

TEXAS JUVENILE PROBATION COMMISSION BOARD MEETING

September 17, 2010
Brown-Heatly Building
Austin, Texas

COMMISSIONERS PRESENT

Ray West, Chair
Will Conley
Migdalia Lopez
Billy Wayne McClendon
Rene Ordoñez
Bob Shults
Lea R. Wright

COMMISSIONERS ABSENT

Jean Boyd
Scott O'Grady

TJPC MANAGEMENT STAFF PRESENT

Vicki Spriggs, Executive Director
Lisa Capers, Deputy Executive Director and General Counsel
Bill Monroe, Chief Financial Officer
Denise Askea, Director Non-Secure Facilities & Special Programs
Linda Brooke, Director External Affairs, Policy Development, Behavioral Health
Annie Collier, Deputy Chief Financial Officer
Kevin DuBose, Director Abuse, Neglect & Exploitation
Scott Friedman, Director Field Services
Jim Southwell, Director Management Information Systems
Genovia Spencer, Human Resource Manager
Cindy Weisinger, Director Training

TJPC STAFF PRESENT

Kati Branch
Linda Brown
Nadine Butler
Jason Bryant
Pam Gereau
Luis Guerrero
Lesly Jacobs
Parish Jefferson
Conrad Jones
John Kinsey
Diane Laffoon
Samantha Retzlaff
Aaron Vanelli
James Williams (contract employee)

1. Call to Order – R. West

Commissioner Ray West called the board meeting of the Texas Juvenile Probation Commission to order at 9:10 a.m.

2. Excuse Absences – R. West

A **motion** was made by Commissioner Ordoñez and **seconded** by Commissioner Shults to excuse the absence of Commissioners Boyd and O'Grady. Motion passed unanimously.

3. Approval of Minutes from March 26, 2010 Board Meeting – R. West

A **motion** was made by Commissioner Shults and **seconded** by Commissioner Ordoñez to approve the minutes as presented. Motion passed unanimously.

4. Update on Fiscal Year 2010 Expenditures and Fiscal Year 2011 Budget – B. Monroe

Fiscal Year 2010 is now closed and the total amount disbursed by the Commission was \$158,000,000 which is \$16,000,000 more than FY2009 and \$41,000.00 more than FY2007.

Salaries and Wages came in under budget because the Commission began the year with 65 employees and now has 73 employees. It took some time to get these employees hired in the appropriate positions so the unused funds in this category were returned to the Legislature as part of the Commission's contribution to budget reductions.

Professional Fees and Services looks as though it's coming in below budget for FY2010 however these funds are used to pay the audit firm Garza and Gonzalez. Their work is just now being finished and the invoice has not been received to actually pay for the work they did in August.

The Travel category has come in under budget. Many of the monitoring activities were moved further into the year due to updating the CRM. However, some of the savings in travel is specifically related to being as efficient as we can in these tough times.

The Community Reductions Program is the Commission's newest program for Fiscal Year 2010. This category will be at \$16,000,000 rather than \$20,000,000 as budgeted. This is the result of 25 counties not participating in this program due to the legislature indicating that the counties would have to return some funds. The unused funds in this category have been used to complete the Commission's responsibility to the state budget reductions.

In the Special Programs category, the Title IV-E Federal Funds continues to decrease as it has been decreasing over the last several years. The Juvenile Justice Alternative Education Program (JJAEP) is coming in under budget partly due to the summer program not drawing in as many as it could have this year.

The budget for Fiscal Year 2011 will be a very close carbon copy of Fiscal Year 2010. The same amount of funds will be returned to the legislature for budget reductions in Fiscal Year 2011.

No action was required for this item.

5. Discussion and Possible Approval of Capital Request for Juvenile Case Management System Per General Appropriation Act Article IX Section 14.03 – B. Monroe

This is a technical request to shift funds that were appropriated for the Juvenile Case Management System (JCMS) Project. However, it is now going to be a capital expenditure rather than a Professional Services expenditure. In order to move the funds to a capital expenditure, the Board must request that the Legislative Budget Board (LBB) approve the transfer from professional services to a capital item.

The Commission now actually owns the JCMS computer project software and has purchased a permanent license, so it will be an asset to capital items. The Board's approval is requested to make this an official request to transfer the funds.

A **motion** was made by Commissioner Lopez and **seconded** by Commissioner Wright to approve the Capital request for Juvenile Case Management System per General Appropriation Act Article IX Section 14.03. Motion passed unanimously.

6. Presentation and Review of the Texas Juvenile Probation Commission Fiscal Years 2012 – 2013 Legislative Appropriations Request - B. Monroe

The Legislative Appropriations Request was submitted officially on August 9, 2010. Ten days later the staff, led by Ms. Spriggs, was required to make a presentation at a formal public hearing at the Capitol on August 19th. The key items that were presented at the hearing are being presented to the Board at this time.

The Commission was to return certain funds to the Legislature for budget reductions in 2010 and \$4.5 million was returned. The Commission is required to return \$3.5 million in 2011 for a total of \$8 million.

For reductions the Juvenile Mental Health Facility will not take place and the Salary category will be reduced. The Capital category and Other Administrative Activities will be reduced. Also, the Secure Felony Placement Program will be reduced. These programs were chosen for reductions after consulting with the field and getting their view point as to which would be the least painful reduction. The total reductions for the coming biennium could be as much as \$43 million.

Exceptional items would be to ask that most of the reductions be restored to the Commission. First, the reduction of grants will need to be restored. Second, the Commission is asking for five more monitoring staff. There are pieces of legislation that have been passed in the past 2 years that require the Commission to do much more significant monitoring of the facilities in the field. To get to the level of what the statute calls for, the Commission will need these additional 5 monitors.

The third exceptional item would be to ask specifically for mental health services. The brief explanation of this item is to provide a mental health professional in each of the facilities around the state. The last exceptional item would be to ask for a one-time expenditure to give mental health care an evidence-based comprehensive client assessment system.

Questions concerning salary reductions were addressed and were clarified by Mr. Monroe stating that the savings are expected to be accomplished through normal turn-over and no lay-offs are expected. There will be a proposed Voluntary Furlough Program if need be as well. Should the Commission have to achieve the 10% or 15% reductions, some positions may have to be eliminated. It is not clear which positions would be eliminated, but hopefully the positions will be unoccupied at the time.

Ms. Spriggs added that there is a real issue about reducing anything that negatively impacts staff. The agency needs the five additional monitors requested in the exceptional items request in order to maintain the quality of juvenile probation services because of increased mandates.

No action was required for this item.

7. TJPC Advisory Council Update – E. Medina

The Advisory Council has made some recommendations and proposed a Grant C Regional Accountability Plan. What the council is proposing regionally is that we develop a plan that would help track commitments state-wide. This plan has been discussed with most of the regions.

This plan would have all the regions look at the outcomes in terms of commitments then identify by region the particular performance outcome for each. In so doing, the region would develop a plan that will help keep track of all of those commitments by county and by region. To date in this particular year and in this quarter we are well within some of the outcomes that were set for the state in terms of TYC commitments.

This plan would look at the particular needs of that region or of an individual county specific to the type of needs that are being identified in that county, either in the area of resources or the types of offenses that are being committed. It is known that only felonies are allowable in the form of commitments but if there is anything specific with regard to particular types of felony offenses that would be the information that we would be keeping track as well.

Part of the Regional Plan would include an intervention plan and a process of developing and identifying resources within that region that could assist all of the counties represented whether they be small, medium or large.

Providing a mental health professional was also discussed earlier and if so, if a region had that resource is there a way that other counties might be able to access it.

Another example is the operation of post adjudication facilities. In some instances, some counties may be able to contract some of those services. If one of the outcomes seems to suggest that in a county or region the numbers are going up, there may be an opportunity to review and see what the specific needs may be and continue to work with the Commission on what outcomes or responses individual counties or regions may need to comply with in order to stay in line with the performance outcomes.

Regions that have already met are in support of this plan. Each of the regions may have some individual or specific intentions because from county to county and region to region the needs may vary. These plans that are being developed regionally will be submitted to the Commission no later than October 1st.

No action was required for this item.

8. Texas Juvenile Probation Commission and Texas Youth Commission Joint Board Subcommittee Report – M. Lopez

August 20th was the first meeting of the Joint Board Subcommittee of TJPC and TYC in Houston. Thanks to Commissioner Shults for his coordination and hosting the hearing. Representing the TJPC Board was Commissioner Boyd, Commissioner Shults and Commissioner Lopez serving as Chair.

This first meeting was to primarily receive a review and status of joint agency initiatives. The staff provided an update and there was a discussion of the status of the coming target sunset review. Ms. Spriggs provided the subcommittee with the trends in referrals to the juvenile probation department, placements, commitments to TYC and certifications. Ms. Townsend reviewed the demographics of youth committed to the TYC. Ms. Spriggs and Ms. Townsend also briefly updated the subcommittee on their agency's legislative appropriations requests. The subcommittee also received information on activities of the coordinated efforts addressing the strategies in the TJPC and the TYC coordinated strategic plan.

The Subcommittee agreed to meet quarterly. The next meeting will be held on Thursday, November 18, 2010 in conjunction with both agency's scheduled board meetings.

No action was required for this item.

9. Update on Allegations of Abuse, Neglect and Exploitation for Fiscal Year 2010 to Date – K. DuBose

There have been 636 abuse and neglect allegations for Fiscal Year 2010 with 951 serious incidents reported. Compared to Fiscal Year 2009 there were 687 abuse and neglect allegations and 1,020 serious incidents reported. The call line generated 890 calls in Fiscal Year 2010. These are complaints that are investigated and processed, some of them resulting in allegations of abuse and neglect and ultimately investigations. Many of them are grievances and other types of complaints.

No action was required for this item.

10. Discussion and Possible Approval of the Juvenile Probation Officer Firearms Training Curriculum – K. DuBose and L. Jacobs

Senate Bill 1237 passed during the 81st Legislative Session and it amended Chapter 142 of the Human Resource code to authorize Juvenile Probation Officers (JPO's) to carry firearms. When that happened it was mandated to create the Juvenile Probation Officer Firearms Certification Curriculum. There are 11 modules in the manual and all are essential and very important but the one that is very worthy to note is module 3 which addresses officer safety in the office and the field. It provides in-depth training for officers that will be authorized to carry firearms in terms of their safety on what to look for.

Even more important is module 4. This particular module deals with the United States Constitution and the use of force and parameters in the use of force in chapter 9 of the Texas Penal Code. It emphasizes the legal aspects in terms of when someone can use force to defend themselves. It also emphasizes the self defense response model, more commonly known as The Use of Force Continuum. In this case the purpose for Juvenile

Probation Officers to carry the firearms would be for their own defense and defense of others. It is termed as the Self Defense Model. But essentially it is a continuum of force in response to an aggressor.

Module 7 addresses weapon retention. This is an important piece because many police officers have been killed in the line of duty with their own weapons. Weapon retention is absolutely essential in terms of training Juvenile Probation Officers to be able to maintain control of their firearm if an aggressor attempts to take it.

The curriculum presented, despite its comprehensive nature, is a 40 hour curriculum, a basic curriculum that will essentially get the ball rolling for a JPO to be able to carry a firearm. There is always going to be a continuing need for training. We have included standards incorporating the continuing education aspect of this responsibility.

One of the many requirements for an officer to even be eligible to participate in this is that they would have to have a psychological evaluation and they have to have a comprehensive criminal background check as well.

The requirement for any JPO who wishes to participate in this program has many layers. Firearms must be checked into a lock box essentially before they even enter detention. Their chief has to authorize it and they have to have been employed by that particular department for no less than one year. They also cannot have been designated or assigned the role of a sustained perpetrator.

Each law enforcement entity imposes their own training standards but it all begins in a law enforcement academy. Every officer throughout the state has to attend an academy whether a regional academy or dedicated academy like the Department of Public Safety. They all have their own standards.

One of the things these officers will not have is the 692 hours that a peace officer has. This is why the standards are considered even more important.

A **motion** was made by Commissioner Shults and **seconded** by Commissioner Conley for the Approval of the Juvenile Probation Officer Firearms Curriculum. Motion passed unanimously.

Note: Vicki Spriggs presented a plaque to Randall Odom, Training Specialist from TCLEOSE for his support and assistance in producing the Firearms Curriculum.

11. Discussion And Possible Approval of Amendments Made to Chapter 341 Related to TJPC Standards and Juvenile Probation Officer Firearms Training for Initial Publication in the Texas Register for a 30 day Public Comment Period.

Pursuant to Senate Bill 1237 adopted by the 81st Legislature, juvenile probation officers who meet certain criteria are authorized to carry a firearm in the course of their duties. In addition to the requirements specified in SB 1237, amendments to Chapter 341 are being proposed to further the safe and lawful implementation of this practice.

<*>341.80. Definitions. The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

(1) Draw--To un-holster a weapon in preparation for use against a perceived threat.

(2) Empty-Hand Defense--Defensive tactics through the use of pressure points, releases from holds, blocking and striking techniques using natural body weapons such as an open hand, fist, forearm, knee or leg.

(3) Intermediate Weapons--Weapons designed to neutralize or temporarily incapacitate an assailant. This level of self-defense employs the use of tools to neutralize aggressive behavior when deadly force is not justified but when empty-hand defense is not sufficient for escaping from a physical confrontation. Within this category are electronic restraint devices, irritants and impact weapons.

(4) On-Duty--An officer is engaged in the actual discharge of the officer's duties when the officer is within the course and scope of his/her employment and is actually authorized to engage in the work being performed. Being on-call is not considered as being engaged in the actual discharge of the officer's duties unless or until the officer is actually called into service.

<*>341.81. Applicability and Authorization.

(a) Applicability. These standards apply only to actively certified juvenile probation officers who are authorized to carry a firearm pursuant to this subchapter.

(b) Authorization to Carry a Firearm.

(1) In accordance with <*>142.006 of the Texas Human Resources Code, a juvenile probation officer is authorized to carry a firearm during the course of the officer's official duties if:

(A) The officer possesses a certificate of firearms proficiency issued by the Commission on Law Enforcement Officer Standards and Education (TCLEOSE) under <*>1701.258 of the Texas Occupations Code verifying successful completion of the TCLEOSE Juvenile Probation Officer Firearms Certification Course;

(B) The chief juvenile probation officer of the juvenile probation department that employs the juvenile probation officer authorizes the juvenile probation officer to carry a firearm in the course of the officer's official duties; and

(C) The juvenile probation officer has been employed for at least one year by the juvenile probation department described in Subparagraph B of this paragraph;

(2) This subchapter does not authorize a juvenile probation officer to carry a firearm while not on-duty;

(3) A license obtained under Subchapter H, Chapter 411 of the Texas Government Code (i.e., Concealed Handgun License), does not enable a certified juvenile probation officer to carry a firearm in the course of the officer's official duties and shall not satisfy, or be accepted in lieu of, the requirements contained in this subchapter.

<*>**341.82. Requirements to Qualify For a Firearms Proficiency Certificate.** Prior to obtaining a firearms proficiency certificate from TCLEOSE, a juvenile probation officer seeking authorization to carry a firearm during the course of his/her official duties shall provide proof to the Texas Juvenile Probation Commission (the Commission) of the following required qualifications:

(1) current employment as a juvenile probation officer for at least one year by the county juvenile probation department;

(2) active certification in good standing as a juvenile probation officer by the Texas Juvenile Probation Commission;

(3) appropriate documentation from each chief juvenile probation officer who has authorized the applicant's participation in the juvenile probation officer firearms proficiency training program and that the applicant has been subjected to a complete search of local, state and national records to disclose any criminal record or criminal history;

(4) written documentation from each chief juvenile probation officer who has authorized the applicant's participation in the juvenile probation officer firearms proficiency training program that the applicant has been examined by a psychologist, selected by the current employing department and licensed by the Texas State Board of Examiners of Psychologists; and

(5) a written declaration from the examining psychologist that the officer possesses the requisite psychological and emotional health to carry a firearm in the course of the officer's official duties.

<*>**341.83. Responsibilities of a Juvenile Probation Officer Authorized to Carry a Weapon.** A juvenile probation officer authorized to carry a firearm in accordance with this subchapter shall:

(1) comply with the requirements of this subchapter, the officer's department policies and procedures and the laws of this State and of the United States;

(2) be knowledgeable of the places where a firearm or other weapons are prohibited;

(3) immediately report to the chief juvenile probation officer and the Commission any criminal arrests, charges or convictions;

(4) satisfy the firearms proficiency requirements in accordance with <*>221.1(b) of this title at least once every 12 months;

- (5) successfully complete all sections of the TCLEOSE training course for juvenile probation officers in accordance with <*>221.35(b) and (c) of this title, including the classroom training and range qualification;
- (6) utilize TCLEOSE approved forms for the documentation of the requirements of paragraph (4) and (5) of this subsection and provide copies to the Commission.
- (7) maintain the firearm and all other authorized weapons in proper working order at all times;
- (8) be responsible for the safe handling of the firearm and all other authorized weapons; and
- (9) store the firearm and other weapons in a secure, locked location designed for secure storage of a weapon when the firearm or other weapon is not on the officer's person.

<*>341.84. Use of Force Continuum.

- (a) A juvenile probation officer who satisfies the requirements of this subchapter is justified in using force for the protection of persons pursuant to Chapter 9 of the Texas Penal Code.
- (b) Prior to carrying a firearm in the course of the officer's duties, a juvenile probation officer authorized to carry a firearm in accordance with this subchapter shall:
 - (1) Receive adequate training in the use of an empty-hand defense tactics; and
 - (2) Receive adequate training in the use of at least one intermediate weapon prior to carrying a firearm in the course of the officer's duty.
- (c) Carry at least one intermediate weapon at all times when the officer carries a firearm.

<*>341.85. Chief Juvenile Probation Officers or Other Supervising Officer.

- (a) The chief juvenile probation officer, or the supervising officer of a juvenile probation officer who is authorized to carry a firearm, shall be subject to the same requirements as an officer authorized to carry a firearm in accordance with this subchapter. This requirement does not mandate the chief juvenile probation officer or the other supervising officer carry a firearm or other weapon in the course of their duties.
- (b) The chief juvenile probation officer, or designee, shall notify TCLEOSE and the Commission within 24 hours if the department's authorization of a juvenile probation officer to carry a firearm is rescinded.
- (c) The chief juvenile probation officer, or designee, shall submit the requisite forms to TCLEOSE and the Commission within 24 hours if an officer who is authorized to carry a firearm separates from the department.
- (d) The chief juvenile probation officer, or designee, shall submit to the Commission the department's approved policies and procedures regarding a juvenile probation officer's authorization to carry a firearm in accordance with this subchapter.
- (e) The chief juvenile probation officer, or designee, shall submit to the Commission within five working days copies of all requisite training certificates and forms submitted to the TCLEOSE in accordance with this subchapter.

<*>341.86. Written Policies and Procedures. Each chief juvenile probation officer who authorizes a juvenile probation officer to carry a firearm in accordance with the requirements contained herein shall have written policies and procedures that:

- (1) Define which juvenile probation officers within the department are authorized to carry firearms;
- (2) Stipulate whether the firearm is to be purchased and maintained by the department or the individual officer;
- (3) Require that the firearm and all other authorized weapons remain under the control of the officer authorized to carry the firearm and weapon;
- (4) Require that the firearm be fully loaded when carried or worn on-duty;

- (5) Require that the officer display credentials identifying the officer as a certified juvenile probation officer while carrying a firearm in accordance with this subchapter;
- (6) Specify the firearms to be carried, including the type of firearm, manufacturer, model and caliber;
- (7) Specify the type of ammunition authorized for use in the firearm;
- (8) Prescribe whether the firearm will be carried in plain view or concealed;
- (9) Require that the firearm be encased in an appropriate holster and be worn or carried in such a manner that is appropriate to the situation;
- (10) Define the process for reporting and investigating use of force incidents;
- (11) Define the process for rescinding or suspending the authorization to carry a firearm; and
- (12) Prohibit the consumption of alcohol while carrying a firearm or intermediate weapon.

<*>341.87. Reporting and Investigating Use of Force Incidents. Each juvenile probation department shall have written policies and procedures for reporting and investigating each incident in which a use of force involving an empty-hand defense tactic, firearm or intermediate weapon is discharged, utilized or drawn on an individual. The policies and procedures shall include:

- (1) Notification to TCLEOSE and the Commission;
- (2) Internal investigation procedures; and
- (3) A requirement that a juvenile probation officer be placed on administrative leave until the conclusion of an investigation of a use of force.

<*>341.88. Records.

(a) The personnel file of each juvenile probation officer authorized to carry a firearm in accordance with this subchapter shall contain a copy of the:

- (1) Firearms Proficiency for Juvenile Probation Officers Application;
- (2) PID Assignment (TCLEOSE C-1);
- (3) Criminal history checks conducted pursuant to the requirements of this subchapter;
- (4) Licensee Psychological and Emotional Health Declaration (TCLEOSE L-3); and
- (5) Proof of annual firearms proficiency.

(b) Juvenile probation departments shall allow TCLEOSE, other law enforcement agencies and the Commission access to records pertaining to firearms and use of force incidents for auditing and investigation purposes.

<*>341.89. Training and Qualification Requirements.

(a) No juvenile probation officer shall be authorized to carry a firearm in the course of their duties unless the officer has:

- (1) Completed the TCLEOSE approved firearms training program; and
- (2) Received a certificate of firearms proficiency from TCLEOSE as provided in <*>221.1 of this title.

(b) All training received pursuant to the requirements of this subchapter shall be received from a TCLEOSE approved instructor.

(c) All training received pursuant to the requirements of this subchapter shall be designed with the intent to prepare juvenile probation officers to carry and utilize firearms, intermediate weapons and empty-hand defense tactics in the context of self-defense and in defense of a third party.

(d) In addition to the training requirements contained in Chapter 344 of this title relating to maintaining an active certification as a JPO, a juvenile probation officer authorized to carry a firearm in accordance with this subchapter, shall successfully complete 20 hours of continuing education every two years. The continuing education shall be specially designed to enhance the officer's skills and knowledge relating to the proficient and legal use of a firearm, empty-hand defense and intermediate weapon as authorized by this subchapter. The training shall include, but not be limited to:

- (1) Use of Force;
- (2) Weapons Retention; and
- (3) Crisis Intervention.

(e) Upon completion of each training requirement, the chief juvenile probation officer or designee, shall submit proof of the successful completion of the training to the Commission within five working days of completion of the training.

<*>341.90. Disqualifying Conduct. Pursuant to <*>142.006(b) of the Texas Human Resources Code, a juvenile probation officer is disqualified from seeking authorization to carry a firearm if the officer has been assigned the role of designated or sustained perpetrator in a TJPC abuse, neglect or exploitation investigation.

<*>341.91. Prohibited Conduct. A certified juvenile probation officer authorized to carry a firearm during the course of the officer's official duties is strictly prohibited from engaging in the following conduct:

- (1) Firing warning shots;
- (2) Shooting at moving vehicles; and
- (3) Using a striking weapon as an intermediate weapon.

A **motion** was made by Commissioner McClendon and **seconded** by Commissioner Wright for the Approval of Amendments Made to Chapter 341 to TJPC Standards and Juvenile Probation Officer Firearms Training for Initial Publication in the Texas Register for a 30 day Public Comment Period **with an accompanying memo noting the Commission's request for public comment on self defense clarification.** Motion passed unanimously.

12. Discussion and Possible Approval of Amendments Made to Chapter 349 Related to General Administrative Standards for Final Publication in the Texas Register. – K. Roe

This agenda item was postponed until the November 19, 2010 Board Meeting.

13. Review, Discussion and Possible Action Regarding Disciplinary Action in the State Office of Administrative Hearing's Docket No. 665-10-0815; Texas Juvenile Probation Commission v. Gerald Lee, TJPC Certification No. 17320; A Certified Officer (Proposal for Decision and Final Order). – K. Roe

This agenda item was postponed until the November 19, 2010 Board Meeting.

14. Update from TCOOMMI on the Continuity of Care Memorandum of Understanding– A. Zamora

Significant progress has been made on the Continuity of Care Memorandum by working with Vicki Spriggs and discussing the sharing of information between TCOOMMI and the Commission and trying to develop an electronic means of doing so.

The draft has been sent out to all of the State Agencies asking for feedback in order to move forward with this memorandum and have it adopted and signed prior to the beginning of the next Legislative session.

No action was required for this item.

15. Executive Director's Report, Introduction of New Staff, Agency Activity Update – V. Spriggs

Ms. Spriggs thanked Ms. Zamora for her help in working on the Continuity of Care Memorandum of Understanding with TCOOMMI.

New Commission staff was introduced at this time. Saul Salas was introduced as a new Resource Specialist in the Compliance Division under Secure Facilities. Parish Jefferson and John Kinsey were introduced as new Training Specialists in the Training Division. Aaron Vanelli was introduced as a Program Specialist in the Compliance Division under Non-Secure Facilities.

On August 19th the Commission had its first meeting regarding the budget on the Legislative Appropriations Request (LAR). The Advisory Council came to this meeting and elaborated on the Commission's efforts to consolidate the budget.

TJPC and TYC met with Sunset Commission staff on September 10th to discuss what the review process will consist of. It will have 2 primary focuses, to make sure that both agencies have met the requirements set in Senate Bill 103 in 2007 are being met and to make sure all of the requirements from the Sunset Bill, (HB 3689) passed last session are being met.

Sunset Commission has said that this year it plans to file separate bills for each agency (TJPC/ TYC). November 8, 2010 will be the exit conference with Sunset Commission staff and in mid-November the findings and recommendations will be published. December 15th -16th a public hearing will be held on our report and in January, 2011 there will be a hearing where decisions will be made as to which recommendations will actually go through to a bill.

On August 29th, the Commission gave a presentation regarding the JCMS project before the Senate Jurisprudence Committee and information sharing was discussed at the meeting to find ideas to better share information across state agencies.

On September 29th another JCMS presentation will be made for the joint House Corrections/Appropriations Committee hearing.

The Commission at this time does not have the final numbers relating to commitment reduction but it is known that the departments have committed less than 1200 youth to TYC this year. Last year the total number was 1589 and the target set by the legislature was 1783. The Commission came in well below the target set last year and this fiscal year.

September 1, 2010 House Bill 3689 required that probation departments begin to use a risk needs assessment (RANA) tool either developed by or approved by the Commission. RANA was developed by the Commission and has been offered to all probation departments throughout the state. As of now, we still have approximately 46 departments that were unable to meet the September 1st deadline because they did not attend the RANA training. The Commission will continue to work with these departments and those that do not meet a new final deadline will be issued a citation of non-compliance.

No action was required for this item.

16. Public Comments – R. West

No public comments were received at this time.

17. Adjourn – R. West

Motion was made by Commissioner Lopez and **seconded** by Commissioner McClendon to adjourn. Motion passed unanimously. The board meeting adjourned at 11:45 a.m. The next board meeting will be November 19, 2010.