

TEXAS JUVENILE PROBATION COMMISSION

BOARD MEETING

September 16, 2011
Brown-Heatly Building
Austin, Texas

COMMISSIONERS PRESENT

Jean Boyd
Migdalia Lopez
Billy Wayne McClendon
Bob Shults
Ray West, Chair

COMMISSIONERS ABSENT

Will Conley
Scott O'Grady
Rene Ordoñez

TJPC MANAGEMENT STAFF PRESENT

Vicki Spriggs, Executive Director
Lisa Capers, Deputy Executive Director and General Counsel
Chris Hubner, Chief of Staff
Kristy Almager, Staff Services Manager
Nancy Arrigona, Director of Research and Statistics
Annie Collier, Deputy Chief Financial Officer
Kevin DuBose, Director Abuse, Neglect & Exploitation
Scott Friedman, Director of Compliance
Bill Monroe, Chief Financial Officer
John Posey, Planner
Jim Southwell, Director of Management Information Systems

TJPC STAFF PRESENT

Kati Branch
Nadine Butler
Aaron Mills
Samantha Retzlaff
Karen Roe
Kaci Sohrt

1. Call to Order – R. West

Commissioner Ray West called the board meeting of the Texas Juvenile Probation Commission to order at 9:15 a.m.

2. Excuse Absences – R. West

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

3. Approval of Minutes from July 16, 2011 Board Meeting – R. West

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

4. Update on Fiscal Year 2011 Expenditures – B. Monroe

Mr. Monroe gave a brief recap of Fiscal Year 2011 expenditures stating that Fiscal Year 2011 came to a close on August 31, 2011. The Commission had a budget of \$160,957,644.00 for Fiscal Year 2011 and expended \$160,702,701.00 or 99.84% of that budget. The Commission was required to return \$7,015,188.00 in 2011 due to state budget reductions. These funds were returned by keeping salaries in line and by using returned funds from some counties' Commitment Reduction Program or Grant C.

Mr. Monroe also pointed out, as mentioned in the last board meeting, that in 2011 funds were acquired through a Governor's Criminal Justice Grant to allow for the Commission to complete a video conferencing project that will ultimately save a great deal of funds for the State. The project will allow for 2012 trainings to be held in various regions throughout the State. It will also allow for a facility here in Austin where departments can participate in training via on-line and in real time conferencing.

No action was required for this item.

5. TJPC Advisory Council Update – E. Medina

(Item was originally scheduled to be presented as #6 on the agenda, however due to weather conditions and the arrival time of presenter # 5; this agenda item was moved up.)

The Advisory Council on Juvenile Services held its annual meeting on September 7, 2011 in Austin. The agenda included a review of new legislation and FY 2012-2013 funding for state agencies that include the Texas Juvenile Probation Commission, Department of Family and Protective Services, Texas Youth Commission and Texas Education Agency.

The Chief Juvenile Probation Officer Workgroup of the Advisory Council met on August 2, 2011, and again on September 8-9, 2011. The workgroup continues to hold discussions on recidivism and performance measures and will meet with the Legislative Budget Board on November 17, 2011, to discuss even further.

Additional discussions were also held at the meeting regarding commitment goals and targets, legislative changes and implementation, and transition documents and recommendations.

The next meeting will be October 13-14, 2011, in Austin, TX.

Chairman West expressed that he hopes the current practice of having the Advisory Council be a standing agenda item will continue on with the new agency on December 1, 2011.

No action was required for this item.

6. Discussion and Possible Approval of Annual Internal Audit Report for Fiscal Year 2011 – R. Gonzalez

(Item was originally scheduled to be presented as #5 on the agenda, however due to weather conditions and the arrival time of presenter; this agenda item was moved down.)

Mr. Gonzalez from Garza and Gonzalez (G&G) reported that the 2 areas that were previously approved for audit by the Commission were the Level of Care Program Monitoring and Management Information Systems. Two additional areas audited by G&G that were required by Senate Bill 653, were the Sunset Advisory Commission and the State Auditor's Report. The Executive Summary is as follows:

TJPC works in partnership with local juvenile boards and juvenile probation departments to support and enhance juvenile probation services throughout the state by managing funding, providing technical assistance and training; establishing and enforcing standards; collecting, analyzing and disseminating information; and facilitating communications between state and local entities. TJPC allocates funds appropriated by the Texas Legislature in the form of grants to assist local juvenile boards in operating juvenile probation departments, juvenile detention and correctional facilities and providing basic and special services to children in the juvenile justice system. The Commission allocates approximately 99% of the funding received from the Legislature while the other approximate 1% is utilized for agency administration. TJPC allocates approximately \$360 million on a biennial basis to local juvenile probation departments through multiple contracts and grants to each of 165 local juvenile boards. The agency is mandated pursuant to Section 141.051 of the Texas Human Resources Code to monitor contracts and ensure compliance with financial and performance requirements. The Commission also evaluates program costs to ensure that costs are reasonable and necessary to achieve program objectives.

TJPC provides legal assistance on a variety of juvenile law and procedural actions through its Legal Division to juvenile probation departments, judges, prosecutors, defense attorneys, law enforcement, school officials and other juvenile justice practitioners across the state. Additionally, TJPC's key activities include the following:

Provide technical assistance to juvenile justice practitioners statewide on a daily basis through telephone assistance, email, fax and personal on-site visits. 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; Texas Youth Commission), and the public.

Promulgate administrative standards to regulate the administration of juvenile probation departments, department programs, juvenile justice alternative education programs, standards relating to facility physical construction and standards relating to the operation of secure juvenile pre-adjudication detention and secure post-adjudication correctional facilities and non-secure correctional facilities operated by departments. The Commission is also statutorily required to annually monitor the programs and facilities provided by local juvenile probation departments.

Certifies juvenile probation and juvenile supervision officers to ensure these officers meet the minimum statutory requirements for education, work experience and specialized training. The Commission certified a total of 2,835 officers in fiscal year 2010. 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 be recertified every two years. To date there are approximately 7,712 total juvenile probation and juvenile supervision officers certified.

Has established and operates a statewide facility registry as mandated by Section 141.042(c) of the Texas Human Resources Code and Section 51.126(d) of the Texas Family Code.

Conducts official investigations of all reported and alleged cases of child abuse and neglect in all secure juvenile facilities and in any program operated by a probation department or under a contract with a juvenile board. TJPC employs seven investigators who conduct investigations in juvenile programs and facilities throughout the state and provide on-going training and technical assistance.

The Commission develops interagency workgroups with the governing boards and staff of other state agencies that provide services to children. The goal of these projects is to improve the delivery of services to children and to reduce or minimize barriers to efficient service delivery.

The Commission provides internal and external users of information with valid and reliable data for ongoing decision-making regarding juvenile justice. TJPC's Management Information Systems Division provides a variety of software programs at no cost to local juvenile probation departments and utilizes its automated, web-based Compliance Monitoring, Enforcement and Tracking System (COMETS) to monitor contract and grant requirements. This automated program was developed by the agency to assure immediate feedback to monitored counties of the results of the monitoring visit.

Senate Bill 653 abolishes the Texas Youth Commission (TYC) and the Texas Juvenile Probation Commission and transfers the powers of both agencies to the newly created Texas Juvenile Justice Department (TJJD) effective December 1, 2011. The Statutory timeline for the creation of the TJJD makes the bill effective as of September 1, 2011. An appointment of a transition team is scheduled for September 2 to October 1, 2011 and an appointment of a governing board is set for September 2 to December 1, 2011. A transition team to coordinate and oversee the transition of services and facilities from TJPC and TYC to TJJD will be appointed between September 2 and September 30, 2011. After September 1 and before December 1, 2011, the transition team will oversee the transition of services and facilities from TYC and TJPC to TJJD. After November 30 and before March 1, 2012, the transition team will assist and advise the TJJD Board in implementing the transition of services and facilities from TJPC and TYC to TJJD and will prepare and submit a transition plan to TJJD. As a result of Senate Bill 653 the initial approved audit plan for fiscal year 2011 was reviewed and revised.

A **motion** was made by Commissioner Lopez and **seconded** by Commissioner McClendon to approve the Annual Internal Audit Report for Fiscal Year 2011. Motion passed unanimously.

7. Update on Allegations of Abuse, Neglect and Exploitation for Fiscal Year 2011 – K. Dubose

Mr. Dubose presented a handout that reflected FY2011 in its entirety as it was presented in a different format from past meetings in order to better reflect the types of reports the Abuse, Neglect and Exploitation Division receives.

In 2011, the Division received 2,315 reports which include the call line reports and these reports are subject to the investigation process. Of the 2,315 reports, each one takes an investigator at least 20 minutes to process and determine how it may be classified. Once classified, the time spent on an investigation will vary based on the type of report received.

Of the total reports 727 were classified as serious incidents; 438 were classified as allegations of abuse, neglect and exploitation; 154 were classified as physical abuse by physical restraint; and 104 were classified as physical abuse not involving restraint. There are still 102 allegations pending, which reflect an exceptional closure rate compared to years past which is directly the result of the division being fully staffed with 7 investigators.

Mr. Dubose clarified that non-reportable incidents are described as reports that are always documented but do not involve a serious incident, for example a restraint where a child was accidentally scratched on the arm vs. a restraint where a child suffered a broken leg. The vast majority of these types of calls come from the call line and is usually the result of a child that is not happy due to a circumstance that happened at a facility, that is considered not reportable.

No action was required for this item.

8. Variance Committee Report – J. Boyd

Judge Boyd, Chair of the Variance Committee reviewed agenda items discussed at the Variance Committee Meeting held on September 15, 2011. They reviewed 5 requests and heard statements from Scott Friedman of the Commission and representatives of each respective county.

- a. Review, Discussion and Possible Action Regarding Hidalgo County's Application for Permanent Variance From Title 37 Texas Administrative Code Section 343.226 Related to Natural Light Requirements for Specialized Housing

The TJPC staff recommends that the request for a permanent variance be granted. This recommendation is based on the review and assessment of the following required authorization criteria, and the proposed conditions:

Authorization Criteria:

1) Health and Safety of Juveniles - The TJPC staff believes that the applicant sufficiently ensures that the health and safety of both medically-isolated residents and the general population (including facility staff) is maintained by applicant's existing practices which ensure that only residents with medical conditions (diagnosed or suspected) are assigned to the medical isolation rooms and that these assignments are temporary;

2) Purpose and Intent of the Standard(s) - The TJPC staff concludes that substantial compliance with the intent and purpose of the standard will be maintained if the applicant faithfully adheres to its claim that the four non-compliant medical isolation rooms will be used exclusively for residents who have, or are suspected of having, a communicable disease;

3) Undue Hardship - The TJPC staff concludes that, if the application accurately portrays the claimed physical plant restrictions, an undue hardship could occur if retro-fitting efforts adversely affected building integrity. Additionally, the TJPC staff concluded that programmatic hardships could occur if youth with known or suspected communicable diseases were required to be housed with healthy youth; and

4) Law Violations – The TJPC staff is not aware of any known law violations that would result from an authorization of the applicable variance.

Recommended Special Conditions:

- 1) The variance is limited to the Judge Mario E. Ramirez, Jr. Juvenile Justice Center Detention Facility and the four rooms the applicant currently identifies as medical seclusion/isolation rooms;
- 2) The variance is contingent upon the applicant's assurance that the four medical isolation rooms are restricted to medically-isolated residents on a temporary basis and that when residents are medically cleared, they are returned to general population housing;
- 3) The variance is contingent upon the applicant's creation and maintenance of, and adherence to, policies, procedures and practices that ensure residents assigned to medical isolation are afforded medically authorized opportunities for exposure to settings with natural light; and

The variance is contingent upon the applicant's willingness to maintain, and make available to the TJPC for review, usage statistics for the four medical isolation rooms. These statistics would minimally include the justification for the assignment (i.e., diagnosed or suspected communicable disease) duration of the medical isolation assignments (i.e., date and time assignment began and ended), and opportunities for exposure to natural light sources.

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Lopez to approve Hidalgo County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.226 Related to Natural Light Requirements for Specialized Housing with the Staff recommended special conditions. Motion passed unanimously.

- b. Review, Discussion and Possible Action Regarding Brazoria County's Application for Permanent Variance From Title 37 Texas Administrative Code Section 343.230 Related to Toilet and Washbasin Requirements for Specialized Housing

The TJPC staff recommends that the request for a permanent variance be granted contingent upon specific and agreed upon terms and conditions. This recommendation is based on the review and assessment of the following required authorization criteria, and the proposed conditions:

Authorization Criteria:

1) Health and Safety of Juveniles - The TJPC staff concludes that the proposed variance, contingent upon adherence to recommended terms and/or conditions, would not result in any clearly identifiable compromises to the health and safety of residents affected by the variance;

2) Purpose and Intent of the Standard(s) - The proposed variance, and the accompanying facility policies and procedures, provide the acceptable alternate means necessary to facilitate the intended purposes and intent of the above floor toilet and washbasin requirements. Specifically, the applicant is ensuring that the vast majority of facility's secluded residents are housed within standards compliant rooms/cells, and applicant further maintains that non-compliant housing (cell A1) would be used infrequently and for short durations, and that residents assigned to the non-compliant housing would be afforded ample out-of-cell restroom opportunities;

3) Undue Hardship - The TJPC staff concludes that very limited, but significant, programmatic hardships could occur if seclusion cell A1 was removed from use. The programmatic hardship would be having to house residents exhibiting self-injurious behaviors in cells/rooms which may afford them

greater opportunities to use toilet and washbasin fixtures to aid in, or facilitate, their self-injurious behaviors; and

4) Law Violations – The TJPC staff is not aware of any known law violations that would result from an authorization of the applicable variance.

Recommended Special Terms and/or Conditions:

1) The variance is limited to the cell/room the applicant currently identifies as cell A1;

2) Cell A1 is strictly limited to residents who are actively demonstrating physical behaviors that present tangible and imminent threats to their own physical safety. Such behaviors can include, but not be limited to, striking any part of their person against fixed objects in a dangerous or violent manner, climbing on and/or jumping off toilet and/or washbasin fixtures, and/or attempting to use toilet or washbasin fixtures as an anchoring point for ligature (i.e., hanging or strangulation) devices. In the TJPC staff's estimation all of these resident behaviors would be meet the- Department's definition of high risk suicidal behavior;

3) Resident's assigned to cell A1 shall be provided staff supervision compliant with TAC 343.348 (Supervision of High Risk Residents) requirements for high-risk suicidal behavior (i.e., continuous, uninterrupted visual supervision);

4) The variance is contingent upon the applicant's creation and maintenance of, and adherence to, policies, procedures and practices that ensure cell A1 is only used when both the internal policy and procedure requirements and the requirements of this conditional variance have been satisfied;

5) The variance is contingent upon the applicant's creation and maintenance of, and adherence to, policies, procedures and practices that ensure residents assigned to cell A1 are afforded appropriate opportunities for out-of-cell restroom and washbasin use; and

6) The variance is contingent upon the applicant's willingness to maintain, and make available to the TJPC for review, specific usage statistics for the cell A1. These statistics would minimally include type of assignment (i.e., behavior seclusion and medical isolation), duration of in-cell assignments, and frequency of both out-of-cell restroom and washbasin opportunities and actual out-of-cell restroom and washbasin use.

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Lopez to approve Hidalgo County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.230 Related to Toilet and Washbasin Requirements for Specialized Housing with the Staff recommended special conditions. Motion passed unanimously.

c. Review, Discussion and Possible Action Regarding Van Zandt County's Application for Permanent Variance From Title 37 Texas Administrative Code Section 343.430 Related to Minimum Facility Supervision Requirements (Pre-Adjudication Facilities)

The TJPC staff recommends that the request for a permanent variance be granted. This recommendation is based on the review and assessment of the following required authorization criteria, and the proposed conditions:

Authorization Criteria:

1) *Health and Safety of Juveniles - No significant compromises in the health and safety of residents would occur because of the supervision strategies being employed, the unique architectural design of the facility's physical plant, and the low rated resident capacity of the two applicable programs;*

2) *Purpose and Intent of the Standard(s) - The general purpose and the intent of the standard is being met in that the two residential programs (i.e., pre and post-adjudication programs) are providing sufficient staff supervision for all residents;*

3) *Undue Hardship - The applicant has sufficiently demonstrated that an undue hardships would exist if the requested variance was denied, namely significant increases in operation costs for increased staffing or potential program closures resulting in decreased secure residential beds for the applicant and the region;*

4) *Law Violations - No known law violations would result from an authorization of the applicable variance.*

Recommended Special Terms and/or Conditions:

The variance is contingent upon the jurisdiction's strict adherence to alternate resident supervision strategies identified within the variance application

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Lopez to approve Hidalgo County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.430 Related to Minimum Facility Supervision Requirements (Pre-Adjudication Facilities) with the Staff recommended special conditions. Motion passed unanimously.

- d. Review, Discussion and Possible Action Regarding Van Zandt County's Application for Permanent Variance From Title 37 Texas Administrative Code Section 343.624 Related to Minimum Facility Supervision Requirements (Post-Adjudication Facilities)

The TJPC staff recommends that the request for a permanent variance be granted. This recommendation is based on the review and assessment of the following required authorization criteria, and the proposed conditions:

Authorization Criteria:

- 1) *Health and Safety of Juveniles - No significant compromises in the health and safety of residents would occur because of the supervision strategies being employed, the unique architectural design of the facility's physical plant, and the low rated resident capacity of the two applicable programs;*
- 2) *Purpose and Intent of the Standard(s) - The general purpose and the intent of the standard is being met in that the two residential programs (i.e., pre and post-adjudication programs) are providing sufficient staff supervision for all residents;*
- 3) *Undue Hardship - The applicant has sufficiently demonstrated that an undue hardships would exist if the requested variance was denied, namely significant increases in operation costs for increased staffing or potential program closures resulting in decreased secure residential beds for the applicant and the region;*
- 4) *Law Violations - No known law violations would result from an authorization of the applicable variance.*

Recommended Special Terms and/or Conditions:

The variance is contingent upon the jurisdiction's strict adherence to alternate resident supervision strategies identified within the variance application

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Lopez to approve Hidalgo County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.624 Related to Minimum Facility Supervision Requirements (Post-Adjudication Facilities) with the Staff recommended special conditions. Motion passed unanimously.

- e. Review, Discussion and Possible Action Regarding Dallas County's Application for Permanent Variance From Title 37 Texas Administrative Code Section 343.634 Related to Level of Supervision Requirements in a Multiple Occupancy Housing Unit

The TJPC staff recommends that the request for a permanent variance be granted. This recommendation is based on the review and assessment of the following required authorization criteria, and the proposed conditions:

Authorization Criteria:

- 1) *Health and Safety of Juveniles - The TJPC staff concludes that a faithful and consistent application of the aforementioned alternate resident supervision strategies (i.e., 1-5) helps ensure the health and safety of juveniles is maintained if a variance from the above standard is granted.*
- 2) *Purpose and Intent of the Standard(s) - The TJPC staff believes that the supervision strategies (i.e., requiring supervising staff to be located within the immediate housing area and random interval observations) employed by the applicant provides an alternate means of supervision that provides substantial compliance with the intent and purpose of the applicable standard;*

3) *Undue Hardship - The TJPC staff concludes that an undue hardship would occur when taking into account the retro-fitting costs, likely program disruptions during the retro-fitting, and the resident's loss of privacy as provided by the partition walls;*

4) *Law Violations – The Commission's staff is currently unaware of any state or federal law violation that would ensue from the granting of a variance relating to this specific standard.*

Recommended Special Terms and/or Conditions:

1) *The alternate resident supervision strategies authorized by this variance shall be limited to dorms 7 and 8 within the Lyle B. Medlock Treatment Facility;*

2) *During non-program hours, juvenile supervision officers assigned to dorms 7 and 8 shall be required to be positioned within the multiple occupancy housing unit (as opposed to within a securing vestibule, control room, or like sub-divided or portioned area) in order to maintain increased visual and auditory awareness of resident activities and behaviors, and to provide an increased level of deterrence against residents moving (undetected and/or without authorization) from one partially-partitioned resident sleeping cubicle to another;*

3) *The alternate resident supervision strategies authorized by the variance shall be limited to non-program hours and to situations in which ad hoc security precautions are required during program hour periods (e.g., residents ordered to their partitioned sleeping cubicle during special incidents, facility or dorm emergencies, etc.);*

4) *The required resident observation logs shall be posted on the wall that separates each resident's sleeping area. The juvenile supervision officers assigned to dorms 7 and 8 will visually observe each resident at intervals not to exceed 10 minutes and shall document each visual observation of a resident on the corresponding resident observation log;*

5) *The Facility Administrator shall maintain a special incident log, or like-titled or designed documentation mechanism, to track non-program hour incidents on dorms 7 and 8. The log shall include a record of all resident breaches of the aforementioned supervision and security safeguards, with said breaches minimally including resident on resident assaults (both physical and sexual) and residents' unauthorized entry, regardless of duration, into another resident's partitioned sleeping cubical. The special incident log(s) shall be made available for the Commission's review upon request.*

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Lopez to approve Hidalgo County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.634 Related to Level of Supervision Requirements in a Multiple Occupancy Housing Unit with the Staff recommended special conditions. Motion passed unanimously.

9. Discussion and Possible Approval of Amendments to Section 341.36 Relating to Screening and Assessment for Initial Publication in the Texas Register for a 30-Day Public Comment Period – K. Roe

These new rules are being proposed to comply with provisions of Senate Bill 653 that require the agency board to adopt rules related to mental health screenings and risk/needs assessments of juveniles. The new provision, found in Section 221.003 of the Human Resources Code, reads:

(a) The board by rule shall require juvenile probation departments to use the mental health screening instrument selected by the department for the initial screening of children under the jurisdiction of probation departments who have been formally referred to a juvenile probation department. The department shall give priority to training in the use of this instrument in any preservice or in-service training that the department provides for probation officers. The rules adopted by the board under this section must allow a clinical assessment by a licensed mental health professional to be substituted for the mental health screening instrument selected by the department if the clinical assessment is performed in the time prescribed by the department.

(e) The board shall adopt rules to ensure that youth in the juvenile justice system are assessed using the screening instrument or clinical assessment under Subsection (a) and the risk and needs assessment under Subsection (b).

The proposed rules address both the mental health screening and the risk/needs assessment to comply with the statutory mandate above. The screening and assessment procedures were mandated by statute in 2009 and have been in place since then. The proposed rule makes no change to existing procedures in these areas and will not add any new requirements to the assessment procedures already in place.

Staff is requesting that the board approve these amendments for initial publication in the *Texas Register* for a 30-day public comment period.

A **motion** was made by Commissioner Shults and **seconded** by Commissioner Boyd to Approve Amendments to Section 341.36 Relating to Screening and Assessment for Initial Publication in the Texas Register for a 30-Day Public Comment Period. Motion passed unanimously.

10. Review, Discussion and Possible Disciplinary Action Regarding Certified Officers Herman Brown, Jason Corley, Jenny Herrera and Robert Ochoa for Review of Request for Default Orders Under 37 Texas Administrative Code Chapter 349 – K. Sohrt

Kaci Sohrt presented 4 disciplinary cases with requests that the Board issue default orders in each case. New rules were adopted last year that allow for the disposition of a case by default without having to refer the case to State Office of Administrative Hearings (SOAH). This applies in cases in which the certified officer does not respond to the formal charges in writing as is required by rule and for which the officer did not request a hearing.

The Board's options are to enter the default order or order the case to SOAH. If a case is ordered to SOAH and the officer fails to appear, a default order will come back to the Board. Ms. Sohrt requested the board approve the default orders in each of the cases.

A motion was made by Commissioner Lopez and seconded by Commissioner Shults to approve the review of request for Default Orders under 37 Texas Administrative Code Chapter 349 of the above named certified officers. Motion passed unanimously.

**11. Executive Director's Report – V. Spriggs
- Agency Activity Update**

Ms. Spriggs reported that the Commission's commitment numbers are at 899 as of July 2011.

The Juvenile Case Management System (JCMS) will go live in Tarrant County on Saturday, September 17, 2011 which now means that JCMS is being implemented in Dallas County and Tarrant County. Hays and Caldwell Counties are preparing to be the next counties to implement JCMS.

Ms. Spriggs referenced the Criminal Justice Grant from the Governor's Office that was awarded to the Commission. She noted that while it does save counties funding as it relates to receiving quality training, it does not and never will replace people from the Commission providing quality training as well. It will allow for departments that have very limited funds or are unable to travel, the ability to access and attend the trainings.

The transition team will have its first meeting on Monday, September 19 and the TYC/TJPC workgroups continue to work in the areas of Fiscal, IT, HR and Legal.

The agency will host a Quality Assurance Conference on September 22 and 23. The conference was created to allow departments a better understanding of how the monitoring system will be set up in the coming year. The conference will look at website resources that departments can use to prepare for visits and what to expect at their individual visit. The registration for the conference was originally expected to draw 50-60 people; however there are now over 200 people registered for the conference.

Ms. Spriggs took a moment to introduce some individuals in attendance at the meeting. All 5 of the Probation Departments that presented at the variance meeting yesterday were in attendance.

Chris Hubner was also introduced at this time. Ms. Spriggs noted that Chris was promoted into the Commission's Chief of Staff (COS) position in February when Debbie Garza, the previous COS retired. Chris was originally hired as an attorney for the Commission and has done an outstanding job in his new role.

No action was required for this item.

15. **Public Comments – R. West**

No public comments were received at this time.

16. **Adjourn – R. West**

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner McClendon to adjourn. Motion passed unanimously. The board meeting adjourned at 10:35 a.m. The next board meeting will be held on November 17, 2011.