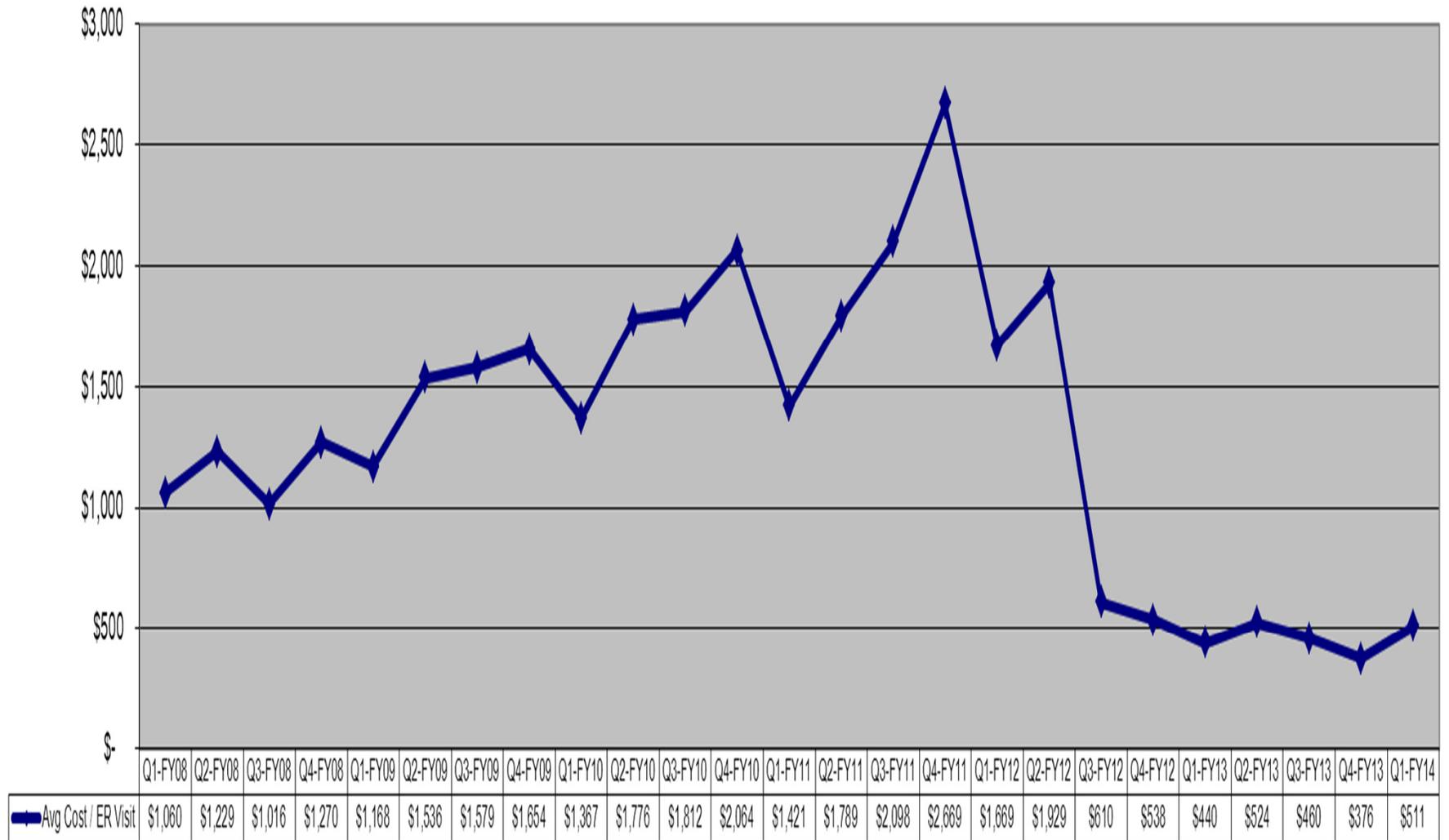


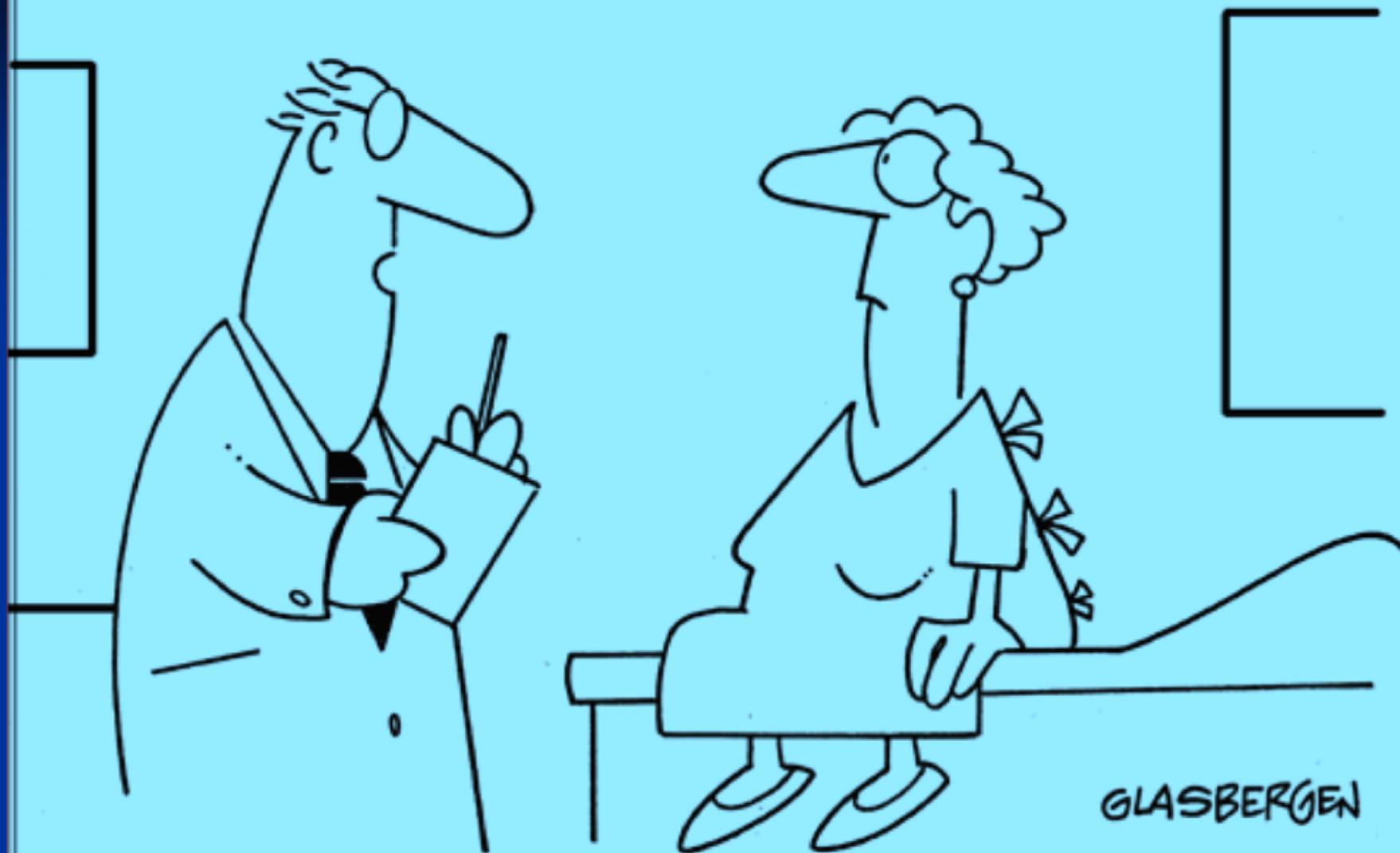
ER Visits per 1,000 / Quarter  
 FY 2008 thru YTD FY 2014



	Q1- FY08	Q2- FY08	Q3- FY08	Q4- FY08	Q1- FY09	Q2- FY09	Q3- FY09	Q4- FY09	Q1- FY10	Q2- FY10	Q3- FY10	Q4- FY10	Q1- FY11	Q2- FY11	Q3- FY11	Q4- FY11	Q1- FY12	Q2- FY12	Q3- FY12	Q4- FY12	Q1- FY13	Q2- FY13	Q3- FY13	Q4- FY13	Q1- FY14
ER Visits / 1,000 / Quarter	30.93	26.87	36.83	35.91	36.15	34.51	44.02	50.60	35.32	34.01	38.27	22.55	19.70	20.33	10.90	19.36	13.20	16.10	20.51	39.84	22.48	19.30	28.49	23.98	18.83

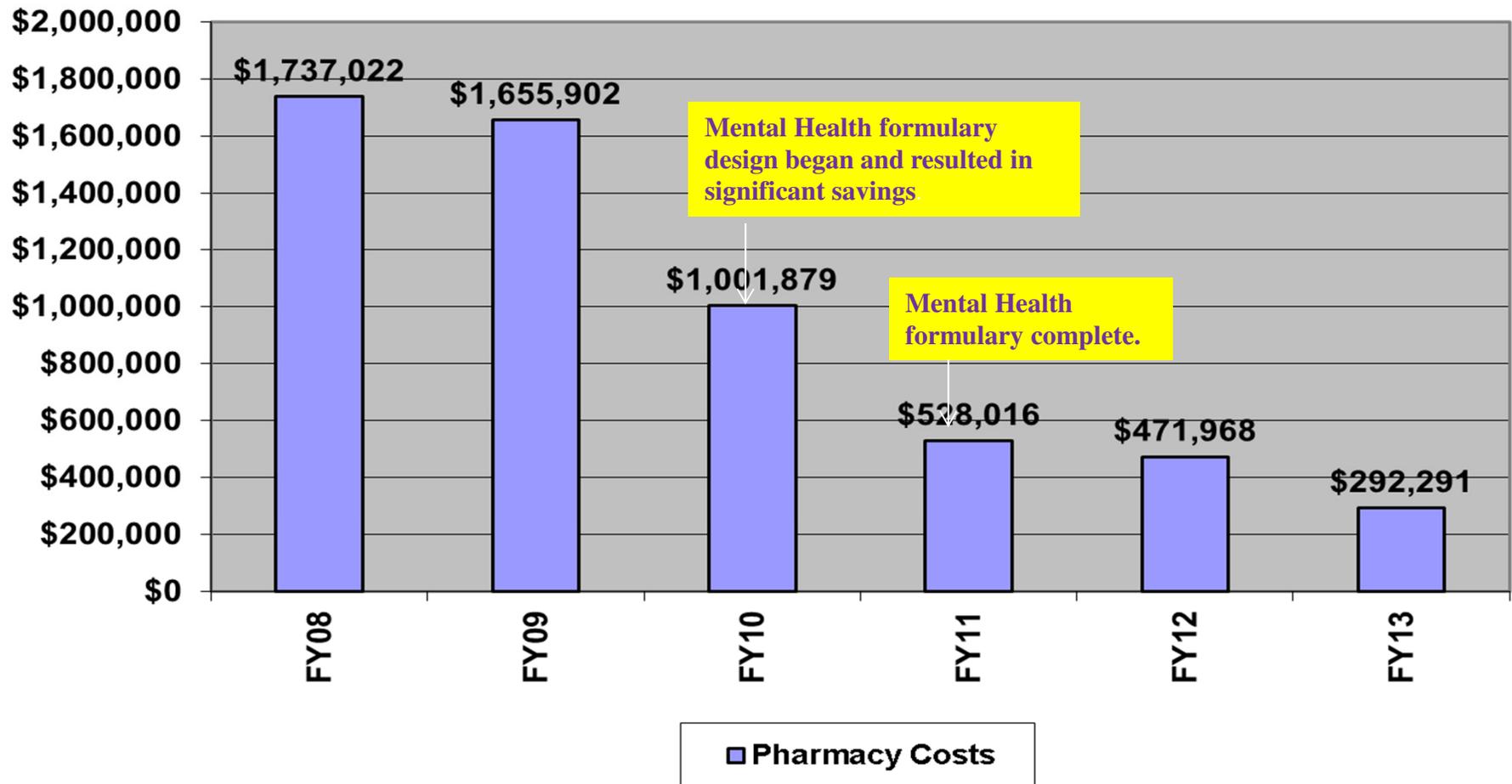
### Average Cost per ER Visit FY 2008 thru YTD FY 2014





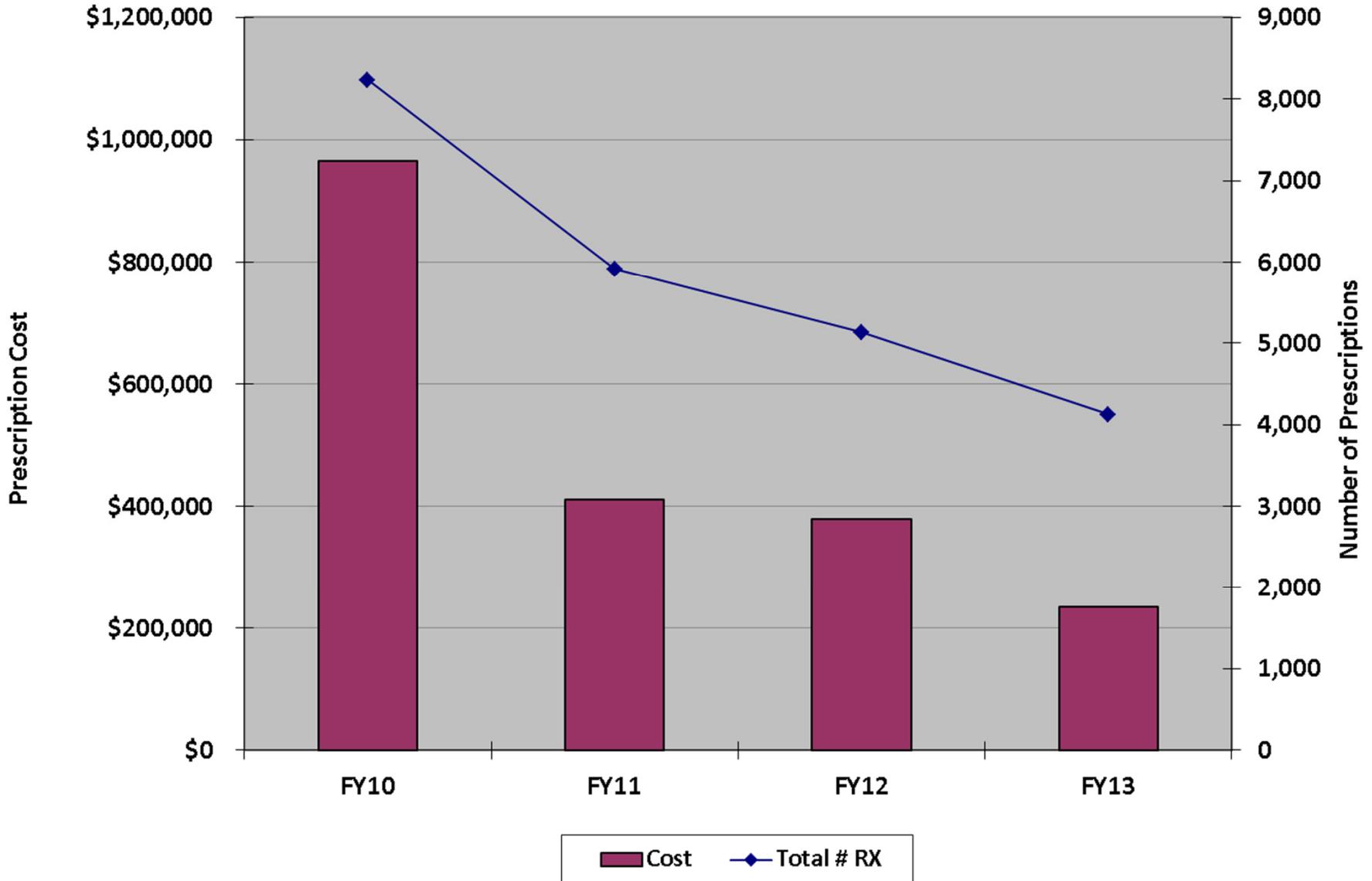
**“I’m going to prescribe something for your Prescription Deficiency Syndrome.”**

# TJJD Pharmacy Costs FY08 – FY13

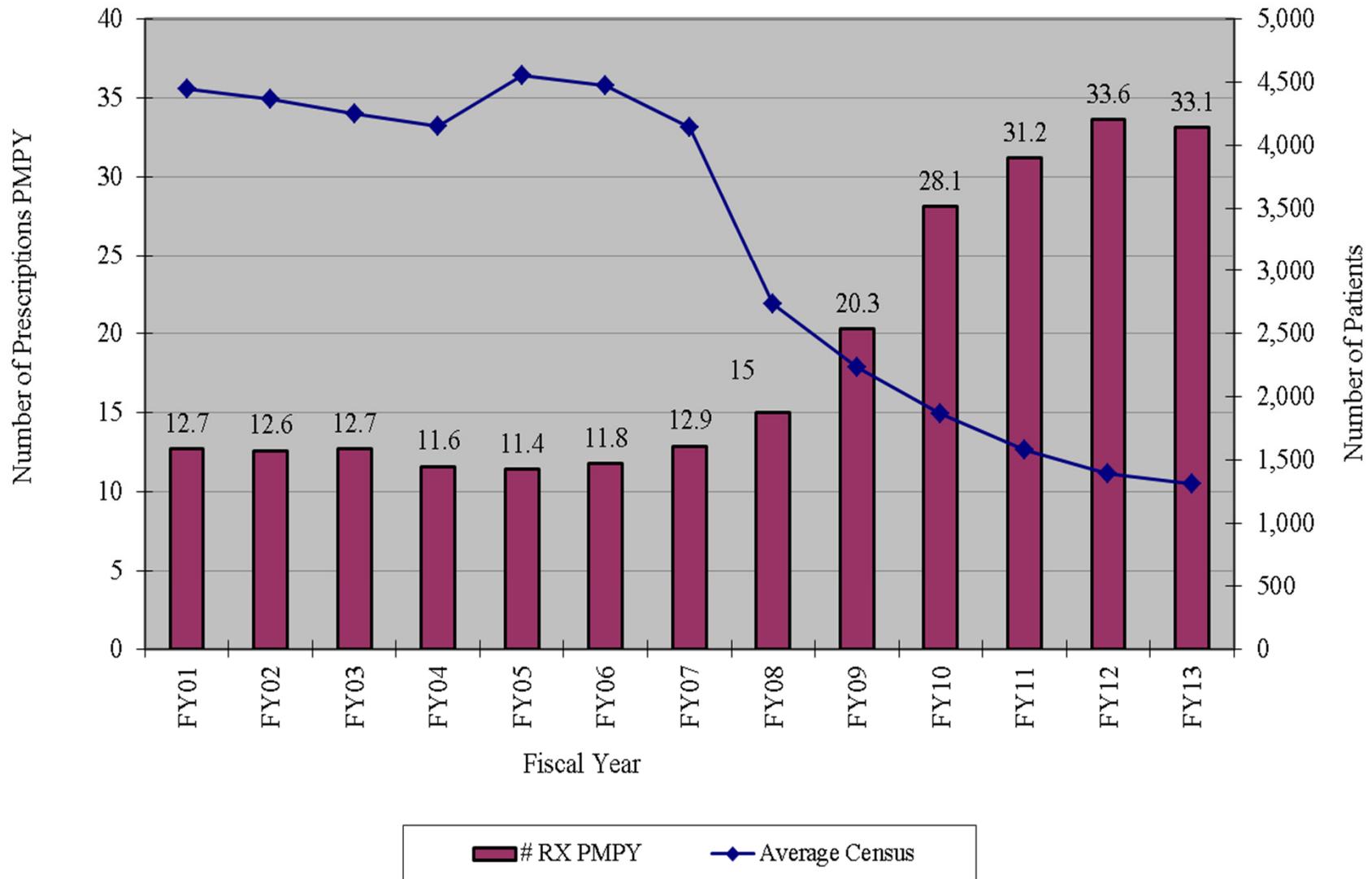


TJJD mental health formulary implemented in phases  
Antipsychotics 2/16/10 and completed on 6/1/11

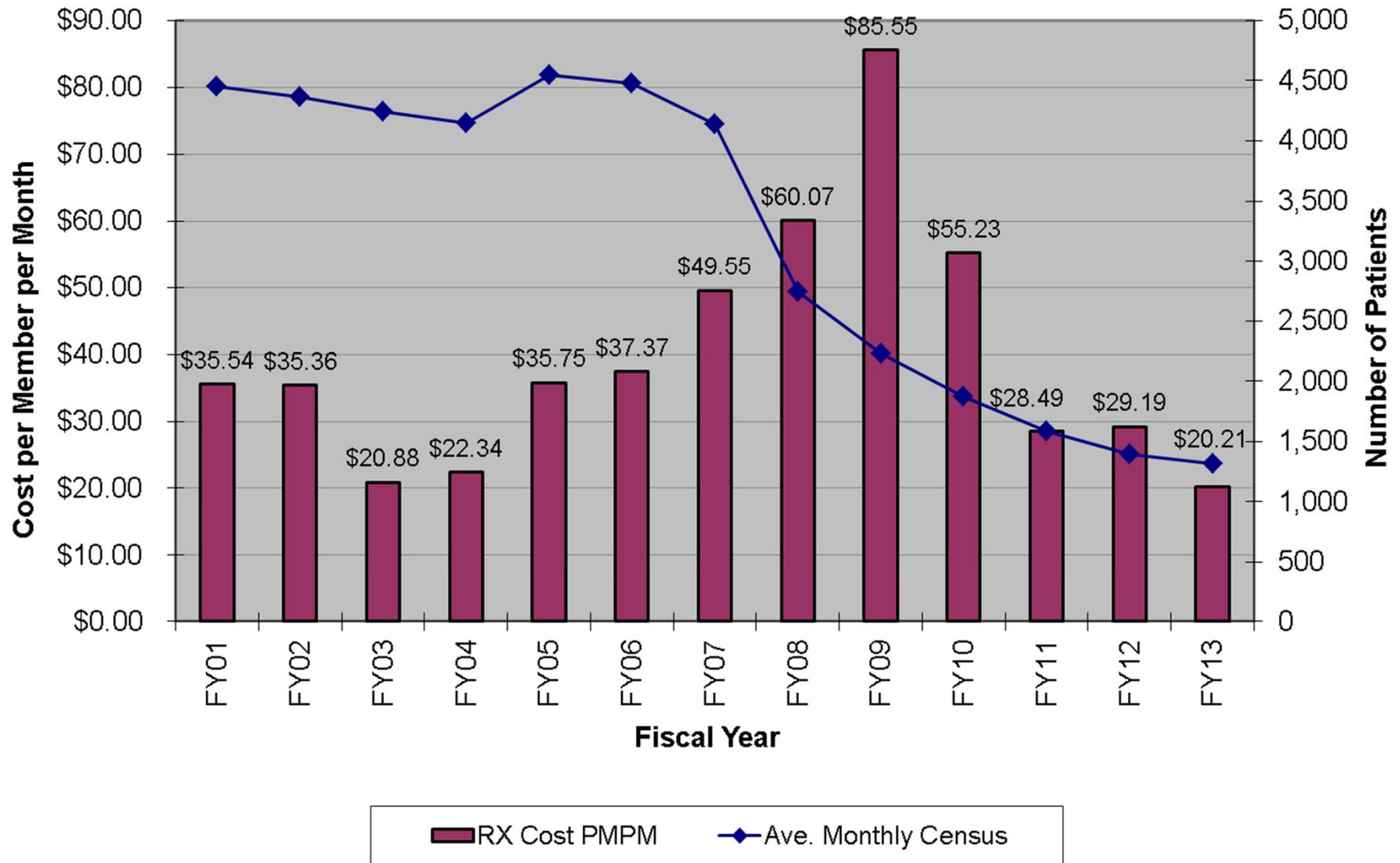
# Prescriptions and Cost for Antipsychotics



# Number of Prescriptions PMPM



# Pharmacy Cost PMPM



**THIS PAGE LEFT BLANK INTENTIONALLY**

A thick red circular border surrounds the text.

**Division of Education  
Leadership  
Development**

## ***Dilemma:***

Leading an organization from Austin, with our schools being 1-6 hours away, presents challenges in mentoring campus leaders. Just as the teacher is the most valuable resource in the classroom, the principal is the most valuable resource to the school. So the question became: How do we teach and model leadership skills and build relational capacity with our staff from afar?

As we began working with our principals, we realized they had been isolated in the juvenile justice education system long enough to be unaware of industry innovations for the past decade or more. We were asking them to lead teachers in directions they couldn't even picture.

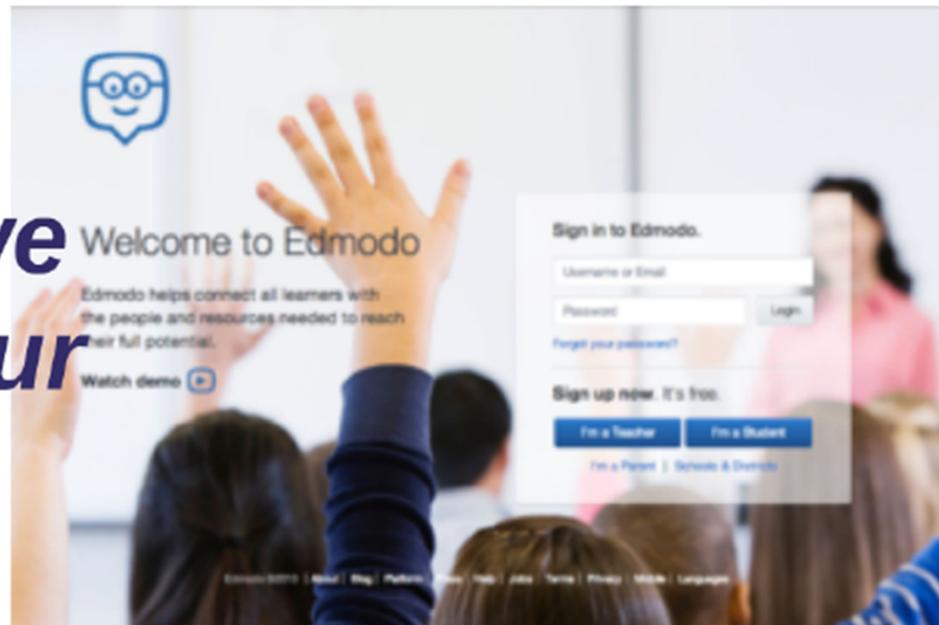
New questions emerged:

## ***Instructional Leadership***

- What does master teaching look like?
- How can we observe master teachers?
- How can we carve out time to discuss what we see?



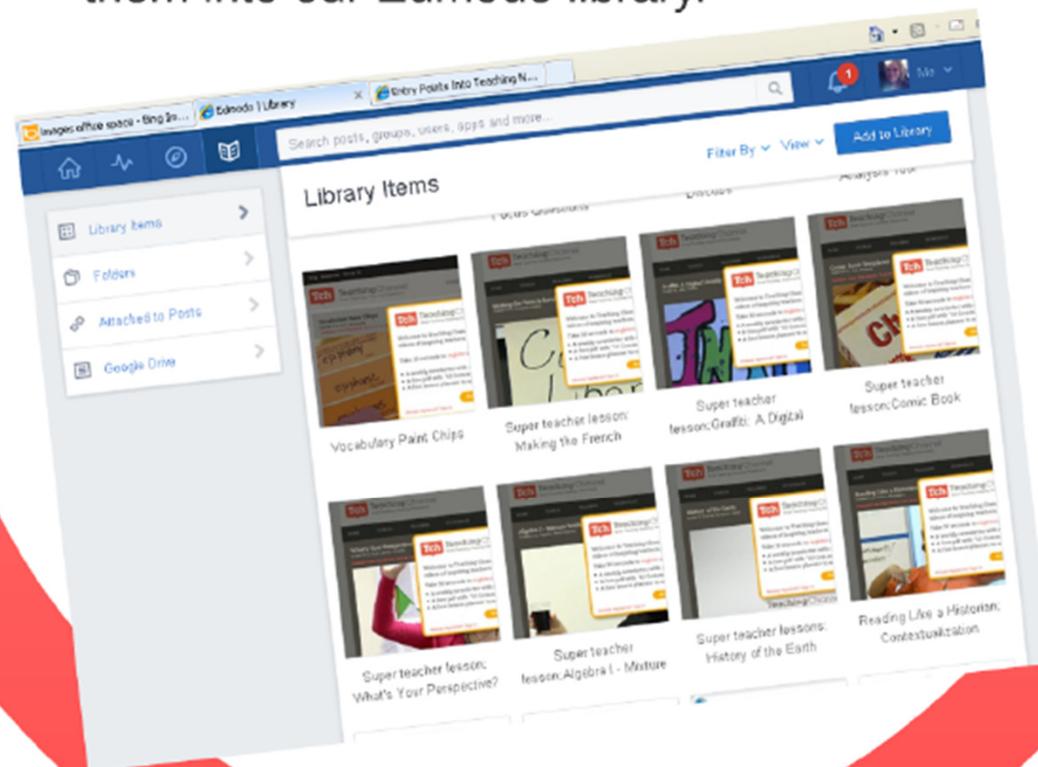
***To create a virtual classroom, we introduced our staff to Edmodo.***



## *We began by using Edmodo as the vehicle for 6 weeks of Instructional Leadership assignments for Principals*

The screenshot displays the Edmodo user interface. At the top, there is a navigation bar with icons for home, dashboard, messages, and books, alongside a search bar and a user profile dropdown. The main content area shows a sidebar on the left with a 'Back to TJD Education Admin Team' link and a 'Principals' small-group card. The central workspace is titled 'Assignment' and contains a form for creating a new assignment. The form includes a title field with the text 'Super teacher lesson: Comic Book Templates', a 'Load Assignment' button, and a 'due date' field with a calendar icon. Below the title, there is a text area containing the instruction: 'View the video (8:26 minutes) and answer the questions in the accompanying quiz.' A dropdown menu is open, showing the selected group 'Principals'. At the bottom of the form, there is a red 'X' icon, a link icon, a book icon, and a clock icon, followed by the text 'Super teacher lesson:Comic Book Templates: An Entry Point into Nonfiction'. The form concludes with 'Cancel' and 'Send' buttons.

We chose clips from the Teaching Channel of master teachers in action, then uploaded them into our Edmodo library.



**Copy #1 of Super Teacher Lesson Quiz: Comic Book Temp** Time Limit: **180** Minutes

QUESTIONS

Type: Short Answer  Points:

1

2

3

Question Prompt:

How does using the templates help students to develop understanding?

What do students learn about the attributes of nonfiction?

How does this activity serve to differentiate for different course levels, special education modifications, and skill gaps?

Describe teacher engagement.

***An assignment instructed them to view the clip, then complete a quiz based on the clip.***

# The principals' responses are a springboard for discussion.



**Dennis Smith**

Time Taken: 37:15 | Turned in Dec 12, 2012 5:09 AM

Graded | [Delete](#)

**4/4**

Total Points

**1 2 3 4**

Question Total: 1 point

Describe teacher engagement.

Teacher engagement is made up of the actions the teacher takes to ensure learning occurs. Teachers engage students by performing many different tasks. Teachers are engaged when they present the lesson through the best shot possible. They are engaging in these activities by keeping the students interest in mind and finding ways to hook kids into the learning. The teacher in the video was engaging by hooking the students into the comic book templates -- something the kids have seen before. She had the class divided into pods, and was engaging as the pods worked monitoring and helping them in the guided practice activity. She was engaged, and this kept the students engaged in the activities. She asked directed questions and refocused when necessary. At the end of the lesson, she engaged the pods by asking them to share an attribute each had found in their passage. A good teacher is engaging in the beginning, middle, and the end of the lesson. She taught, monitored and further clarified, and informally assessed at the end of the class. She was engaged with the students and consequently, they were engaged with her and with the lesson. She turned the learning over to them.

Correct Answer

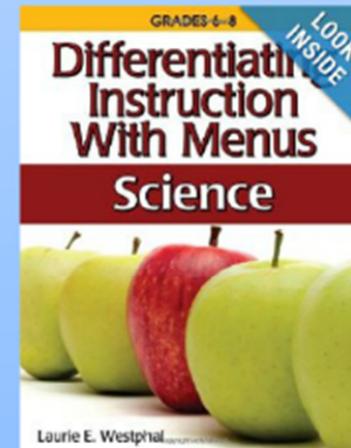
Correct

Incorrect

Partial Credit  /1

## We use Edmodo for book studies.

- Conduct needs assessment
- Choose a text that addresses those needs
- Assign reading
- Assign projects that principals can complete with their staff



Note Alert Assignment Quiz Poll

Designing Differentiated Menus Load Assignment due date

Create a choice menu with the teachers in your selected discipline area. Include lesson plans, TEKS covered, objectives, rubrics, etc...

Send to...

Cancel or Send

## *We use Edmodo polls for preparation to read...*

What do they already know?

What biases do they have?

Set the stage for the work to come.

Group Posts Filter posts by ▾

---

 Me to [Principals \(TJJD Education Admin Team\)](#), [Assistant Principals](#)

How familiar are you with the use of mini-lessons and differentiated menus in the classroom?

**I've taught in this manner.** 0 vote(s)

---

**Most of my current staff utilize mini-lessons and menus on a daily basis.** 0 vote(s)

---

**I'm fairly unfamiliar, but would love to know more!** 0 vote(s)

---

Total votes: 0 ([Refresh](#))

Note Alert Assignment Quiz Poll

Scavenger Hunt: Differentiated Menus Load Assignment due date

View the attached video. Post one piece of research regarding the use of differentiated menus published after 2005. With your posting, discuss what your research says about the importance of student choice in differentiated instruction.

Principals x

Cancel or Send

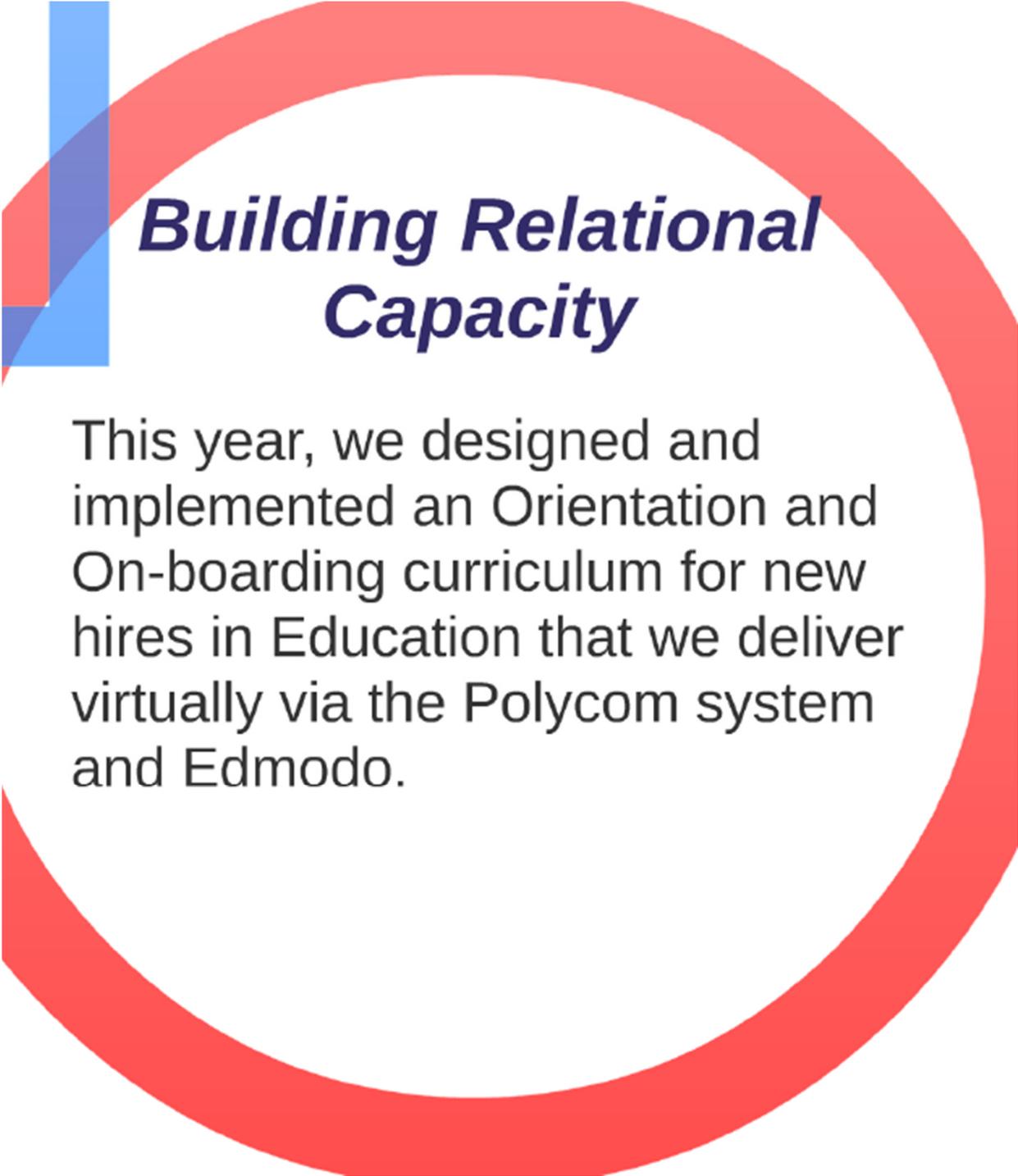
***Use Edmodo to post required research***



Differentiating with Learning Menus

***And of course, we use Edmodo Notes as a discussion forum...***

A question, quote, or an example is posted and team members reply, posing new questions and observations, building a virtual conversation. Not only is this a great method to build leadership, it also serves to build relational capacity with our team.

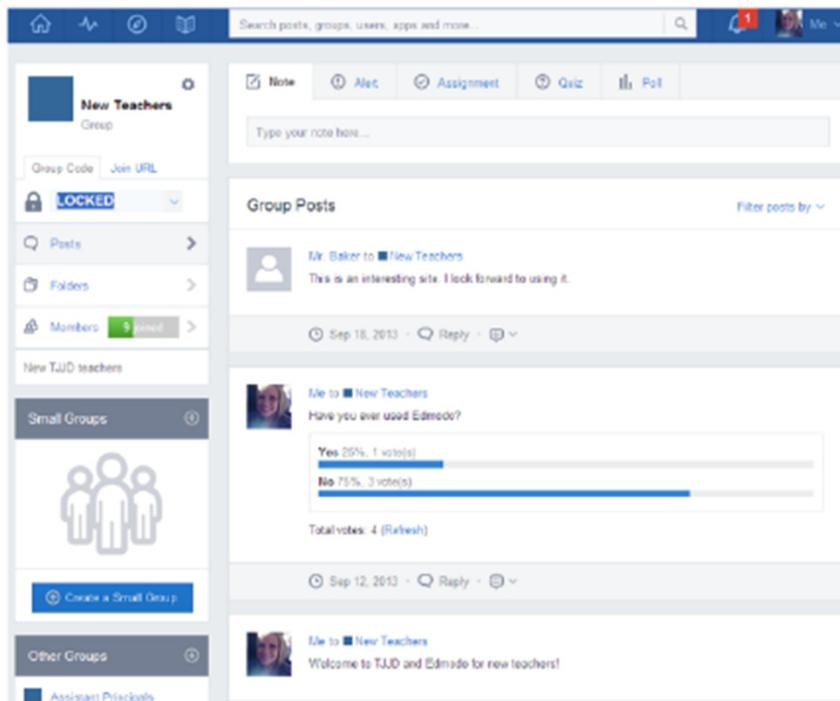
A large red circle is centered on the page. To its left, a blue square is partially visible, overlapping the circle's edge. The text is contained within the circle.

## ***Building Relational Capacity***

This year, we designed and implemented an Orientation and On-boarding curriculum for new hires in Education that we deliver virtually via the Polycom system and Edmodo.

## *New teachers have an Edmodo page*

Each new teacher receives a text that supports our core principles in the area of instruction.



The screenshot shows the Edmodo interface for a group named "New Teachers". The group is locked. The main content area displays "Group Posts" with three entries:

- A post by "Mr. Baker" dated Sep 18, 2013, stating "This is an interesting site. I look forward to using it."
- A poll by "Me" dated Sep 12, 2013, titled "Have you ever used Edmodo?". The poll results are: Yes 20% (1 vote), No 75% (3 votes). Total votes: 4 (Refresh).
- A post by "Me" dated Sep 12, 2013, stating "Welcome to TJD and Edmodo for new teachers!"

The left sidebar includes navigation options: Home, Search, and a search bar. Below that, it shows the group name "New Teachers", group code, join URL, and a "LOCKED" status. There are sections for "New TJD teachers", "Small Groups" (with a "Create a Small Group" button), and "Other Groups" (listing "Assistant Principals").





## ***Monthly assignments***

Each month for their first 12 months, new teachers are given a reading assignment from the book, the expectation of trying one of the techniques from the reading assignment, then discussion based on the reading and the use of the technique.

This is done sometimes in a forum format, sometimes individually, sometimes facilitated by the Superintendent, sometimes facilitated by Education administrative leaders, sometimes facilitated by the teacher's principal.

Completed on Edmodo with scheduled campus visits throughout the year.

## ***E-Mentoring***

We proposed a mentoring project to the Center for Educational Excellence in Alternative Settings (CEEAS), which facilitates an eleven state consortium for juvenile justice education. Each state identified master teachers and administrators, and paired them with new teachers and administrators to create a virtual mentoring program.

Similar to the ways in which we use Edmodo in our agency, mentors and mentees engage in discussion, read texts, pose questions, make observations, raise issues, and offer possible solutions.

Yet another way we use technology to build an educational community and grow successful leaders.

# Leadership Opportunities

- Presentations at state and national conferences on Virtual Leadership model
- Presentations of TJJD teacher and student work at state and national conferences re Videogame Design curriculum
- Articles in state and national publications regarding educational leadership tools developed by TJJD

## Leadership Assessment & Development Tools

- Quick Visit Tool (QVT) and Summary (attached)
- Principal Self-Report Assessment in leadership and campus management domains
- Faculty Assessment for Principal's performance in leadership and campus management domains
- 360 Degree Profile for Principals, Assistant Principals, & Austin Office staff
- Climate and Culture Survey completed by students
- Campus Report Card (attached)

**Quick Visit Checklist  
TJJD Education**

<b>Observer:</b>	<b>Date:</b>
<b>Class/Subject:</b>	<b>Teacher:</b>

Enter  in each box that is clearly observable.  
Goal: 80% of the criteria checked.

Area Observed		Comments/ Evidence
<b>Classroom Environment—The right classroom helps get kids in the door ready to achieve academically</b>		
<input type="checkbox"/>	Classroom is clean, inviting, aspirational, functional	
<input type="checkbox"/>	High quality, current student work is posted; word wall is up and integrated into classroom environment	
<b>Instruction and Curriculum: Intentional instruction promotes skill development and high achievement</b>		
<input type="checkbox"/>	Objective/plan for the day posted and observed	
<input type="checkbox"/>	Instruction observed—direct instruction, guided practice, checking for understanding, peer tutoring, other:	
<input type="checkbox"/>	Differentiation/individualization observed—graphic organizers in use, one-on-one support, range of reading or problems provided, etc.	
<input type="checkbox"/>	80% of students engaged in class lesson—reading, taking notes, working in teams, etc.	
<input type="checkbox"/>	Technology used—to increase relevance, enhance engagement, support rigor by offering context	
<b>Classroom management: A well-run classroom reduces behavior problems and facilitates learning</b>		
<input type="checkbox"/>	Room set-up supports active learning, and positive behavior; students in configuration that promotes learning, JCO staff contributing positively to classroom	
<input type="checkbox"/>	Classroom norms observed; teacher attentive to student needs (notices who has hand up, who is off task, who looks lost, use of 4 questions, etc.)	
<input type="checkbox"/>	PBIS, social contract, and other mechanisms to promote positive behavior observed	
<b>Total # of <input type="checkbox"/>s – Add up from above</b>		
<input type="checkbox"/>	<b>Total <input type="checkbox"/>s</b>	

**Extra Credit...**

<b>Instructor emphasizes school initiatives/values</b>		
<input type="checkbox"/>	Social contract posted and evidence of students & teacher utilizing strategies	
<input type="checkbox"/>	Teacher models EXCEL communication skills	
<input type="checkbox"/>	Lesson plans available, current, teacher following observation day plan	
<b>Total # of Extra Credits....</b>		
<input type="checkbox"/>	<b>Total <input type="checkbox"/>s</b>	

I  
Quick Visit Weekly Summary  
TJJD Education

Observers:	Observation Dates:
Classes/Subjects:	Teachers:

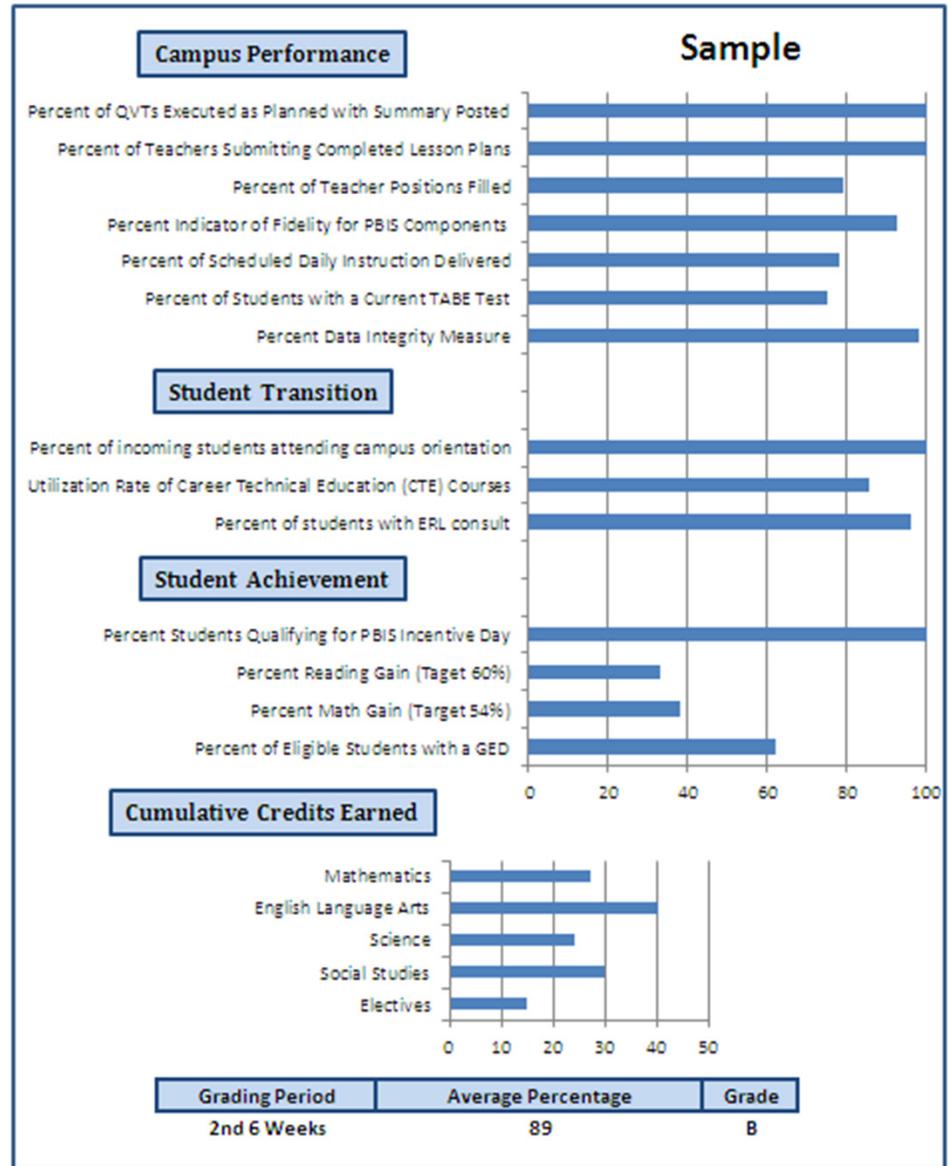
**Goal: 80% of the criteria checked.**

Area Observed	Class-rooms visited	Class-rooms Meeting Standard	% of Classes meeting Standards
<b>Classroom Environment—The right classroom helps get kids in the door ready to achieve academically</b>			
Classroom is clean, inviting, aspirational, functional			
High quality, current student work is posted; word wall is up and integrated into instruction and classroom environment			
<b>Instruction and Curriculum: Intentional instruction promotes skill development and high achievement</b>			
Objective/plan for the day posted and observed			
Instruction observed—direct instruction, guided practice, checking for understanding, peer tutoring, other:			
Differentiation/individualization observed—graphic organizers in use, one-on-one support, range of reading or problems provided, etc.			
80% of students engaged in class lesson—reading, taking notes, working in teams, etc.			
Technology used—to increase relevance, enhance engagement, support rigor by offering context			
<b>Classroom management: A well-run classroom reduces behavior problems and facilitates learning</b>			
Room set-up supports active learning, and positive behavior; students in configuration that promotes learning, JCO staff contributing positively to classroom			
Classroom norms observed; teacher attentive to student needs (notices who has hand up, who is off task, who looks lost, use of 4 questions, etc)			
PBIS, social contract, and other mechanisms to promote positive behavior observed			
<b>Percent of classes scoring 80% or above</b>			

Classes meeting all 10 standards:

Other Wows!

# Campus Report Cards





### Campus Report Card Detail

#### Campus Performance

##### Percent of QVTs Executed as Planned with Summary Posted

Quick Visit Tools are observation rubrics used by campus administrators and educator teams to check for proficiency in ten agency-wide division standards. Principals submit a schedule each month of planned quick visits. Once QVTs are completed, they are summarized on the QVT Summary Tool and posted for campus review.

##### Percent of Teachers Submitting Completed Lesson Plans

Per EDU.17.49 and EDU.13.25, TJJD teachers must submit lesson plans on the agency-approved lesson plan form and file them on the campus shared drive weekly.

##### Percent of Teacher Positions Filled

Compares teacher positions filled with the number of teacher positions available. Research shows the primary factor contributing to a student's success in the classroom is the teacher.

##### Percent Indicator of Fidelity for PBIS Components

TEC §30.106, GAP 380.9155, and EDU.13.51 mandate the implementation of Positive Behavior Interventions and Supports (PBIS). This measure will track the level of fidelity for selected instructional behaviors and supports.

##### Percent of Scheduled Daily Instruction Delivered

Compares actual instructional minutes at a campus level with the number of instructional minutes scheduled. The measure reflects disruptions to regular educational programming such as results from campus shutdowns, inclement weather, or staff shortages that prevent classes from meeting.

##### Percent of Students with a Current TABE Test

Compares students current on TABE testing with the number of students assigned to the campus. The ratio serves as an indicator whether all students take TABE tests.

##### Percent Data Integrity Measure

The measure examines select data fields within student records that should be consistent between multiple agency data systems.

## Student Transition

### Percent of Incoming Students Attending Campus Orientation

Compares how many new students received a campus orientation and the number of new admissions.

### Utilization Rate of Career Technical Education (CTE) Courses

Compares students scheduled into CTE courses and the number of CTE course seats available. Good use of available CTE course seats will correlate with a higher number of industrial certifications.

### Percent of Students with ERL Consult

Compares how many students received transitional consultation with Education Re-entry Liaisons (ERLs) and the number of students released.

## Student Achievement

### Percent of Students Qualifying for PBIS Incentive Day

An agency standard of behavioral and academic requirements has been established for students to qualify for incentive day activities at the end of each grading period. Qualifiers include participation in academic opportunities and exemplary records related to student discipline.

### Percent Reading Gain

Compares how many students had a month's reading gain per month of instruction and how many students took the TABE reading test. The ratio serves as an indicator of reading progress (60% target).

### Percent Math Gain

Compares how many students had a month's math gain per month of instruction and how many students took the TABE math test. The ratio serves as an indicator of math progress (54% target).

### Percent of Eligible Students with a GED

Compares students who have earned a GED with the number of students age 16+ and who have a 5.8 grade level equivalency in reading. The ratio serves as an indicator of progress toward GED achievement.

### Cumulative Credits Earned to Date (for information only)

Reports the number of credits to date in each core content area, as well as CTE courses and other electives.

A large, thick red circular graphic with a white center, framing the text.

**Division of Education  
Leadership  
Development**