TEXAS JUVENILE JUSTICE DEPARTMENT

Sunset Advisory Commission

Self-Evaluation Report

Submitted September 1, 2021

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Texas Juvenile Justice Department Self-Evaluation Report

I. Agency Contact Information

A. Please fill in the following chart.

Texas Juvenile Justice Department
Exhibit 1: Agency Contacts

	Name	Address	Telephone & Fax Numbers	Email Address
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Agency's Sunset Liaison	Sean Grove, Chief of Staff	1711 San Jacinto Blvd, Austin, TX 78701	512-975-0676 (m) 512-490-7117 (o)	Sean.Grove@tjjd.texas.gov

Table 1 Exhibit 1 Agency Contacts

II. Key Functions and Performance

Provide the following information about the overall operations of your agency. More detailed information about individual programs will be requested in Section VII.

A. Provide an overview of your agency's mission, objectives, and key functions.

Mission, Objectives, & Vision

The Texas Juvenile Justice Department's mission is to provide a single state juvenile justice agency that coordinates along the continuum of services including county probation and detention services, community services, and state-level care. Local county governments, courts, and communities, along with state-level systems, promote public safety, including accountability and rehabilitation opportunities, by providing a range of effective supports and services to youth. This single-system support prioritizes keeping youth "shallow" in the juvenile justice system through local control processes, promoting programs and services that follow current trauma-informed research-based approaches, and providing safety and security for the youth and public by operating secure facilities to rehabilitate youth who cannot be served in another less-restrictive setting.

Section 201.003, Texas Human Resources Code, provides six goals for the department:

1. 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 placements;

2. 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;
3. Locate the facilities as geographically close as possible to necessary workforce and other services while supporting the youths' connection to their families;
4. Encourage regional cooperation that enhances county collaboration;
5. Enhance the continuity of care throughout the juvenile justice system; and
6. Use secure facilities of a size that supports effective youth rehabilitation and public safety.

Vision: An effective and integrated juvenile justice system that:

1. Advances public safety through rehabilitation;
2. Embraces a one-system approach that includes the significant voice of county probation offices, and allows for local control;
3. Equitably affords youth access to services and trauma-informed care, matching their needs to enhance opportunities for a satisfying and productive life;
4. Employs a stable and engaged workforce fully empowered to be agents of change and reinforce treatment goals for youth;
5. Operates safe and therapeutic environments with positive peer cultures emphasizing mutual accountability; and
6. Is a model system with innovative, data-driven, and successful programming.

Key Functions

Public safety and youth rehabilitation

The most important function TJJD provides is public safety through youth rehabilitation and treatment.

Public safety. Public safety entails both ensuring that delinquent conduct by juveniles is appropriately addressed at the right level of the system for the right amount of time to maintain the safety of communities and providing adequate services to meet the specific risks and needs of youth so they have the knowledge and skills to contribute as productive members of society and contribute to a safe community. This requires collaboration at every level of the single juvenile justice system to make certain that local entities have the resources required to meet the needs of youth as much and as frequently as possible, that the state can help when commitment is necessary, and that reentry is supported to reduce future crime in local communities and the likelihood of recidivism.

Accountability. The Office of Inspector General operates a 24-hour hotline for calls and complaints involving allegations of abuse, neglect, and exploitation (ANE) in juvenile justice

programs in facilities in Texas. It also receives reports of critical and serious incidents that occur in those facilities and programs. The OIG investigates these allegations and those incidents it deems raise concerns of ANE. Finally, it provides 24-hour entry and confirmation of TJJD Directives to Apprehend (warrants for escape, absconds, and parole violations) for law enforcement throughout Texas and beyond to enhance public safety.

Prevention and intervention services

Early intervention and prevention allow county juvenile probation departments to intervene with youth at risk for further involvement in the juvenile or criminal justice systems. These services reach youth at their earliest stage of system involvement and are built to provide targeted interventions for the youth without formal involvement on juvenile probation or in a post-adjudication residential setting.

Juvenile probation

Juvenile justice system reforms enacted in Texas over the past decade have emphasized evidence-based practices and creating better outcomes for juveniles and their families. To successfully meet these legislative charges, youth must receive the proper level of services and interventions for their individual needs. For nearly 99 percent of youth involved in the juvenile justice system, probation departments operated by local juvenile boards provide the best structure, treatment, and support closer to the youth's home. There are 165 juvenile probation departments providing prevention, diversion, detention, community supervision, community-based intervention, and post-adjudication residential services to all 254 counties in Texas.

Operating secure correctional facilities

TJJD operates five secure correctional facilities for youth who are committed to the department's care. These youth come to TJJD from the juvenile courts when interventions at the local level have been unsuccessful or if the youth's needs or seriousness of his or her offense warrants receiving treatment through state facilities.

Youth services contract program facilities

TJJD solicits and develops high and medium contract care options to meet the changing needs of the agency and provide treatment options for youth in smaller settings. This allows for a targeted approach to a youth's specific treatment needs, as well as more sustainable milieus within existing state facilities.

Operating non-secure halfway houses

TJJD also operates five residential non-secure halfway houses. These placements provide structured community reintegration for youth and additional treatment that is not necessary to be provided within a secure correctional setting.

Reentry and parole

TJJD provides services to youth through community reentry. When youth have progressed through programming in TJJD-operated facilities to the extent necessary for their continued confinement, TJJD continues to work with these youth by providing services in their home communities to support their long-term rehabilitation. TJJD also contracts with juvenile probation departments to offer these reentry and parole services in certain counties across the state.

Victim services & sex offender registration technical support

TJJD affords victims of juvenile crime their rights under the law and recognizes their losses.

The Sex Offender Registration Administrator works closely with TJJD facility staff, parole courts, and law enforcement in Texas and other states to ensure that court-ordered sex offender registration obligations are enforced lawfully and equitably per Texas statute.

State assistance to local juvenile probation

Juvenile probation is the largest segment of the juvenile justice system in Texas. While each department operates under the direction of a local juvenile board, TJJD is statutorily responsible to provide guidance, technical assistance, and support to the juvenile probation departments across Texas. Multiple agency divisions engage with probation departments through various activities.

Probation support. The Probation Services division develops innovative initiatives and programs and provides strategic thinking on policy, programming, and operations designed to improve outcomes for youth. As a core function, this division builds key strategic partnerships and collaborations with probation departments in all matters related to the juvenile probation system in Texas. It administers approximately $158 million annually in grant programs, such as state aid formula funds to maintain the system and divert youth from TJJD commitment, discretionary state aid programs to improve system outcomes, juvenile justice alternative education programs, Title IV-E reimbursements, and prevention and early intervention services. In 2015, the 84th Legislature instructed TJJD to develop and adopt a regionalization plan, in consultation with local juvenile probation departments, for keeping children closer to home in lieu of commitment to the secure facilities operated by the agency. This division includes the team responsible for implementing the agency's regionalization plan.

Standards and regulations. TJJD's Office of General Counsel oversees the standards regulating Texas probation departments, maintains probation officer certification and disciplinary procedures, and provides general technical legal assistance to all probation departments. This division works closely with the TJJD Advisory Council, the Monitoring and Inspections division, and the Probation Services division to create, update, and disseminate agency standards that ensure the probation system meets statutory requirements and uniform standards of supervision and rehabilitation for youth across Texas. The officer certification and discipline structure ensures that staff working in probation departments meet and maintain minimum education, training, background, ethics, and performance standards. The legal help desk assists probation departments in finding the appropriate legal resources to address their questions.

Monitoring. The Monitoring and Inspections division monitors probation department adherence to set standards governing the probation system and provides technical assistance to probation departments on implementation of the standards. Through these activities, this department ensures probation facilities meet life safety and other operational standards and probation departments maintain uniform operational procedures.

Investigations. The Office of Inspector General (OIG) investigates incidents to ensure the safety and security of juveniles served by probation departments. The OIG may investigate alleged

crimes and allegations of abuse, neglect, and exploitation committed by probation department employees and works with local law enforcement and prosecutors in support of this goal.

Independent oversight. The Office of the Independent Ombudsman (OIO) works to investigate, evaluate, and secure the rights of youth involved in the juvenile justice system. The Independent Ombudsman is appointed by the Governor and employs a staff to support their mission in a fashion independent from TJJD.

Technology and case management systems. TJJD's Information Technology (IT) division supports numerous technology applications that support probation system activities. The Juvenile Case Management System (JCMS) and Juvenile Case Extract (JCE) support case management and program evaluation, Grant Manager supports funding, the Integrated Certification Information System (ICIS) maintains training and certification status, the Compliance Monitoring and Enforcement Tracking System (COMETS) documents grant and standards monitoring activities, and various other applications support special programs. IT assigns the Enterprise Support team to provide access and application support to all probation departments.

Training. The Juvenile Justice Training Academy provides initial certification and recertification courses, certification course verification, and professional development training opportunities for all certified officers and probation department employees.

Reporting and statistics. The TJJD Legislative Reporting and Statistics Department collects and monitors the quality of data received from juvenile probation departments, produces legislatively mandated statistical and narrative reports, responds to public information requests for data, provides data analysis to agency and probation decision-makers, offers technical assistance with data and program evaluation, and publishes statistical profiles for probation system use.

Education and workforce development for youth

Education. TJJD operates its own school district for youth in the five secure facilities as authorized under Texas Education Code §§ 30.102 - .106. Youth are placed in grade-appropriate classes with small class sizes to allow for more individualized attention and to foster relationships between the youth and their teachers. Youth earn credits in TEKS-aligned courses and participate in state assessments. Many courses are provided through digital learning platforms, which provide targeted interventions and allow students to work at their own pace with assistance from their teachers. Youth have the opportunity to earn their Certificate of High School Equivalency or diplomas, and twice a year each facility hosts graduation ceremonies. TJJD partners with Blinn College to provide college courses and dual-credit opportunities to the youth. New class options are being developed with the goal of increasing the number of youth leaving TJJD with college credits. Youth at TJJD halfway houses are provided educational services through the local school district in accordance with Section 25.001, Texas Education Code.

Workforce development. TJJD prepares youth to enter the workforce through vocational programs at secure facilities where youth can earn certificates in technology, construction,

culinary arts, welding, horticulture, OSHA 10-hour training, forklift operator, and CPR and first aid. These programs provide youth with basic skills and beginning knowledge in these career and technical fields. TJJD facilities also prepare the youth for their future careers through career fairs and by conducting mock interviews. At the Orientation and Assessment Unit, youth participate in career-to-school lessons to provide them with knowledge of career options and ways to become career ready so they can be better prepared to reach their future goals. Facilities also provide financial literacy courses, work study programs, and career preparation classes.

Identification needed for work and school in the community. The passage of HB 4544 during the 87th Regular Session will greatly improve the mechanism by which TJJD provides official identification to incarcerated youth re-entering the general public. The bill requires a memorandum of understanding between TJJD, the Department of Public Safety, and Department of State Health Services, so that every youth has a driver's license or official state identification, birth certificate, and Social Security card upon re-entry. Identification is often critical to finding housing, gaining employment, and receiving benefits, and HB 4544's directive provides TJJD with the tools to issue these documents directly to youth.

Treatment services

Upon arrival to TJJD, youth receive a comprehensive evaluation to determine need for medical, educational, case management, and mental health services. Intake mental health professionals screen and assess youth for significant mental health concerns warranting further monitoring and treatment. Risk needs assessments completed by intake case managers are incorporated into reports developed by mental health professionals; these reports identify specialized treatment and supplemental programming the youth will engage in during their time with TJJD. After completion of their intake evaluation, youth move to a long-term campus where they will engage in the services deemed appropriate by their individualized evaluation.

Dispersed between five secure facilities are treatment teams made up of chemical dependency counselors, sexual behavior therapists, and mental health professionals. Each facility has mental health professionals licensed and those seeking licensure to provide mental health and trauma counseling to youth identified at intake or who present with a need later during their stay. Specialized treatment programming in aggressive/violent offending, sexual behavioral problems, and substance use are completed in group and individual settings. These programs utilize an evidenced-based curriculum designed to address risk factors that are common to these populations. Treatment programs are frequently adapted and individualized to the unique needs of TJJD youth. Central Office treatment staff provide oversight to the treatment providers in the field to ensure fidelity to program models.

B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed?

TJJD's key functions remain needed. Because youth continue to experience high levels of trauma, may not receive needed identification of risks and needs early in their lives, may lack resources and appropriate support systems, and have brain development and maturity levels

that lead to poor choices, there remains a need to both protect the public and provide resources to youth at all levels of the system including the interconnected key functions of:

- Public safety and youth rehabilitation
- Prevention and intervention services
- Juvenile probation
- Operating secure correctional facilities
- Youth services contract program facilities
- Operating non-secure halfway houses
- Reentry and parole
- Victim services & sex offender registration technical support
- State assistance to local juvenile probation
- Education and workforce development for youth
- Treatment services

As a result, the key functions of public safety and youth rehabilitation continue to serve ongoing objectives. The juvenile justice system supports the need to keep youth shallow in the system and provide the proper dosage of treatment and services that are necessary for public safety and meet the risk, needs, and responsivity of the youth. These functions can only be provided by a statewide juvenile justice system that is focused on local control, validated treatment services, and wraparound services for youth who stay in or reenter their community. When a youth becomes involved with the juvenile justice system, it is ultimately because other systems of support—whether familial, educational, mental health, or other—have lacked the resources or ability to appropriately redirect the trajectory of the youth's conduct. By this point in their lives, youth often have highly acute needs, and the juvenile justice system is often the last opportunity for proactive intervention and protection of public safety.

C. What, if any, functions does your agency perform that are no longer serving a clear and ongoing purpose? Which agency functions could be eliminated?

All agency key functions continue to serve clear and ongoing purposes; however, there are a few functions performed by TJJD that would be best served by other agencies or that remain in statute but are no longer relevant or performed.

Collecting child support. When a youth is adjudicated, the court may order payment of child support to TJJD. In FY 2020, TJJD collected $38,784 of $84,160 in court-ordered funds, or 46%. TJJD reports delinquent payments to the Office of the Attorney General for collection action. Over time, $4,006,117 has accrued in unpaid court-ordered child support. These amounts are reported in the Annual Financial Report as payments owed. This is potentially a cause of confusion for two reasons. First, these pending payments overstate our financial situation as we do not have a mechanism to mark them as uncollectable and they continue to accrue over time despite the fact that they are unlikely to be paid. Second, these funds, when collected, are sent directly to the Office of the Comptroller account. TJJD requires 0.75 FTE to manage these collections without direct benefit to the agency as they are not used as an appropriated receipt or included in TJJD's indirect cost appropriation.

Inactive programs. The following functions are no longer performed by TJJD:

- Operation of an Industries Program, which allowed TJJD to develop and expand public and private department industries. Human Resources Code Chapter 246. TJJD does continue to offer vocational training for youth, but not under this program.
- Operation of forestry and parks-maintenance camps and ranches to treat youth committed to TJJD, including requiring youth to perform conservation and maintenance work at the camps and ranches. Human Resources Code Sections 242.059(2) and 244.006.

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions?

The agency's enabling legislation is a correct reflection of our overall mission, objectives, and approach to performing our functions. There are some areas that could be modified to eliminate some barriers to the agency's objectives.

For example, the agency is tasked with imposing minimum standards for juvenile probation departments and facilities. TJJD interprets the requirement to impose minimum standards to mean that the standards the agency imposes set the minimum that the juvenile probation department or facility must do in that particular area to be in compliance. This interpretation is consistent with the concept of standards. The term "minimum standards" is used throughout Texas statutes to mean this. There are, however, differences of opinion as to whether TJJD is to set the minimum level of standards appropriate to juvenile justice settings and methods, allowing departments to adopt their own higher standards, or whether this means that TJJD must limit standards to the minimum required by statute or case law. Clarity in this function to ensure consistent understanding would be helpful.

E. Have you previously recommended changes to the Legislature to improve your agency's operations? If so, briefly explain the recommended changes, whether or not they were adopted, and if adopted, when.

Recent Direct Requests

Restoration of county prevention and intervention services

In facing a 5 percent cut, TJJD believed it was critical to maintain the highest level of probation services possible for youth already in the system. As a result, TJJD eliminated prevention services for youth not yet in the system and requested it back in our LAR. Early identification of youth with risk factors (such as experiencing childhood trauma, involvement with negative peers, lack of family structure and support, barriers to community and educational supports, lack of involvement with pro-social activities, and an early history of truancy) is critical to a future juvenile justice system that includes as few youth as possible. *(Approved 87th Legislature.)*

Early identification and intervention with childhood trauma

When youth come in contact with the juvenile justice system, the conditions and trauma that led them there generally began much earlier. This fact lets us know that the systems that

served them from early childhood may not have had the resources to identify youths' issues early and intervene before they could move deeper into the system. As a result, early intervention programs that focus on identification of trauma at the earliest point possible within our system and work with families to understand, respond, and advocate for themselves to meet the risks and needs that may impact further involvement with the juvenile justice system are needed. TJJD requested a discretionary grant program for counties to advance this important work. Early identification and intervention with childhood trauma and its effects is a cost-effective way to avoid massive costs of healthcare, incarceration, foster care, and other needs that will follow children and involve high costs throughout their lives. *(Not approved.)*

Increased sustainability for probation services

Overall, the state funds 64 percent of adult probation costs, and local costs are offset through offender fees. In the juvenile system, the state funds 25 percent of probation costs, and counties bear the remaining cost because fees are not charged to juveniles. These percentages include the high costs of residential placements. As shown in the chart to the right, residential costs are much higher for youth.[1] As a result, employing these placements can be difficult for departments, especially smaller ones where a handful of youth can dominate a large percentage of the overall budget.

Local Cost-Per-Day Share
Residential Treatment Services in Probation-2020

Residential Service	Cost per Day	Local Share
Adult System		
Dually Diagnosed Residential Treatment	$102.70	0%
Court Residential Treatment Centers	$114.21	6%
Substance Abuse Treatment Facilities	$86.04	2%
Treatment Alternatives to Incarceration	$147.31	2%
Juvenile System		
Commitment Diversion	$544.33	64%
Mental Health	$399.68	37%
Regional Diversion Alternatives	$393.82	76%
Post-adjudication Facilities	$230.31	77%

Sustainability of services is key, and predictable funding levels are needed to do so. We requested an increase for probation that would equate to a 5 percent increase in the state share as an initial step toward stabilizing funding and giving county probation departments the ability to focus on building new resources with less concern about sustainability. *(Not approved.)*

Aftercare services

Youth who successfully complete a residential treatment placement are best served by receiving aftercare services in accordance with the discharge plan or recommendation of the treatment provider. Research has shown that effective and responsive aftercare assists juveniles in successfully transitioning back into the community from a highly structured environment.[2] [3] [4] Over fiscal years 2018-2020, an average of 88 departments applied for Regional Diversion Alternatives (RDA) funding to place a juvenile in residential treatment, with

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[1] Legislative Budget Board, Uniform Costs, https://lbb.texas.gov/Public_Safety_Criminal_Justice.aspx
[2] Kaminer Y, Burleson JA, Burke RH. Efficacy of outpatient aftercare for adolescents with alcohol use disorders: A randomized controlled study. J Am Acad Child Adolescent Psychiatry. 2008; 7:140 5–12.
[3] Kaminer Y, Godley M. From assessment reactivity to aftercare for adolescent substance abuse: Are we there yet? Child Adolesc Psychiatr Clin N Am. 2010; 19:5 77–90.
[4] Family-centered Residential Treatment: Knowledge, Research, and Values Converge. Walter, Uta M.; Petr, Christopher G. Residential Treatment for Children. Vol. 25(1), 2008, 1-16.

an average of 144 juveniles who would benefit from quality aftercare programs such as out-patient drug treatment, ongoing individual or group counseling, out-patient sexual behavior treatment, and intensive case management. We requested funding for RDA aftercare to support programming for juveniles placed in residential treatment and diverted from TJJD commitment through the RDA grant to maintain and reinforce the practical application of skills learned as they transition back into their communities. *(Not approved.)*

Emergency mental health placements

At the county level, probation departments need the ability to respond quickly to a youth in a mental health crisis. For many departments, the costs of doing so for just one youth would be damaging to their overall budget because the federal intensive plus rate for services is $400.72 but true costs can actually reach $500 to $600 per day. As a result, TJJD requested funds for crisis mental health stabilization services at the county level that would have allowed for immediate support for youth in suicidal or other crises. Because the need for such services cannot be predicted department by department, this program would work similarly to the Regionalization Program, with county probation departments requesting funds for this support from a fund administered by TJJD that can be accessed quickly. *(Not approved.)*

Mental health collaboratives

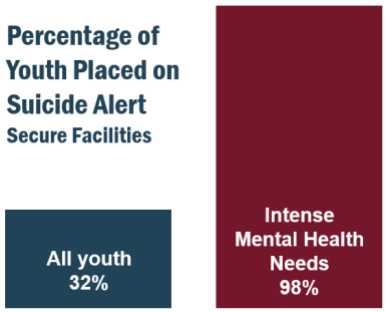
Responses to mental health issues among youth are improved when a collaborative multi-disciplinary effort is used. As a result, TJJD requested discretionary grant funds to increase local and regional interagency collaboration to better meet the needs of youth with mental health issues. *(Not approved.)*

Competitive rates for contract care

Contract care and probation-run residential programs are options for many probation youth with high needs. The appropriated pre- and post-adjudication strategy for probation has not been adjusted since Child Protective Services raised their residential rates to a range from $197.69 to $277.37 for similar youth in 2019. Increased funding for probation departments will allow them to pay competitive rates, enhancing options for youth. *(Not approved.)*

Specialized, modern facility for youth with intense mental health needs

At the state level, while we strive to meet the mental health needs of all youth, about 5 percent of our youth have intense needs. We currently serve these youth in a set of dedicated dorms at the Giddings State School. Because of the ongoing staffing issues at our largest facilities, we must share resources between these dorms and the others on the campus. These youth need a very high level of supervision as they have higher risks of suicidal behavior, violent incidents, need for outside medical care, and other negative outcomes. These youth represent approximately 15 percent of the youth at Giddings but are responsible for 30 percent of behavior categorized as assaultive.[5] Additionally, 98 percent of these youth have been placed



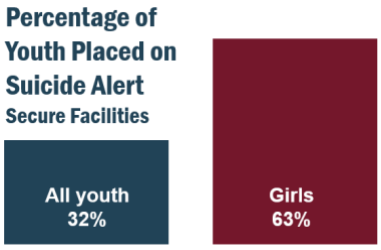
[5] FY 2020, March through July

on suicide alert and during their time at TJJD, they average 7.5 suicidal ideation events as compared to 1.9 among youth overall, and 13.8 suicidal behavior events as compared to 1.7 overall.

These youth also require more intensive psychiatric care with providers trained in trauma-informed care to maintain the least amount of medication while maintaining therapeutic measures. More intense psychiatric care also helps to ensure the necessary structure, stability, and supervision needed to minimize the risk of youth harming themselves or others and improve dysregulatory patterns. The direct-care staff also require additional training to use psychological brain-mapping tools necessary for therapeutic measures.

As a result, we requested a new, dedicated small facility for committed boys with the most severe mental health issues to be located in an area with greater access to mental health talent. Because of the growing number of youth with such needs, this facility could serve 48 youth with the potential to grow to 64, if needed. This facility would have an overall staffing ratio of 1:4 with a 1:2 ratio in a small crisis stabilization center within it. *(Not approved.)*

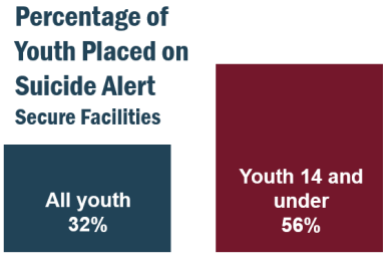
Specialized, modern facility to meet the needs of girls



TJJD girls have very high levels of trauma, with 86 percent having 4 or more Adverse Childhood Experiences (ACEs), and when we screen them for potential sexual exploitation, 36 percent are of clear concern and 55 percent are of possible concern. Girls represent less than 10 percent of the youth in TJJD secure facilities. This fact alone indicates that the girls who come into state care have intense needs. The small number of girls in state care quite often have an intense level of trauma that causes them to respond automatically and aggressively to perceived threats—threats that may not be real. To be safe, these girls with extensive trauma histories must *feel* safe. A high level of environmental safety, opportunities to connect with safe adults, therapeutic care, and heavy reinforcement of regulation skills are all necessary to maintain safety. Until the girl can feel safe and then learn to lower her responses, these fight responses increase the likelihood of being charged for committing an assault on public servant during an intervention and moving deeper into the criminal justice system. Girls in secure facilities consistently engage in minor rule violations at a rate 65 percent higher than average and are twice as likely to assault staff. Additionally, girls are much more likely to engage in suicidal behavior and ideation and to require placement on suicide alert. Of girls in secure facilities 63 percent have been placed on suicide alert at least once—about twice the percentage of TJJD secure youth overall — and average nearly 7 suicidal behaviors—about three times the percentage of TJJD secure youth overall.

A new 48-bed facility for girls would allow TJJD to serve exclusively their specific needs, prioritizing those with intense mental health needs, violent behavior, and survivors of child sex trafficking. For youth with intense mental health needs, it would also provide a Crisis Stabilization Unit for girls, which TJJD does not currently have. This facility would have an overall staffing ratio of 1:6. *(Not approved.)*

Specialized, modern facility to meet the needs of very young offenders



About 5 percent of boys in state secure facilities are 14 years old or younger. While all youth in our care struggle with decision making, the brain development of youth 14 and under leads them to have more difficulty controlling impulses, assessing risk, and resisting peer pressure. These youthful offenders require more frequent redirection, intervention, and accountability measures. These youth are about twice as likely to assault youth or staff, commit major rule violations, and engage in consistent, minor rule violations. Additionally, they are much more likely to engage in suicidal behavior and ideation and to require placement on suicide alert. Of these youth, 56 percent have been placed on suicide alert at least once—slightly less than twice the percentage of TJJD secure youth overall and average 4.4 suicidal behaviors—about 1.5 times the percentage of TJJD secure youth overall.

As a result, we requested a small 48-bed secure facility designed to meet the needs of younger boys who need additional levels of attention. This facility would have an overall staffing ratio of 1:4. *(Not approved.)*

Validated risk and needs assessment

In 2009, HB 3689 (McClendon, Kolkhorst, Isett, Madden) required probation departments to complete a validated risk and needs assessment for every youth under probation department jurisdiction before disposing of the case. The Family Code was further amended by SB 1630 (Whitmire) in 2015 to emphasize that juvenile courts should consider the results of a validated risk and needs assessment prior to ordering a TJJD commitment. A comprehensive assessment is the critical step to understanding the issues and needs of a youth and is necessary to design a plan for that youth, including treatment. In 2018, we identified funds through state savings to provide access to a statewide validated assessment tool; however, this funding method cannot be predictably sustained and the loss of this assessment would set back the ability of juvenile departments to appropriately intervene and provide services and treatment for youth. As a result, we requested sustainable funding for this purpose. *(Not approved.)*

Probation appropriation structure

State appropriations for juvenile probation funding recognize statewide trends in rehabilitation and treatment needs and corresponding spending patterns that may not hold true for each individual department. There are five appropriation strategies supporting the basic state aid formula funding that compose more than 80 percent of the annual grant allocations TJJD provides to probation departments. In FY 2018-2019, probation departments refunded 1.35 percent of all basic state aid formula grant funds to TJJD, but not all strategies were refunded at the same level. The commitment diversion and mental health services strategies had refunds almost double the overall level, at 2.41 percent and 2.69 percent respectively.

The higher refund rate from commitment diversion and mental health funding strategies coupled with the significant expenditures from other appropriation strategies in their spending categories demonstrate the difficulty probation departments have in budgeting within the current funding structure. Dividing funding across too many strategies, each with its own limitations on how the funds may be used, results in departments being unable to utilize all of

their state resources to meet the needs of referred youth. Additionally, the current structure fails to capture all the state resources utilized for mental health and commitment diversion services in juvenile probation departments. Organizing funds into fewer appropriation strategies with more diverse allowable expenditures will give probation departments flexibility to fully utilize resources and serve more juveniles at the local level. To that end, we recommended shifting the commitment diversion and mental health appropriation strategies, A.1.5 and A.1.7, into the community programs and pre- and post-adjudication appropriation strategies, and allowing commitment diversion and mental health expenditures from these sources of funding. *(Not approved.)*

Juvenile Justice Alternative Education Program support and sustainability

TJJD is responsible for administering the Juvenile Justice Alternative Education Program (JJAEP) across the state. Certain probation departments are mandated by Texas Education Code 37.011 to operate JJAEPs, which are alternative education programs that provide services to youth who have been expelled due to violations of the student code of conduct, including Penal Code offenses. These programs are funded by the Texas Education Agency and passed through TJJD. JJAEP attendance days rose 40 percent in school year 2018-2019 and an additional 22 percent in school year 2019-2020. As a result, the average attendance day reimbursement provided to JJAEPs decreased from an average of $96 per day to $60 per day in school years 2018-2019 and 2019-2020, creating a significant reduction in JJAEP operational budgets. The 87th Legislature approved changes to the General Appropriation Act, Article V, rider 13 to ensure that if the daily mandatory attendance reimbursement rate falls below $86 per day because of increased days of attendance (the rate established for the 2014-2015 school year), TEA will increase appropriated funds to TJJD to provide a minimum reimbursement of $86 per attendance day. *(Approved 87th Legislature.)*

Enhanced staffing ratios for special populations

TJJD must ensure that wherever our youth are located, they can be supervised at the levels appropriate to their needs. To be compliant with the Prison Rape Elimination Act (PREA) requirements, TJJD must meet a minimum 1:8 ratio, but for many of our youth an even smaller ratio is needed. Youth in active mental health crisis (1:2), youth with significant mental health needs (1:4), youth with intellectual disabilities (1:6), highly violent youth (1:4), younger and more vulnerable youth (1:4), and girls (1:6) need augmented staffing ratios. More in-depth discussions of the needs and requirement of these populations are included in the sections above related to Very High Needs and Intense Needs youth. As a result, we asked for increased staffing levels for these specific populations. We requested 116 FTE to support necessary increased staffing ratios for intense risk populations and 63 FTE to maintain basic services. The 87th Legislature approved 31.5 more FTEs in FY 2022 and increased to 63 FTE in FY 2023 for direct care staff, or 35 percent of what had been requested. *(Partially approved 87th Legislature.)*

Appropriate pay for direct-care staff

According to employee exit surveys, the most common reason new hires gave for their departure was obtaining a better job with better pay.

The job of a Juvenile Correctional Officer (also known as Youth Development Coach) is difficult and not everyone is suited to its physical and mental demands. Our direct-care staff are required to be active and engaged with youth throughout the day: leading activities, keeping youth busy, helping youth to work through stressful situations, and managing many transitions. Eight or more hours of consistent interaction with any group of teenagers can be tiring and stressful, but our youth have more significant issues, and when a situation escalates, it can lead to violence or other negative outcomes. This stress is exacerbated when, because other staff are not available, employees must work unscheduled overtime. The current salary is not commensurate with the work and is insufficient to recruit qualified candidates. It is clear that we need to be able to recruit staff more likely to be suited to the role, through higher salaries more appropriate to the actual work and creating a larger candidate pool through additional smaller facilities that provide geographic diversity. Direct-care roles within our facilities equate more closely with Child Protective Services than with the adult correctional system. As stated above, our direct-care staff are required to be active and to engage in modeling and teaching good decision-making and stress management. They are not simply there as guards or security staff; they are caregivers to youth with high trauma backgrounds and mental health challenges.

In the 86th Legislative Session, we received an increase that raised direct-care salaries to be commensurate the Texas Department of Criminal Justice. However, while the requirements of the positions at both agencies are difficult, working with youth on a consistent basis requires a different set of skills—one of our primary goals is to help youth avoid moving into the adult system. As a result, we requested salary adjustments that would have allowed us to move our direct-care staff from an average of $40,652 per year to an average of $48,253 per year, which takes us a significant step closer to the salaries at Child Protective Services and will allow us to better recruit and retain these positions. *(Not approved.)*

Enhanced community and family services

After being paroled or discharged from TJJD, youth return to their families and communities. Though the youth has received treatment and intervention, generally the environment to which he or she return remains the same. TJJD offers an evidence-based rehabilitation strategy with supplemental specialized treatment programs and services to youth committed to the agency coupled with limited family supports. The agency's rehabilitative strategy includes a reentry system, which aims to connect youth and their families to agency supports and community resources well in advance of the youth's return to the community, and to execute those plans effectively following the youth's return, to maximize potential for a positive outcome. The reentry system includes preparation and assistance to connect youth with services in the following areas: housing, transportation, workforce development and employment, leisure skills activities, faith-based programming, mentoring, Medicaid, medical care, and specialized aftercare services including mental health treatment, aggression management, sexual behavior treatment, and alcohol and other drug abuse treatment with the limited ability to teach assigned youth and families to navigate systems (medical, behavioral health, educational, workforce, human service agencies, community resources, housing, transportation, recreational/leisure) and to appropriately advocate for themselves within these systems.

There is a need to enhance the services through in-house victim's services and trauma-responsive care training. Many of the youth will be returning to the same families and communities where they experienced trauma and violence. A key to prevent recidivism is to begin to help stabilize the family environment as early as possible.

Additionally, the agency intends to enhance the capacity to assist with family housing issues that could result in the youth's potential homelessness, family reunification services to address familial discord, parenting skills classes, education for the family regarding the youth's intellectual and/or physical disability, and/or the youth's mental health issues. *(Not approved.)*

Medicaid coverage for hospitalized system youth

TJJD raised the issue related to the state costs for paying full costs for youth who must have an overnight stay in the hospital for illness or injury. The 87th Legislature approved access to Medicaid coverage for these youth through HB 1664 (White). This bill supports youth at state and county levels who are in secure residential placements for physical medical needs; it does not apply to hospitalization for a mental illness or crisis. *(Approved 87th Legislature.)*

Information technology needs

TJJD, including probation, has legacy IT systems used to manage information regarding youth and to report information. These systems, which were created decades ago and require intensive management, have become obsolete. At the state level, the Correctional Care System is currently being replaced with "Connect," a modern system. Additionally, at the county level, the Juvenile Case Management System (JCMS) has similar issues and work is being done to improve and update this system. Ultimately, there will be a single Connect interface, allowing the systems to share information and create workflows as youth transfer from county care to state care and for state information to be shared more freely with the county probation departments. Because of the critical need to update these systems, TJJD requested additional funding to continue these upgrades. *(Not approved.)*

Sustainable body-worn camera program

Body-worn cameras are critical to TJJD's ability at the state level to create safer environments. These were put into place in Q4 of FY 2018 and Q1 of FY 2019. They allow TJJD state services and OIG to immediately investigate allegations, reduce the time of investigations, and take swift action against proven allegations or policy violations. They have also resulted in extraordinary reductions in false reports, allowing OIG to focus on what is most important. The 87th Legislature funded half of the costs at $1,600,000 for the biennium. *(Partially approved 87th Legislature.)*

Attrition and OIG C pay scale parity for law enforcement officers

The OIG is a statutorily created independent law enforcement agency at TJJD that is responsible for conducting criminal, abuse, neglect, and exploitation investigations and enforcing state laws on property owned or operated by or under the jurisdiction of TJJD. The OIG is also responsible for conducting investigations at county facilities and departments (including in-state and out-of-state contract care) under TJJD jurisdiction. This proposal would have funded raises for OIG law enforcement and investigative personnel to a level comparable with other state agencies such as TDCJ-OIG, TXOAG, TXPW, and TABC, all of whom received a pay raise in the 87th Regular

Session. This proposal also provided for certification pay in order to recruit and retain higher-qualified peace officers. The current challenges with recruitment and retention for OIG peace officer positions disrupts state operations. Conducting criminal and administrative investigations in juvenile detention or correctional settings is a specialized investigative skill set requiring additional training and experience. OIG attrition is as high as other state agencies according to SAO numbers, but not as high as TJJD overall. Traditionally, law enforcement attrition is much lower than that of other state job classifications; however, more competitive salaries at other state agencies and local law enforcement can drive a higher rate at OIG. Vacant positions and a loss of tenured staff lead to a decrease in OIG responsiveness and timeliness in investigations. This can then result in increased overtime costs for state programs and OIG, suspensions of TJJD facility staff with pay for longer periods, and staff shortages in direct care due to delays in investigations. An equity adjustment in salaries and parity with the C pay scale will increase recruitment and slow attrition. *(Not approved.)*

Human trafficking initiative

The OIG recognizes that many of its TJJD committed juveniles and parolees are vulnerable to possible human trafficking upon release, or recruitment while in state-secure confinement or transfer to a medium-security halfway house. These juveniles and parolees are sometimes foster children or do not have stable and safe housing arrangements, which increases their risk of domestic minor sex trafficking. The proposal would have enhanced OIG's human trafficking investigation capacity by hiring additional investigators that would have fugitive apprehension duties. OIG would have hired additional investigators to collaborate with TXDPS, TXOAG and TABC human trafficking teams and units throughout the state. This effort would also have included proactive efforts to meet with potential parolees before release. The OIG anticipates continued increases in the domestic minor sex trafficking incidents and human trafficking investigations. This effort would increase the collaboration and enforcement activity already being conducted by providing additional dedicated resources to work on juveniles already in the juvenile justice system. *(Not approved.)*

OIG fleet replacement

This proposal would have replaced the OIG fleet vehicles that were not able to be replaced during the FY 2019-2020 biennium because of state budget cuts associated with COVID-19. The current vehicle fleet is aging, and OIG has many vehicles that have been in service between five to ten years. In many cases, these vehicles have in excess of 125,000 miles, and it is anticipated they may be used an additional 50,000 miles before the next biennium. OIG requested an additional 24 vehicles, 12 each fiscal year. Two of these vehicles would needed to be equipped for K-9 teams. The remaining vehicles will be used for criminal investigations, gang intelligence, administrative investigations, and fugitive apprehension. Current older OIG vehicles can then be used for exterior security operations at the five secure facilities. At this time only the five K-9 officers are assigned take-home vehicles, and consequently investigators are responding to critical and serious incidents such as sexual assaults and escapes in their personal vehicles. OIG anticipates a continued increase in the number of calls and complaints received at state, county, and contract facilities. These replacement and additional vehicles would improve responsiveness, timeliness of investigations, and oversight. *(Partially approved 87th Legislature.)*

Incident Reporting Center enhancements

The Incident Reporting Center (IRC) at the OIG is also responsible for taking calls and complaints at county facilities and departments (including in-state and out-of-state contract care) under TJJD jurisdiction. Since the creation of OIG, the IRC has had a small team of between 6 and 7 telecommunication specialists to receive 24-hour hotline complaints and serious and critical incident reports from all of the juvenile justice facilities and programs in Texas. These responsibilities include the review of use of force incidents and allegations of excessive force by juvenile corrections and juvenile supervision officers. The IRC evaluates each of these calls and complaints and then refers some of those for investigation and provides the proper notifications. The OIG anticipated continued increases in the number of calls and complaints received from all types. The IRC enhancement request sought to add additional telecommunication operators, criminal analysts, and other staff to the IRC to reduce call times, obtain additional caller information, conduct complaint assessments, process requests for data and records, and provide proper oversight of referred matters. Finally, the State Auditor's Office recommended improvements to the tracking and follow-up of referrals, which would not be possible based on current staffing. *(Not approved.)*

Repairs, maintenance, and life safety

The introduced General Appropriation Bills from both the House and the Senate included an additional base reduction of $5 million allocated for life safety and deferred maintenance projects for the FY 2022-2023 biennium. The agency submitted an exceptional item request to restore this funding. TJJD facilities must be maintained in compliance with life safety, health, and fire codes. When the intended use of the buildings changes or they undergo major rehabilitation, the buildings must be brought in line with current life safety codes. Studies have indicated that well-maintained facilities have a lower total cost of ownership. Repairs should be funded between 2 percent and 4 percent of the replacement costs each year. Fast-tracked emergency repairs are usually accomplished at a premium cost and reduced quality control. By removing the need for emergency repairs (to every extent possible) the facility has time to effectively plan and execute its projects and maximize benefit for the funds expended. TJJD has developed a 10-year life-safety and deferred-maintenance plan assuming $5 million in base-level funding. Reductions in this base-level funding will add to the continued deterioration of the agency's aging infrastructure and will add significant expense to routine maintenance repairs and future project costs. HB 2 partially funded the restoration of these funds and provided $3.5 million in supplemental funding. *(Partially approved 87th Legislature.)*

Funding for pilot early intervention programs focused on identifying trauma

When youth come in contact with the juvenile justice system, the conditions and trauma that led them there generally began much earlier. This fact lets us know that the systems that served them from early childhood may not have had the resources to identify youths' issues early and intervene before they could move deeper into the system. As a result, early intervention programs are needed that focus on identification of trauma at the earliest point possible within our system and that work with families to understand, respond, and advocate for themselves to meet the risks and needs that may impact further involvement with the juvenile justice system. *(Not approved.)*

Needs Identified in Strategic Plan

Mediation and arbitration

(Human Resources Code (HRC), Section 242.004 – from Strategic Plan) "The mediation/arbitration requirement is onerous, inefficient, and costly. TJJD operates one central office and most staff in field offices perform work related to youth services. When a former employee wishes to mediate, TJJD must pay for the centrally-located manager and a certified arbiter to travel (often overnight) to the location of the aggrieved party. This presents significant cost to the agency in lost manpower and travel expenses. The two most common requests at mediation are for back pay and reinstatement. Neither request can be granted without careful deliberation of the individual circumstances and liability risks to the agency, which must be done in consultation with multiple departments within the agency (e.g., executive and general counsel). This makes it impossible to immediately grant or deny the former employee's request; therefore, the majority of mediations result in an impasse. A more efficient solution is for the employee to grieve the action, allowing the manager to consult documents, investigations, and relevant personnel before issuing a decision. TJJD already offers post-termination grievance options to former employees in addition to the significant due process offered to employees post-termination."

Redundant reporting

(HRC 242.001, 242.002, 245.0535 – from Strategic Plan) "The Human Resources Code creates three separate but related reporting requirements with various time frames submitted to different stakeholders, creating inherent inefficiencies. Additionally, although required by these statutes, TJJD researchers cannot reliably determine whether or how much treatment programming in facilities versus reentry programming uniquely affected recidivism. Youth outcomes are driven by the collective of effective treatment programming and re-entry. Therefore, the agency suggests combining the evaluation of both." TJJD recommends replacing the three statutes with a statutorily-required biennial evaluation of treatment programs and reintegration/reentry programming.

Specific confidentiality requirements

(HRC 242.056 – from Strategic Plan) "Section 242.056, Human Resources Code, requires TJJD to adopt standards regarding the confidential correspondence of youth that are consistent with those of the Texas Department of Criminal Justice ("TDCJ"). Specific requirements regarding confidentiality requirements involving children under the agency's care should be incorporated into the TJJD enabling legislation rather than having the agency follow another agency's procedures, even if those procedures change. Placing desired requirements into TJJD statutes will eliminate the need to track future TDCJ policy changes and will clarify the intent of the statute."

Release notifications

(HRC 245.051, 245.054 – from Strategic Plan) "TJJD does not always know 30 days prior to a youth's release because of the process of the release review panel, which is statutorily required. Thus, 30-day time frames under Section 245.054 are impracticable, create practices whereby courts are provided notices for youth who will not in fact be released, and create additional work for case management and clerical staff. The 30-day timeframe has also resulted

in youth remaining in a TJJD facility longer than necessary after meeting the criteria for release." TJJD recommends amending Section 245.054 to match the time frame in Section 245.051 (ten days).

Appropriate lengths of stay

(Family Code 59.009 – from Strategic Plan) "As written the statute allows TJJD to extend the length of stay of a youth committed without a determinate sentence but does not allow for a reduction of length of stay. TJJD has a mechanism to reduce the length of stay when appropriate; however, due to the statute, it cannot be reduced to less than nine months. There may be times that a youth can complete the requirements for parole prior to the expiration of nine months, and giving TJJD the ability to reduce the length of stay in those instances would help make TJJD's operations more efficient…For more successful rehabilitation, youth should be released from high restriction facilities as soon as appropriate. Research shows that keeping youth in residential facilities for longer than necessary creates lower success rates. Continued supervision and provision of services can take place in home communities without the need for placement and at a lower cost." TJJD recommends adding language to 59.009 making clear that TJJD may extend or reduce the length of stay. This bill passed but was vetoed by the Governor, although the veto statement did not pertain to this portion of the bill.

Clarity on fees

(HRC 203.0082 – from Strategic Plan) "Prior to the merger of the Texas Youth Commission and the Texas Juvenile Probation Commission, all of TJPC's authority was located in one chapter of the Human Resources Code (Chapter 141). Former 141.023 gave TJPC the authority to establish fees reasonable and necessary for the administration of that *chapter*. The language was unchanged with the merger, but the provisions in Chapter 141 that TJPC would have charged fees for were not put in Chapter 203. Thus, it is arguable that TJJD does not have authority to charge fees (such as for the administration of the certification exam)." TJJD recommends clarifying that this fee authority applies to the statutory title rather than the specific chapter.

Prior Legislative Requests

Definition of nonsecure correctional facility

The definition of nonsecure correctional facility used to be in statute. In 2013, it was removed in lieu of a reference to another statute. Unfortunately, the referenced statute does not contain a definition of a nonsecure correctional facility. In 2015, HB 2616 contained language to restore this definition in Section 51.02, Family Code, but the bill did not pass.

Definition of child

In 2011, the law was changed to provide that a juvenile on determinate sentence probation remains under the jurisdiction of the juvenile court until age 19 rather than 18. This means the juvenile receives services from the juvenile probation department and juvenile court, including the possibility of services in a post-adjudication secure correctional facility until age 19. Because the definition of a child includes a person who is under 18 who has been adjudicated for delinquent conduct, it is sometimes difficult to acquire services in the community for these determinate sentence probationers once they turn 18. In 2015 HB 2616 sought to make this clarification by amending the definition of child in Section 51.02, Family Code, so that it would

include juveniles on determinate sentence probation who were not yet 19. However, the bill did not pass.

Jail for witnesses

Pursuant to Section 52.0151, Family Code, courts have the authority to bench warrant juveniles from TJJD for the purpose of holding them in jail to be a witness in another case. The court also has the authority to bench warrant juveniles on probation who are in a secure pre-adjudication or secure post-adjudication facility. The law provides that the person may be detained in a certified juvenile detention facility if under the age of 17 and in a jail if at least 17. While juveniles committed to TJJD who are at least 17 are statutorily allowed to be held in adult jail for parole revocation hearings, even without being charged as an adult for a criminal offense, this is the only statutory instance in which a juvenile who is not committed to TJJD and not charged as an adult with a crime is allowed to be held in an adult jail. As this actually results in a child being detained in an adult jail, potentially in violation of the federal Juvenile Justice and Delinquency Prevention Act, TJJD recommended this statute be amended so that juveniles on probation remain in juvenile detention if bench warranted to be a witness. HB 2616 sought to address this in 2015. However, the bill did not pass.

Clarity on determinate sentence eligibility

In the past, the offenses eligible for determinate sentencing have been modified whenever changes were made to the offenses listed in Article 42A.054, Code of Criminal Procedure (formerly known as 3(g) offenses). There have been modifications to that list without corresponding modifications to the determinate sentencing offenses. This has resulted in serious offenses not being eligible for determinate sentencing and has even resulted in a situation in which a person committing certain second-degree felony offenses is eligible for a determinate sentence whereas a person committing a first-degree burglary with intent to commit one of those same second-degree felony offenses is not explicitly eligible. This clarification was included in HB 2616 in 2015, but the bill did not pass.

Clarity on nonsecure settings

Section 54.04, Family Code, sets out a court's options with regard to disposition of a juvenile case. There is a grammatical error in the statute in which the court's authority to place a juvenile in a nonsecure correctional facility as a term of probation is in the wrong place in the statute. It should be listed under 54.04(d)(1), which is where the court may place the child on probation in specific locations. It instead is listed in (d)(5), which is lacking the terminology specifying that such placement is related to a child on probation. This was recommended in HB 2616 in 2015, but the bill did not pass.

Confidentiality of investigations

Section 201.001, Human Resources Code, sets out that TJJD has jurisdiction over children up to age 19. The definition of a child for TJJD purposes includes all children in TJJD custody, including those up to age 19. Section 201.001, Human Resources Code. However, TJJD's responsibility to conduct abuse, neglect, and exploitation investigations is found in Chapter 261, Family Code. Unfortunately, that section does not include the definition of a child. As such, the Attorney General has held the definition from Section 101.003, Family Code, applies and that investigations of children who are at least 18 are not protected as confidential. Child should be

defined in 261.405, Family Code, to make it clear the abuse, neglect, and exploitation investigation records of all children in TJJD's custody are confidential.

F. Do any of your agency's functions overlap or duplicate those of another local, state, or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

Shared functions

TJJD's key functions are not duplicated by any other state agency. However, the framework of the juvenile justice system provides a relatively smooth continuum of care from local county probation services to state-level care with some duplication for youth with high needs who have similar offenses and risk levels but may result in either commitment to TJJD or detention and services at the local level.

TJJD works closely with the juvenile probation departments to ensure youth are appropriately served at the proper level in the system given the youth's risk, needs, and responsivity; severity of the youth's offense; and the necessary treatment for the youth. Due to the variety of services provided in juvenile probation departments throughout the state, similarly situated youth who may be properly treated in one county with existing resources might be committed to TJJD's care and custody from another county. This is not a duplication of agency functions, but instead how the system is currently designed and functions.

Department of Family and Protective Services

TJJD also coordinates with the Department of Family and Protective Services (DFPS) to provide services for youth who are involved in both the juvenile justice and Child Protective Services systems. While TJJD is not a child placement agency for youth needing a placement outside of their home, TJJD does place youth in facilities that have youth involved with DFPS that are licensed by the Texas Health and Human Services Commission. County departments also use these placement options. However, TJJD cannot keep youth in secure or non-secure facilities solely due to the youth's lacking an out-of-home placement.

TJJD is a member of the Supreme Court of Texas Children's Commission, Dual Status Task Force. *See Attachment A: Information Related to the State Supreme Court, Children's Commission, Dual Status Task Force for more information.*

Delinquency and dropout prevention

TJJD, TEA, the Military Department, and DFPS are directed by Article IX, Section 17.05 of the General Appropriations Act, to coordinate delivery of juvenile delinquency and dropout prevention and intervention services in the state of Texas. Each agency receives funds for and implements its own programs targeted toward delinquency and dropout prevention, and the four agencies have formed an interagency workgroup to coordinate these efforts. The workgroup submits the Agency Coordination for Youth Prevention and Intervention report to the Legislative Budget Board each fiscal year detailing their coordination and program outcomes. *See Attachment B: Agency Coordination for Youth Prevention and Intervention - October 2020 for more information.*

Overlaps in age of youth

TJJD overlaps certain services provided to persons under the age of 19 who are involved in the justice system. TDCJ also provides services to people who may overlap the two systems based on age. For example, youth who are at least 14 years of age can be certified by a court as an adult, and youth with determinate sentences can be transferred to prison by their committing court at age 16 or after. The age of criminal responsibility in Texas is 17; however, youth who commit their offenses while in TJJD before their 17th birthday may remain under TJJD jurisdiction until their 19th birthday.

Mental health care

TJJD has a high number of youth with mental health needs, some of which are severe. Provision of mental health care and operation of a crisis stabilization unit overlaps with other agencies that provide such services as a core mission, such as county local mental health authorities and the state hospitals operated by the Texas Health and Human Services Commission.

G. In general, how do other states carry out similar functions?

National move toward smaller facilities and lower state-level populations

While the larger national trend has been to move to smaller, more specialized secure facilities, Texas continues to rely on large secure facilities, which house most state residential youth.

- Between 2000 and 2018, the use of residential juvenile justice facilities of all types with populations over 100 dropped 74 percent in the U.S., compared with a 50 percent reduction in Texas.[6]
- In 2018, there were only 4 "training schools" left in the U.S. with populations of over 200 and 13 facilities with populations between 101 and 200.[7] In the same year, of the 5 TJJD-operated secure facilities, 3 had average daily populations in excess of 200 and 2 had populations between 101 and 200. TJJD currently operates 2 such facilities over 200 population and 3 between 101 and 200. ("Training school" is a term of art, which generally means state-operated secure facilities. TJJD's 5 secure facilities fall within this definition.)
- In 2019, Texas committed 804 youth to state care, the highest number in the U.S. The state with the closest number of commitments was in North Carolina, with 504.[8]

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[6] Office of Juvenile Justice and Delinquency Prevention, US Department of Justice, Juvenile Residential Facility Census Databook: 2000-
2018

[7] Office of Juvenile Justice and Delinquency Prevention, Juvenile Residential Facility Census 2018: Selected Findings

[8] Office of Juvenile Justice and Delinquency Prevention, US Department of Justice, Juvenile Residential Facility Census Databook: 2000-
2018

State "Training Schools" in the U.S. by Size [5]

Facility Size	# of Facilities
1 to 10	5
11 to 20	13
21 to 50	40
51 to 100	24
101 to 200	13
201+	4

All Types of Residential Juvenile Justice Facilities by Size [5]

Facility Size	U.S.	Texas	TJJD
Small (< 21 beds)	57%	35%	20%
Medium (21-100 beds)	39%	52%	30%
Large (> 100 beds)	5%	13%	50%

All Types of Residential Juvenile Justice Facilities by Number of Youth Housed [5]

Facility Size	U.S.	Texas	TJJD
Small (< 21 beds)	19%	8%	2%
Medium (21-100 beds)	57%	46%	6%
Large (> 100 beds)	24%	46%	92%

For additional information about why smaller facilities are becoming the norm in juvenile justice settings, see Attachment C: Texas Model Plan for Reform, beginning on page 21.

Operations method

In terms of operating agency type, as of 2015, 18 states operated independent juvenile corrections agencies, 11 were divisions of child welfare agencies, 12 fell under broader human services agencies, and 10 were combined with adult corrections. Of those 10, at least California has changed direction and is creating an independent agency.[9]

Age of criminal responsibility

Currently, only Texas, Georgia, and Wisconsin have an age of criminal responsibility of 17. The remainder have chosen to include at least 17-year-olds within the juvenile justice system.

[9] http://www.jjgps.org/juvenile-justice-services/

States handle individual exceptions to the age of criminal responsibility in different ways, including certification to adult court and practices such as determinate sentencing laws.

H. What key obstacles impair your agency's ability to achieve its objectives?

Staffing Levels

Among the issues related to operating high-population facilities is the critical issue of maintaining appropriate staffing levels. Staffing levels are critical to all residential operations and affect safety, programming, and other rehabilitative functions. This fact, combined with the difficulty of the job as compared to other available local jobs with similar salaries, leads to the ongoing difficulty in maintaining stable staffing levels.

These struggles have increased during COVID-19 and the ongoing national labor shortage, bringing us to a critical point. In the past, TJJD has initiated Continuity of Operations Plans (COOP) during extraordinary times of natural disasters, and more recently during surges in COVID-19 and the winter storm. However, now, simply because of staffing shortages, TJJD has to repeatedly use COOP to maintain staffing levels, which requires teachers and case managers as well as others to be included in the staffing ratios and provide direct care. While we work hard to maintain adequate staffing, if support is given for these targeted reforms, many other issues and obstacles, including safety, attrition, treatment options, and others, will be significantly improved. This issue is, by far, the most significant obstacle at the state level.

TJJD needs help and support in understanding the complexity of staffing issues and the cycles they produce as well as that the solutions are not simple and require targeted reforms beyond the control of TJJD itself that include more diverse job pools in more locations, fewer youth overall in state care, additional private sector options for more intense youth, or a combination.

This issue represents a significant obstacle and ongoing crisis for the agency. This, along with juvenile justice best practices, led us to recommend a larger number of facilities with lower populations each to both diversify the job pool and better work with the very acute population in state care. Solutions to staffing are related to both the number of youth in the state-level system and the number of direct care staff. An increase in youth requires additional staff. A decrease lessens the staffing crisis.

TJJD struggles with maintaining adequate levels of staffing for a variety of reasons:

Outdated system design

Mostly located in rural jurisdictions, the pool of potential applicants is small. The system overall was created many decades ago. In fact, the Gainesville State School was established over 100 years ago. The days of the "company town," when economic opportunities in rural areas were scarce and relied on large employers, is in the past. Economic diversity has led to greater opportunities for jobs with similar salaries. Even small changes in the surrounding area's economy can have detrimental effects on staffing. For example, in Spring of 2021, at Evins, where our most robust job pool is found, we suffered a succession of losses when federal contracted immigrant detention centers opened in the area offering extraordinary salaries.

Additionally, Texas has more youth in state care than in other states. In 2019, Texas committed 804 youth to state care, the highest number in the U.S. The state with the closest number of commitments was North Carolina, with 504.[10]

Difficulty keeping new hires

TJJD hired 407 juvenile correctional officers in FY 2018 and 365 in FY 2019. Recognizing that for several years, TJJD had ended each year with fewer JCOs than it had at the beginning, TJJD began an extraordinary push for hiring. In FY 20, we hired 659 JCOs—or 81 percent more than in the previous year. It was the first year in several years that TJJD ended the year with more staff on board than at the beginning, but not by a great deal.

Of the 536 JCOs hired so far in FY 2021 (September through July), 25 percent have left during their pre-service training (within the first 56 days), and a total of 37 percent within that period or shortly thereafter (within the first 90 days). In total, 58 percent of hires have left within the first 180 days of employment. This trend is slightly higher than in FY 2020 and significantly higher than in FY 2019. While we have succeeded in netting a small gain, the outflow of new hires means that for every 10 new people we hire approximately 4 remain on the books at the end of the first 180 days and even fewer by the end of the year.

High stress level and high risk of burnout

The difficulty in hiring and maintaining consistent staffing means that those who remain in place have higher burdens, which can lead to burnout as well as feeling and being less safe, leading to even higher levels of stress. This causes a cycle that is difficult to break, given the current system design. This was exacerbated in FY 2020 and 2021 because of COVID-19 with high numbers of staff both out with COVID and in quarantine, often multiple times, because of contact with COVID-19 positive persons. This creates cycles of emergencies, which in turn require healthy staff to do more and work more hours.

Difficulty of the work compared to pay

Working with youth is physically and mentally demanding. Adolescents, especially this concentration of high-risk youth, are higher energy, less predictable, have much less control over their responses to triggers and emotions, lower maturity, and are in need of not just "being watched" but being kept engaged and being routinely redirected when behaviors are unacceptable. Some of these behaviors are highly serious and criminal in nature and many more are typical teenage behaviors, but all require intervention at the appropriate level to either manage for safety or to teach better responses. The pay simply does not match the job. We are both unable to use salary as an enticement for highly qualified people and as an enticement to stay, when other jobs with much fewer demands can be found. *See next section related to increased risk levels for youth.*

Results in inconsistency in staffing placements and facility populations

Because of the high turnover and difficulty maintaining consistent staffing, staff are unable to count on their assignment to a dorm. This means that it is difficult to develop an understanding

[10] Office of Juvenile Justice and Delinquency Prevention, US Department of Justice, Juvenile Residential Facility Census Databook: 2000-2018

of the specific issues of the youth on that dorm, which leads to uncertainty, and difficulty in assessing the reactions of youth that may lead to behavior issues or violence, which can increase risk and stress. Additionally, inconsistency in approaches leads to confusion and frustration in youth, which increases risk. This extends to facilities overall—as one facility experiences a significant staffing shortage, we must adjust populations at all facilities, adding another layer of complexity and inconsistency.

Difficulty recruiting and retaining experts

In addition to our challenges with maintaining sustainable staffing levels of direct care staff, the rural settings and difficulty of the work also mean that there is difficulty recruiting and keeping case managers and mental health professionals needed to provide case planning and treatment services.

County staffing challenges

In 2016, TJJD completed a study of the impact salaries and turnover rates had in the juvenile justice system. *See Attachment D: Salaries and Turnover Rates Among Juvenile Justice Personnel in Texas.* Key takeaways from the study for probation departments across the state include:

- Departments of all sizes and in every region of the state reported difficulty recruiting and retaining employees due to low officer pay;
- Overall, higher salaries are associated with lower turnover rates; and
- Minimum and starting salaries are lower for probation department personnel than for many comparable positions in similar agencies.

Increased and Concentrated Risk Levels of Youth

Higher concentration of very high-risk youth

As the overall population at TJJD secure facilities has dropped, the concentration of youth with very high risks has increased. The outdated system exacerbates the issues with this. The youth at TJJD currently include 65 percent with significant mental health issues, 64 percent of boys and 84 percent of girls have 4 or more Adverse Childhood Experiences (ACEs) as compared to 12.6 percent of the public, 91 percent of girls are clear or possible concern for child sex trafficking, and, on average, youth are 5 grades behind when they are admitted.

Additionally, TJJD is seeing a significant uptick in the number of youth committed to state care for homicide. In FY 2018, there were 9 commitments for these offenses with 15 in FY 2019 and 13 in FY 2020. For FY 2021, 39 youth have been committed for homicide.

Increasing population of youth with mental health needs

Mental health concerns regarding youth in the juvenile justice system continue to grow. Of formal referrals to juvenile probation departments, approximately 45 percent have mental health needs.[11] Approximately 9 percent of youth reported having suicidal ideations prior to

[11] From information in the juvenile case management extract submitted by juvenile probation departments.

being referred to the juvenile court. At the state level, in FY 2014, 21 percent of youth, at the point of intake, were found to have moderate to severe mental health issues. By FY 2020, the percentage jumped to 60 percent. Additionally, the percentage of youth with highly significant mental health issues is approximately 5 percent. These include diagnoses such as depression, anxiety, ADHD, bipolar disorder, disruptive mood dysregulation disorder, autism, and early onset psychosis. These youth require an intense level of care, including specialized staff at enhanced staffing ratios.

This issue is exacerbated by a lack of community-based mental health resources and alternatives. The juvenile justice system is the system of last resort but is often used because services to address the mental health needs are not found and the needs remain unmet.

Large numbers of high-risk youth per facility

This is the highest concentration of acute needs and risk in the history of the agency. Continuing to keep these youth in large groups, especially in the rural settings where staffing is difficult, is a model that cannot lead to sustained reform. Texas closed facilities, while the majority of the states managed the population through changes that lowered the number of youth in any one place. In the U.S. in 2019, about 40 percent of youth in state secure custody were in facilities smaller than 100, while in Texas we continue to place all youth, regardless of risk level, in facilities larger than 100, some much higher. Working with this very acute population is difficult and not a good fit for everyone, especially when pay is considered. There are inherent safety issues in working with this type of population, but staff who are ill equipped for the job will feel less safe and in control and, therefore, may lack the ability to manage groups of youth.

Lack of Residential Alternatives

Need to develop new alternatives and pay competitive rates

Across the juvenile justice system, there are limited options for youth in need of residential care, especially secure care that offer appropriate treatment and supervision for adjudicated youth. At the county level, youth require significant levels of intervention and at the state level youth require even higher levels, often intense. The FY 2022 appropriated rate for contract care at both the state and county level is $173.70. By contrast, DFPS has appropriated daily rates ranging from $197.69 for specialized care to $277.37 for intense care and $400.72 for an intense-plus level of care.[12] For youth at the county level, most require specialized to intense care. At the state level, most youth need intense to intense-plus levels of care. Actual rates paid for specialized and intense care exceed these amounts, meaning that the number of youth who can receive these services must drop. With limited funds, private sector providers are less motivated to do business in Texas as well as to serve high-risk youth. At the state level, TJJD pays up to $189 per day for secure contract care. Other states pay much higher rates for similar services, often between $375 to $450 per day.

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[12] Department of Family and Protective Services, 24-Hour Residential Rates 2021: https://www.dfps.state.tx.us/Doing_Business/Purchased_Client_Services/Residential_Child_Care_Contracts/Rates/

Increasing alternatives for youth, even at the higher daily rates needed to encourage private sector options, can bring cost savings as well. In the U.S. the average state cost for the secure confinement of a young person is $588 per day.[13] In Texas, according to the LBB, in the last two years, the cost per day has been between $523 and $616 per day. As our population in state secure facilities has dropped significantly, the cost per day has risen. All options from diversion placements at the probation level to contract care options at the state level allow for longer term moves to placements with lower costs, allowing state-level secure residential care to be more focused on youth with intense needs and risks.

County Average Daily Rates [14]

Type of Service	FY 2019	FY 2020
Commitment Diversion	$455.25	$544.33
Mental Health	$511.80	$399.68
Regional Diversion Alternatives	$413.41	$393.82

Maintaining an adequate probation facility network

Juvenile justice reforms nationally and in Texas have emphasized keeping youth as close to home as possible, heightening the importance of facility services provided by juvenile probation departments. There are several systemic factors limiting juvenile probation departments' ability to maintain pre- and post-adjudication facilities that are adequate to meet the juvenile justice system's needs.

Liability and funding issues. The liability and cost of operating detention facilities are greater than many local probation boards and commissioners courts are willing to bear. The ability to offer adequate pay for the work required is limited by the lack of state support for probation services, with only 25 percent of operational costs for the entire system provided by state funds, which results in difficulty maintaining staff necessary to supervise youth effectively. At present, only 46 of 165 probation departments operate detention facilities, with many of those refusing to accept youth from other departments. The result is a critical shortage of staffed detention beds across the state.

Needed staffing ratios. Adherence to PREA standards limits the ability of pre- and post-adjudication facilities to operate at full capacity, as the inability to support extra staff salaries to meet the 1 to 8 staffing ratios required by PREA forces probation departments to limit youth accepted into their facilities.

Difficulty meeting rising costs. Juvenile justice reforms have increased reliance on programs and services offered in facilities operated by juvenile probation departments. As these facilities

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[13] Justice Policy Institute, The Cost of Youth Incarceration: https://www.justicepolicy.org/uploads/justicepolicy/documents/Sticker_Shock_2020.pdf

[14] Legislative Budget Board, Uniform Cost Report, January 2021: https://www.lbb.state.tx.us/Documents/Publications/Policy_Report/6292_CJDA_Uniform_Cost.pdf

have been tasked to provide more services for higher need youth and average lengths of stay have increased, operational costs have risen exponentially. State support for pre- and post-adjudication services has not kept pace with these rising costs, and facilities have responded by either cutting services offered or operational capacity. As a result, the system has experienced an overall loss of quality residential services across the system.

Complexities of Current Reform Needs

Over the past 15 years, much has been accomplished to reform the Texas juvenile justice system. State leaders recognized that youth are best served as shallow in the system as possible, in ways that best meet their needs. From 2005 to 2020, referrals to the system dropped 49 percent and the number of youth in state secure facilities dropped 81 percent. However, the system continues to face challenges that compromise further reform.

While great strides were made to lower the population in state secure care and increase options for counties that allow them to keep more youth under local supervision, these changes involved sweeping, large scale reforms. They were very helpful in moving the system forward. However, once the bulk of the results from those reforms were realized, the system itself was left with a new set of challenges that now require more strategic, targeted approaches with an eye toward a more modern system.

The challenges are interconnected:

- The rural, large facility design from decades ago no longer supports full staffing needs. As the population went down, facilities closed, maintaining the legacy system of large population facilities. *See Staffing Levels, page 24.*
- The remaining youth have the highest risks and needs ever concentrated at the state level and remain in large groups, which are more difficult to manage and many youth have needs so intense that they require enhanced staffing ratios. *See Increased and Concentrated Risk Levels of Youth, page 26.*
- Alternatives remain limited, especially for youth with high to intense levels of need for youth in both county and state care. *See Lack of Residential Alternatives, page 27.*
- Because of a lack of alternatives, continued reliance on large facilities, and other causes, Texas has the highest number of youth committed to state care and the largest state secure facilities in the U.S. *See National move towards smaller facilities and lower state-level populations, page 22.*

See Section IX. Major Issues for discussion of possible solutions, page 316.

Obstacles Noted by Advocates

Many key obstacles have been identified by stakeholders and have resulted in calls for many of the same reforms included in TJJD's Plan for Reform and LAR. These stakeholders cite systemic issues that are inherent with the legacy approach to juvenile justice such as:

- The need for more enhanced staff-to-youth ratios and smaller, therapeutically focused facilities.
- Staffing issues that lead to other issues including the ability to protect youth and their rights, provide more robust mental health services and broader treatment options.
- The number of youth who remain in state care and the need to divert youth from higher levels of intervention than their risks and needs require.
- The need for more adequate resources and available options for counties so that more youth can be kept within their communities or shallower in the system.
- The need for more robust mental health care both for youth adjudicated to the system and at the low end of the system where mental health support may help divert the youth from more formally entering the system.

Other Significant Obstacles

Several other obstacles are included in Section II. E, in the subsection beginning on page 8. Of those, the most significant obstacles include:

- Sustainable funding for probation. *See page 9.*
- Appropriate pay for direct care staff. *See page 13.*
- Probation appropriation structure. *See page 12.*
- Enhanced staffing ratios for special populations. *See page 13.*
- Attrition and OIG C pay scale parity for law enforcement officers. *See page 15.*
- Information technology needs. *See page 15.*

I. Discuss any changes that could impact your agency's key functions in the near future (e.g., changes in federal law or outstanding court cases).

TJJD has no pending court cases that could impact our agency's key functions. There has been one recent change in federal law that may result in some impact.

Family First Prevention Services Act

TJJD is directed by the General Appropriations Act, Article V, riders 7 and 8 to maximize the use of federal funds in the system by collaborating with DFPS to implement a Title IV-E program, which reimburses certain costs for services provided to youth meeting federal eligibility criteria. This program has traditionally reimbursed placement costs and administrative costs associated with the youth in placement, and some community-based administrative costs for youth who are reasonable candidates for removal from the home by the child welfare system. In 2018, President Trump signed into law the Family First Prevention Services Act, which significantly changed the criteria for participation in the Title IV-E program. Texas chose to exercise an option to delay implementation of the law until October 1, 2021, and the 87th Legislature passed several amendments to Texas law to incorporate the new federal requirements for Title IV-E. As the new program is implemented, funds will be diverted away from support of out-of-home placements and toward community-based supports designed to keep families intact. It is

not yet clear how the new program will impact juvenile justice programs' ability to participate, which may result in fewer federal dollars recouped to support juvenile justice services. It has already resulted in lower participation in the current program as departments shift their resources to prepare for implementation of the new program.

Caregiver Designation

As part of pending litigation in federal courts, the Department of Family Protective Services is tasked with providing caregiver notification of past sexual abuse of children in out-of-home placements. The definition of "caregiver" may include persons in the juvenile justice system who supervise youth in juvenile processing centers, pre-adjudication detention centers, post-adjudication facilities, contract care facilities, and TJJD-operated secure facilities and halfway houses. While the key functions of the juvenile supervision, probation, and correctional officers may not change, the dissemination and sharing of critical information between all parties will need to be established through coordination between DFPS, local law enforcement, county juvenile probation departments, contract care placements, and TJJD.

J. Aside from additional staff or funding, what are your agency's biggest opportunities for improvement in the future? For example, are there other programs or duties the agency could take on to better carry out its mission?

Mental Health Support

Support for youth with significant mental health issues

The majority of youth in state care and a high percentage of youth under county supervision have moderate to severe mental health issues. TJJD and each county probation department work to provide as much treatment and intervention as possible, but the truth remains that these are not mental health agencies. The entire system could benefit from greater collaboration and service support and provision by other state agencies such as HHSC with mental health care as a central mission. The rural locations of TJJD facilities and of many probation departments means that access to qualified mental health providers is quite low, creating a challenge that directly impacts the youth in the system.

Support for staff

Two issues prevail related to mental health and the staff of the juvenile justice system. First, working with youth, especially those with high levels of childhood trauma, creates great stress and secondary trauma. Second, many people who are drawn to a profession that directly supports youth who have trauma and mental health issues are drawn because they experienced similar backgrounds and may or may not have worked through those issues fully. While we routinely remind staff of the availability of the Employee Assistance Program (EAP), more direct support from an agency that specializes in such care would be extremely valuable to the system. *See Attachment 6 for links to information on secondary trauma.*

In addition to this need, when a staff member is experiencing issues that may impede their ability to appropriately carry out the responsibilities of their position, we inform them of EAP, but TJJD may also order an assessment to determine if they are able to do so. TJJD employees have a responsibility to maintain the physical and psychological health required to carry out

their job duties. The Executive Director or her/his designee, have the authority to require that a TJJD employee submit to a fitness for duty evaluation (FFDE). When an employee is required to undergo a FFDE, the evaluation will be at TJJD's expense and will be conducted by a qualified FFDE evaluator.

Greater Private Sector Options

While we more fully discuss the issues related to the needs for facilities with lower overall populations, one solution includes greater access to alternatives to state secure facilities and county detention centers. Without additional funding, TJJD is exploring additional contract care options for youth not typically served by them because of the daily rates. These would provide additional options for youth with specific needs that could be, but are not currently, met through existing contract care options. Any solutions that encourage private industry to not only provide additional levels of care but also to fully meet the required treatment and intervention needs will improve system capacity and allow for more targeted approaches for specific populations of youth.

Restorative Justice

TJJD leadership and the leadership of the TJJD Office of Inspector General are in discussions related to the potential applicability of restorative justice in lieu of further prosecution and incarceration for certain youth who do not display ongoing, dangerous or aggressive behavior.

Restorative justice emphasizes repairing the harm caused by the youth's behavior for victims and others affected. The goal is to bring together those most affected in a non-adversarial process to hold the youth accountable, encourage them to take responsibility, and to meet the needs of the victim to repair the harm resulting from their actions.

Any support towards this goal will be helpful in not only holding youth accountable but also in supporting the Office of Inspector General in its ability to focus on more serious offenses that are more appropriate for prosecution.

K. Overall, how does the agency measure its effectiveness in carrying out its objectives?

In the following chart, provide information regarding your agency's key performance measures, including outcome, input, efficiency, and explanatory measures. Please provide both key and non-key performance measures set by the Legislative Budget Board as well as any other performance measures or indicators tracked by the agency. Also, please provide information regarding the methodology used to collect and report the data.

Texas Juvenile Justice Department
Exhibit 2: Performance Measures — FY 2020

Key Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)**	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Rate of Successful Completion of Deferred Prosecution	33		81.00%	86.30%	106.54%
Rate of Successful Completion of Court-ordered Probation	33		81.00%	83.20%	102.72%
Re-Referral Rate	33		16.00%	15.20%	95.00%
Adjudication Rate	33		N/A	7.20%	N/A
Referral Rate/Juveniles Served by Prevention and Intervention Programs	33		N/A	3.00%	N/A
Number of Absconders from Basic Supervision	33		N/A	303.00	N/A
Completion of Prevention and Intervention Programs	33		N/A	93.80%	N/A
Total Number of New Admissions to JJD	6		785.00	456.00	58.09%
Diploma or High School Equivalency Rate (JJD-operated Schools)	6		45.00%	34.22%	76.04%
Percent Reading at Grade Level at Release	6		20.00%	14.42%	72.10%
Turnover Rate of Juvenile Correctional Officers	6		34.00%	61.19%	179.97%
Industrial Certification Rate in JJD-operated Schools	6		N/A	30.65%	N/A
Rearrest/Re-referral Rate	6		42.00%	54.50%	129.76%
One-year Rearrest/Re-referral Rate for Violent Felony Offenses	6		10.00%	18.13%	181.30%
Reincarceration Rate: Within One Year	6		23.00%	15.54%	67.57%
Reincarceration Rate: Within Three Years	6		41.50%	42.60%	102.65%
Rearrest Rate/Re-Referral: Juveniles Receiving Specialized Treatment	6		N/A	75.63%	N/A
Average Math Gain Per Month of Instruction	6		N/A	1.56	N/A
Average Reading Gain Per Month of Instruction	6		N/A	1.32	N/A
Constructive Activity	6		N/A	58.10%	N/A
Juveniles Served by Prevention/Intervention	33		N/A	2,843.00	N/A
Cost Per Day for Basic Supervision	33, 47		5.05	4.57	90.50%
Total Number of Delinquent Referrals	33		N/A	32,516.00	N/A

Key Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)**	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Total Number of Referrals	33		53,000.00	40,122.00	75.70%
Total Number of Felony Referrals	33		14,771.00	13,613.00	92.16%
Number of Juveniles Receiving Title IV-E Services	37		N/A	59.00	N/A
ADP: Juveniles Supervised under Conditional Release	33		3,149.00	3,490.52	110.85%
ADP: Juveniles Supervised under Deferred Prosecution	33		6,249.00	4,819.78	77.13%
ADP: Juveniles Supervised under Adjudicated Probation	33		10,432.00	9,373.52	89.85%
Number of County Juvenile Probation Depts Utilizing Federal Title IV-E Dollars	37		N/A	20.00	N/A
Average Daily Population of Juveniles in Basic Supervision	33		N/A	17,683.82	N/A
Cost Per Day/Community Non-residential Program	33, 47		N/A	17.78	N/A
Juveniles Served-Community Non-Res Programs	33		N/A	18,540.00	N/A
Cost Per Day Per Youth for Residential Placement	33, 47		34.01	51.02	150.01%
Average Daily Population of Residential Placements	33		1,991.00	968.84	48.66%
Cost Per Day: Commitment Diversion	33, 47		47.09	51.32	108.98%
ADP: Commitment Diversion Initiatives	33		1,131.00	647.33	57.24%
Number of Mandatory Students Entering JJAEPs	19		1,550.00	1,235.00	79.68%
Mandatory Student Attendance Days in JJAEP During the Regular School Year	19		64,000.00	93,360.00	145.88%
Number of Regional Diversions	33		245.00	283.00	115.51%
Assessment and Orientation Cost Per Juvenile Day	6		N/A	107.78	N/A
Total Residential Intakes	6		N/A	537.00	N/A
Average Daily Population: Assessment and Orientation	6		83.00	46.85	56.45%
CPD: State-Operated Secure Correctional Facility	6		173.27	190.44	109.91%
Juvenile Per Direct Supervision JCO Staff Per Shift			7.38	6.64	89.97%

Key Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)**	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Average Daily Population: State Operated Secure Correctional Facilities	6		928.00	750.28	80.85%
Education and Workforce Cost in TJJD Operated Schools			N/A	91.45	N/A
Percent Reading at Grade Level at Commitment	6		N/A	9.95%	N/A
Average Daily Attendance in TJJD-operated Schools			905.00	738.54	81.61%
Number of Industrial Certifications Earned by Juveniles	6		N/A	286	N/A
Halfway House Cost Per Juvenile Day	6		164.03	290.58	177.15%
Average Daily Population: Halfway House Programs	6		146.00	75.63	51.80%
Cost of Health Care Services Per Juvenile Day	6		20.21	28.21	139.58%
Average Daily Population: Health Care	6		N/A	825.91	N/A
Cost of Psychiatric Services Per Juvenile Day	6		2.34	1.97	84.19%
Average Daily Population: Psychiatric Services	6		N/A	825.91	N/A
General Rehabilitation Treatment Cost Per Juvenile Day	6		19.85	22.72	114.46%
Specialized Treatment Cost Per Juvenile Day	6		17.61	20.71	117.60%
Average Daily Population: General Rehabilitation Treatment	6		957.00	739.53	77.28%
Average Daily Population: Specialized Treatment	6		745.00	527.49	70.80%
Capacity Cost in Contract Programs Per Juvenile Day	6		162.02	185.54	114.52%
Average Daily Population: Contract Programs	6		135.00	79.66	59.01%
Number of Allegations Reported to the Office of Inspector General	15		N/A	15,063.00	N/A
Number of TJJD Juveniles Apprehended by OIG	7		N/A	10.00	N/A
Number of Completed Criminal Investigative Cases	7		N/A	2,635.00	N/A

Key Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)**	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Change Orders and Add-ons as a percentage of Budgeted Project Const. Costs			N/A	2.00%	N/A
Parole Supervision Cost Per Juvenile Day	6		15.13	19.02	125.71%
Average Daily Population: Parole	6		435.00	318.33	73.18%
Average Daily Population: Contract Parole	6		N/A	30.00	N/A
Average Daily Population: Aftercare Services	6		N/A	112.00	N/A
Number of Juvenile Served through the Office of Independent Ombudsman	22		N/A	2,630.00	N/A
Number of Officers Certified	16		N/A	3,514.00	N/A
Number of Local Facility Inspections Conducted	4		N/A	47.00	N/A
Number of Annual Comprehensive Monitoring Reviews	4		N/A	14.00	N/A
Number of Child Abuse Claims Investigated	1		N/A	385.00	N/A
Number of Completed Administrative Investigative Cases	1, 2		N/A	525.00	N/A
Juveniles Served Through Interstate Compact	17		N/A	1,765.00	N/A

Table 2 Exhibit 2 Performance Measures

**See Exhibit 3*

***See Attachment 19 for definition and methodology of each measure.*

L. Please list all key datasets your agency maintains and briefly explain why the agency collects them and what the data is used for. Is the agency required by any other state or federal law to collect or maintain these datasets? Please note any "high-value data" the agency collects as defined by Texas Government Code, Section 2054.1265. In addition, please

note whether your agency posts those high-value datasets on publicly available websites as required by statute, and in what format.

Texas Juvenile Justice Department
Exhibit 3: Key Datasets

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
1	Abuse, Neglect, and Exploitation (ANE)	County – Comprehensive case management system for all administrative investigations pertaining to allegations of abuse, neglect, and exploitation of juveniles in the county juvenile justice system (facilities, probation departments, and programs)	Agency		Y
2	Administrative Investigations Manager (AIM)	State – Basic tracking system for the investigations of allegations of Abuse, Neglect, and Exploitation and policy violations in the State juvenile justice system.	Agency		Y
3	CCF-060D Placement Assignment – Diagnostic Summary	The CCF-060D is an application within the Psychological Services Manager that allows TJJD staff to document and store a youth's placement assessment diagnostic summary.	Agency		Y
4	Compliance Monitoring and Enforcement Tracking System (COMETS)	Allows agency staff to issue on-site performance monitoring reports. These performance reports are transmitted to TJJD using wireless internet technology. TJJD has developed a web-enabled portal to compliment the COMETS system, which allows local juvenile probation departments to quickly respond to performance monitoring reports.	Agency / Fluxx (future)		Y
5	Contact Activity Tracking System (CATS)	Allows for the tracking of customer contacts for multiple divisions throughout the agency. Primarily, it is used as a help desk for the Case Worker / JCMS support team.	Agency		Y
6	Correctional Care System (CCS)	Used to provide data entry for the vast majority of the agency youth case management functions for case management, detention, rehabilitation, education, specialized treatment, and parole.	Agency		Y
7	Criminal Investigation (CID)	Tracks all activity related to criminal investigations including data entry, investigative results, Special Prosecuting Unit (SPU) tracking (grand jury indictments, verdicts, etc.).	Agency / CRIMES (future)		Y

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
8	Detainer Automation	Compile and maintain a list of directives to apprehend and hold youth at their time of release.	Agency		Y
9	Discipline Hearings System	Tracking system for the processing of disciplinary hearings involving the agency and certified juvenile probation/supervision officers.	Agency		Y
10	DSM V Code Table	The Diagnostic Mental Disorders Code Table allows DSM codes, severities, and types to be viewed, entered, or updated for use in other TJJD applications.	Agency		N
11	Electronic Medical Records (EMR)	Electronic Medical Records for youth through the University of Texas Medical Branch – Correctional Management Care	The University of Texas Medical Branch – Correctional Management Care		Y
12	Employee Grievances	Processes and tracks formal employee grievances including ad hoc and general reporting by month, quarter, termination dates, decisions, and location of employment.	Agency		Y
13	Financial Reports – USAS	Provide monthly, quarterly, date-range reports compiled from the financial information received from the Comptroller. These reports include FTE reports, payroll history, staffing master, and several other reports for finance, research, and HR.	Agency / Comptroller of Public Accounts		Y
14	Youth Grievances	State youth grievance and complaint system.	Agency / CRIMES		Y
15	Incident Reporting Center (IRC)	Incident reporting center for criminal, alleged mistreatment (abuse, neglect, and exploitation), and youth grievance investigations.	Agency / CRIMES		Y
16	Integrated Certification Information System (ICIS)	Interactive database that facilitates tracking of officer certifications/re-certifications and compliance with training requirements for certified juvenile probation and supervisions officers across the state.	Agency		Y
17	Interstate Compact for Juveniles (ICJ)	Interstate compact for juveniles, runaway, escapee, and abscond system.	Agency		Y

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
18	Juvenile Case Management System (JCMS)	Juvenile case management system for county probation departments including case management, offense history, treatment needs, and other youth information.	Agency		Y
19	Juvenile Justice Alternative Education Program system (JJAEP)	Collects both juvenile and summary data for reporting and analysis of alternative education programs. Includes a web interface with an automated process providing data entry points.	Agency		Y
20	Juvenile Medicaid Tracker (JMT)	Facilitates the exchange of information between HHSC and juvenile justice agencies to ensure each youth is assessed for Medicaid and/or CHIP eligibility prior to transitioning back into the community from out-of-home placements.	Agency		Y
21	Medical Services Tracker	Developed for medical services to track alleged mistreatment records, grievances, grievance appeals, and health services as they are related to medical services.	Agency		Y
22	Office of Independent Ombudsman – Case Manager (OIOCM)	This application compiles and maintains all Ombudsman case management activity regarding youth in the juvenile justice system, both state and county.	Agency / CRIMES		Y
23	Open Record Request Tracking	This application tracks public information requests, public complaints, and requests for youth records and documents under subpoena.	Agency		Y
24	Organization Management Information System (OMIS)	Overall data management system for tracking staff and systems in relation to the various entities within each county that the agency interacts with.	Agency		Y
25	Positive Behavioral Intervention and Supports (PBIS)	Hold information collected regarding student behavior for analysis and intervention implementation pursuant to Section 30.106, Texas Education Code.	Agency		Y
26	Prison Rape Elimination Act Data Collection System (PDCS)	Tracks and reports PREA-related data.	Agency / CRIMES		Y

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
27	Program Registry	Clearinghouse for maintaining information related to the programs and services available for youth and their families who are involved in the juvenile probation system.	Agency		Y
28	Psychological Services Manager	Framework application to house all psychological services information for youth in state operated facilities and programs.	Agency		Y
29	Release Review Panel Tracking System	Compiles and maintains data for the TJJD release review panel. Tracks TJJD youth assignment and review reconsideration requests. This includes managing review types, youth statuses, review dates, and other data related to the review, release, discharge, and consideration of indeterminate sentenced youth.	Agency		Y
30	Risk and Needs Assessments (RANA)	Maintains data on the risk and needs assessments used to asses youth risks to reoffend.	Agency		Y
31	Security Intelligence System	Internal intelligence database used to provide reports and intelligence to OIG command staff, TJJD Board, secure facility administrators, and outside law enforcement entities as required by state law.	Agency		Y
32	Specialized Aftercare Tracking System (SATS)	Manages community-provided specialized treatment providers and youth enrollment and attendance data.	Agency		Y
33	Statistical Reporting System (SRS) (JCE)	This is a collection of programs which uploads data from the juvenile probation departments for analysis (Juvenile Case extract)	Agency		Y
34	Student Banking (STU)	Tracks and records deposits and withdrawals of money earned by youth through work programs or student working.	Agency		Y
35	Suicide Alert Database	Tracks TJJD youth placed on suicide alert status and their assessments	Agency		Y
36	Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) referrals	Tracks TCOOMMI referrals and services.	Agency		Y

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
37	Title IV-E Database	Allows for the accessing of data for TJJD in order to assist in the processing of reimbursement claims under the Title IV-E program.	Agency		Y
38	Transportation System	Manages trips for transporting youth for various off-campus purposes.	Agency		Y
39	Treatment Group Manager	Manages and tracks treatment groups in TJJD-operated facilities.	Agency		Y
40	Victim Notification Records Management	Tracks records of youth and victim information for cases that require victim notification prior to youth movement, stepdown, parole, or discharge.	Agency		Y
41	Youth Grievance Manager (TYGS)	Tracks and reports youth grievances, appeals, decisions, and resolutions	Agency		Y
42	Youth with Children	Tracks and reports youth in TJJD custody with children and youth in TJJD custody who are pregnant.	Agency		Y
43	Noble	TJJD and county juvenile probation departments are required to use an evidence-based risk and needs assessment to determine the criminogenic needs of each individual youth referred for services. TJJD uses the Positive Achievement Change Tool (PACT). This Noble platform provides the database of assessment information and integration of assessment results into a standard automated case plan format.	Agency / Noble		Y
44	Commercial Sexual Exploitation Identification Tool (CSE-IT)	The CSE-IT tool is an evidence-based screening tool that helps improve early identification of commercially sexually exploited youth.	Agency		Y
45	Connect System	Connect is TJJD's new case management system. This web-based software platform will be used by TJJD staff to deliver services to youth, monitor case plans and treatment progression, and it will eventually replace the Correctional Care System (CCS).	Agency		Y

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
46	Facility Registry	Each Juvenile Probation Department needs to register all public and private juvenile secure pre-adjudication, secure post-adjudication, short-term detention, and non-secure correctional facilities with TJJD.	Agency		N
47	Grant Manager	Grant manager is a web-based system developed to facilitate the budget application process and track expenditures as required for each fiscal year.			Y

Table 3 Exhibit 3 Key Datasets

The majority of TJJD data sets contain certain information excluded from public disclosure under Chapter 552, Texas Government Code, and other laws. Information such as youth identifiable information and health records, certain personnel information, information contained in the criminal justice information system and juvenile justice information system, and information pertaining to the safety and security structures of correctional facilities are made confidential by law. The datasets designated with a legal prohibition to disclosure in Table 3 contain information that cannot be made public; however, certain information in those datasets might be provided pursuant to a public information request.

III. History and Major Events

1887-1948. Juvenile corrections efforts began in Texas in 1887 when the Legislature created the House of Correction and Reformatory, which opened in Gatesville in 1889 and later became the State Juvenile Training School. In 1913, the Legislature authorized a girls' facility in Gainesville, which opened in 1916 and is currently operated by TJJD as the Gainesville State School. In 1945, the Legislature approved the establishment of the State Training School for Delinquent and Dependent Colored Girls, which opened in Brady in 1947.

Until 1920, each school was operated by a separate board of directors that reported directly to the governor. The Texas State Board of Control was created by the Legislature in 1919 and took over management of the three schools from 1920 to 1949.In 1947, the Legislature created a commission to study the state schools for delinquent children and the problem of juvenile delinquency, with the purpose of improving the administration of the schools and enable them to better accomplish their objectives.

1949. Texas State Youth Development Council was founded by the Gilmer Aiken Act by the 51st Legislature. The original purpose of the Council was to assist in coordinating community services available to Texas children as well as overseeing correctional facilities for delinquent children aimed at providing supervision, rehabilitation, and successful reintegration into society. The Council took over control of the correctional schools managed by the State Board of Control.

1957. The Texas State Youth Development Council was restructured as the Texas Youth Council by the 55th Legislature. It had the same duties as the prior agencies but also had the additional mandate to provide parole supervision. Additionally, the agency was directed to operate the existing institutions for the dependent and neglected children (Corsicana State Home for Orphans, Waco State Home, and the Texas Blind, Deaf, and Orphan School).

1970. The Ron Jackson State Juvenile Correctional Complex, in Brownwood, began operation.

1972. The Giddings State School began operation.

1973. Title 3 of the Family Code was codified by the 63rd Legislature, which remains the legal foundation for the juvenile system in Texas.

1974. A federal district court ruled on the landmark case, *Morales v. Turman*, which was the result of a lawsuit filed on behalf of juveniles under the supervision of the Texas Youth Council. This led to a settlement in 1984 that reformed the way confined juveniles are treated, including access to care and education, appropriate due process disciplinary procedures, and objective criteria for release. It also addressed due process requirements to be committed to TYC. The settlement applied to all future children committed to the Texas Youth Commission.

1975. The Legislature appropriated funds within the Texas Youth Council that were dedicated to Community Services Administration, which later became the Community Assistance Program. This was a county juvenile probation subsidy program.

1981. The Texas Juvenile Probation Commission (TJPC) was established to replace the Community Assistance Program portion of the Texas Youth Council. The founding of TJPC as a stand-alone entity represented a significant increase in the availability of probation services.

1983. The Texas Youth Council was renamed the Texas Youth Commission.

1984. Continued expansion of operations under TJPC and the proliferation of juvenile boards allowed probation services to become available to all juveniles in Texas. After reaching settlement in the *Morales v. Turman* case, the Texas Youth Commission remained under federal supervision by a three-member committee for four years.

1987. Determinate sentencing was created by the Legislature.

1990. The Evins Regional Juvenile Center, in Edinburg, began operations.

1995. The 74th Legislature made significant revisions to Title 3 of the Family Code, most notably with the omnibus legislation HB 327. Included among these changes were: lowering the age for certifying juveniles as adults from 15 to 14 for certain violent offenses (e.g. only for capital, first degree, and aggravated controlled substance felonies); requiring most violent juvenile offenders and those with mental illness to be sent to TYC; the creation of the Juvenile Justice Information System managed by DPS; adding certain offenses to determinate sentencing eligibility; and changing the method of determining if a youth would be paroled or transferred to adult prison. The probation field also saw many statutory changes during the 74th Session,

including increased supervision and program capacity for departments, the creation of the Juvenile Justice Alternative Education Program, and the introduction of progressive sanctions.

1999. The 76th Legislature expanded the statutory use of determinate sentencing to a allow for supervision under probation.

2000. The McLennan County State Juvenile Correctional Facility, in Mart, began operations.

2003. The Prison Rape Elimination Act was signed into law to provide a framework to provide for a sexually safe environment for inmates (adult and youth) and staff in correctional settings and to establish national standards for prevention, response, training, reporting, and investigations, among other requirements, for correctional facilities.

2006. The United States Department of Justice informed then-Governor Perry there would be an investigation of TYC's Evins facility. This investigation consisted of on-site inspection of the facility, interviews of youth and staff, and the review of documents. In 2007, the Department of Justice informed the State of its findings that the Evins facility was unable to adequately protect youth from violence by other youth and staff.

2007. Throughout the early 2000s, repeated, significant operational, care, abuse, and safety concerns and allegations of sexual misconduct, coupled with the failure of high-ranking facility staff to appropriately respond to allegations as well as substantial efforts by these staff to cover up the misconduct, resulted in significant legislative changes and increased operational oversight to the Texas Youth Commission. During the 80th Session specifically, the Texas Youth Commission faced allegations of sexual misconduct at some of the secure juvenile facilities operated by the state at that time. The agency was placed under conservatorship by the governor, and investigators from the Texas Rangers, the Office of the Attorney General of Texas, and the Office of Inspector General for the Texas Department of Criminal Justice were sent to each of the facilities and halfway houses. Over a period of months, these entities investigated thousands of complaints and allegations and worked with prosecutors to address the criminal violations found.

In light of these systemic issues, the 80th Legislature set a course for reform with SB 103 (Hinojosa), which ended the practice of committing youth to state care for habitual misdemeanor offenses, lowered the age of state jurisdiction to 19 years old from 21 years old, allowed youth with determinate sentences to get credit toward the minimum period of confinement (release eligibility) for time spent in detention pending adjudication and commitment, and established the Release Review Panel to determine if youth without a determinate sentence should be discharged, paroled, or remain in a TYC facility after completing their TYC-assigned minimum length of stay. The Legislature established the Office of Inspector General as a division within TYC to investigate criminal activity by TYC employees and TYC youth at TYC facilities. A new statute required the agency to operate a 24-hour hotline for the purpose of receiving information concerning the abuse, neglect, or exploitation of children in TYC custody. The Legislature also created an exogenous oversight entity over TYC through the Office of the Independent Ombudsman.

In FY 2007, there were 3,651 youth in state secure facilities. In FY 2009, that number dropped to 2,027, a 44 percent decrease.

2009. TYC and TJPC underwent Sunset Review. The Sunset Review Commission recommended the agencies be abolished and their functions merged into a single agency. Instead, the agencies remained intact with certain changes through HB 3689. One such change was the appropriation of probation funding of approximately $48 million for Community Corrections Diversion Programs, to include programs, treatment, and services, to divert more juveniles from state care. Other changes included requirements for more transition planning for youth in TYC care and a clarification on which facilities TJPC was responsible for registering and which DFPS was. Both agencies were slated for Sunset review again the following session.

2011. After the Sunset Review Commission recommended keeping the agencies as separate entities, the Legislature through SB 653 (Whitmire, Hegar, Hinojosa) abolished the Texas Youth Commission and the Texas Juvenile Probation Commission and transferred the powers and duties of those agencies to the newly created Texas Juvenile Justice Department (TJJD). In FY 2011, youth in state secure facilities dropped to 1,399, a further 31 percent decrease.

2015. SB 1630 (Whitmire) created the Regionalization Program to further reduce commitments to state care by reimbursing counties for the costs of keeping youth shallow in the system in lieu of committing them to TJJD. It also required courts to enter a special commitment finding when committing a youth to TJJD without a determinate sentence. The special commitment finding must state that the youth has behavioral health or other special needs that cannot be met with the resources available in the community. Additionally, statute was amended to provide that the court should consider the findings of a validated risk and needs assessment and any other appropriate professional assessment available to the court. Since the beginning of the Regionalization Program, nearly 1,000 youth have been diverted from state care.

2017-2018. The OIG investigated a significant number of sexual misconduct allegations at the Department. Working with the Special Prosecutions Unit (SPU), staff members at some of the state secure facilities were arrested by the OIG for sexual misconduct and prosecuted by SPU. In late 2017, Governor Abbott requested the Texas Rangers investigate the scope of misconduct in juvenile facilities. Within the scope of their investigation spanning into 2018, the Texas Rangers conducted a review of the OIG investigations of sexual misconduct and excessive use of force allegations at the Department, conducted a safety and security assessment at the state facilities, and assisted OIG in the investigation of cases. The Rangers concurred with the OIG on its investigative findings and assisted the OIG by arresting some former staff members accused of criminal misconduct while employed at the Department.

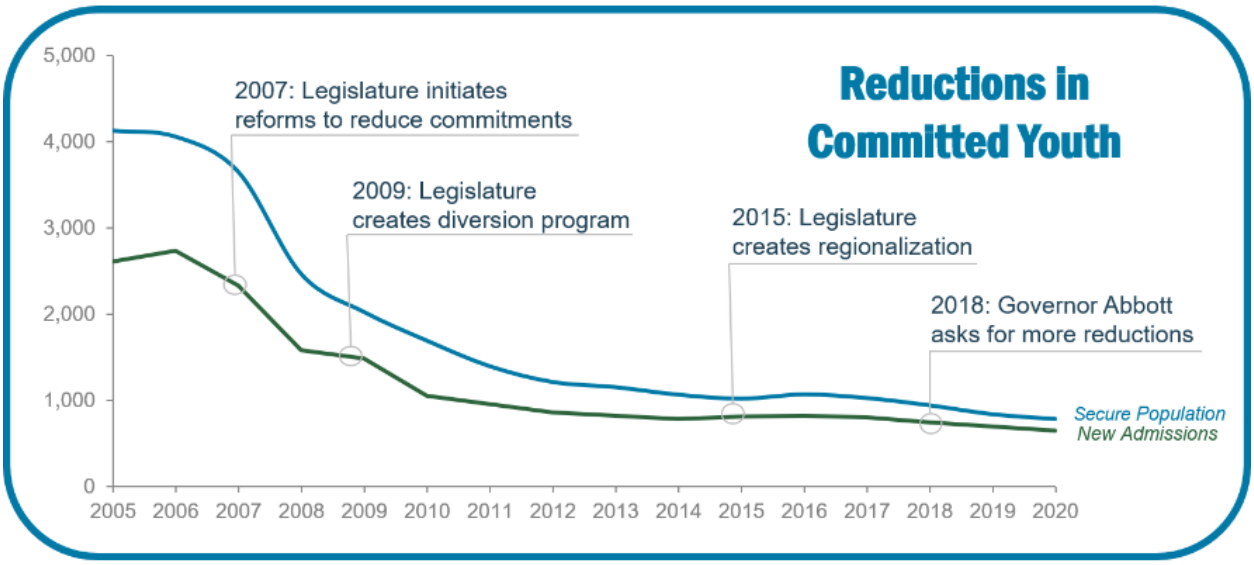
In 2018, Governor Abbott asked TJJD to continue to explore ways to reduce the number of youth in state secure facilities, as the daily population in state secure facilities continued to decline. The agency began a concerted effort to actively review youth on an ongoing, rather than periodic, basis and to streamline processes to ensure that youth would be able to leave secure care as soon as they met the appropriate criteria. *For more information on TJJD's 2018 response to Governor Abbott, see Attachment E, Short-Term Solutions and Long-Term Goals: A Plan for TJJD.*

2019. TJJD implemented the Texas Model of Intervention, a key part of the overall Texas Model, to provide more treatment and intervention-focused care, including better responses to the effects of childhood trauma. For a more detailed history of the Texas Model of Intervention and its implementation, please see the corresponding program guide in Section VII, beginning on page 122.

The 86th Legislature modified statutory authority of the TJJD Office of Inspector General to include responsibility for abuse, neglect, and exploitation investigations in both state and county facilities as well as additional law enforcement responsibilities that enabled the agency to use its Office of Inspector General law enforcement officers to provide gatehouse entry security, including contraband detection.

The enabling statute of the Office of Inspector General was updated in HB 3689 to include new roles and responsibilities that were previously under the purview of TJJD's executive director. At the request of the executive director, these changes codified moving the responsibility of conducting Abuse, Neglect, and Exploitation (ANE) investigations from the executive director to the oversight of the Chief Inspector General, as well as the Office of Inspector General assuming the responsibility of secure facility gatehouse operations.

2020. From the early 2000s to present day, there has been a significant reduction in youth involved with the juvenile justice system, both in terms of population in state facilities as well as referrals to probation. In FY 2005, there were 4,127 youth in state secure facilities, and in FY 2019, the average daily population for state operated secure facilities was 770, representing an 81 percent decrease. Referrals to juvenile probation departments dropped from 106,358 in FY 2005 to 53,783 in FY 2019, a 49 percent decrease. Population numbers for secure facilities and probation referrals continued to decrease in FY 2020, to 750 and 40,392 respectively, although the COVID-19 pandemic artificially decreased these figures.



IV. Policymaking Structure

A. Complete the following chart providing information on your policymaking body members.

Texas Juvenile Justice Department
Exhibit 4: Policymaking Body

Member Name	Term / Appointment Dates / Appointed by *(e.g., Governor, Lt. Governor, Speaker)*	Qualification *(e.g., public member, industry representative)*	City
Edeska Barnes	3/9/21-2/1/27 / Governor	Chief JPO – Small County	Jasper
James Castro	3/6/17-2/1/23 / Governor	Metal Health Professional	Bergheim
Mona Lisa Chambers	3/1/19-2/1/25 / Governor	Public	Houston
Pama Hencerling	3/6/17-2/1/23 / Governor	Chief JPO – Medium County	Victoria
Pat Sabala Henry	11/10/20-2/1/23 / Governor	County Judge	Morton
Lisa K. Jarrett	3/9/21-2/1/27 / Governor	District Judge – Juvenile Court	San Antonio
Victoria "Anne" Lattimore	3/9/21-2/1/27 / Governor	Public	Cedar Park
Melissa C. Martin	3/1/19-2/1/25 / Governor	Certified Educator	Deer Park
Scott Matthew	3/1/19-2/1/25 / Governor	Chief JPO – Large County	Georgetown
Vincent M. Morales Jr.	3/1/19-2/1/25 / Governor	County Commissioner	Richmond
Allison Palmer	3/6/17-2/1/23 / Governor	Prosecutor	San Angelo
Wesley Ritchey, Chair	3/9/21-2/1/27 / Governor	County Judge	Dalhart
Jimmy Smith	3/6/17-2/1/23 / Governor	Public	Midland

Table 4 Exhibit 4 Policymaking Body

B. Describe the primary role and responsibilities of your policymaking body.

The Texas Juvenile Justice Board is the governing body of the department and is responsible for its operations. It is mandated to develop and implement policies that clearly separate the policymaking responsibilities of the Board from the management responsibilities of the executive director and TJJD staff. It is also mandated to establish the mission of TJJD with the goal of establishing a cost-effective continuum of youth services that emphasizes keeping youth in their home communities while balancing the interests of rehabilitative needs with public safety and to establish funding priorities for services that support this mission and that do not provide incentives to incarcerate youth. Human Resources Code 203.001. The Board also appoints and directly supervises the executive director, chief internal auditor, and chief inspector general.

The Board is required to adopt reasonable rules that provide the minimum standards for personnel, staffing, caseloads, programs, facilities, record keeping, equipment, and other aspects of the operation of a juvenile board that are necessary to provide adequate and effective probation services as well as standards for juvenile justice facilities. The Board is also

required to adopt and enforce a code of ethics for certified officers as well as appropriate education, training, and certifications standards for them. Human Resources Code 221.002.

The Board is responsible for the review and approval of all policies and is mandated to make rules appropriate to the proper accomplishment of TJJD's functions, including rules for governing state-operated facilities and programs, and for ensuring they are operated according to law and the Board's rules. The Board is authorized to delegate to the executive director the Board's responsibility for the adoption of certain policies as appropriate for the proper accomplishment of the agency's functions relating to state-operated facilities and the agency's personnel. Human Resources Code 242.003.

Consistent with these major policymaking responsibilities, there are statutes that mandate the Board adopt specific rules. Those are listed in the chart below regarding agency statutes.

C. How is the chair selected?

The chair of the Texas Juvenile Justice Board is appointed by the Governor from among the appointed membership of the Board. Human Resources Code 202.001(c).

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

The Board has the responsibility of both operating its own facilities and programs as well as providing standards, oversights, and state funds to local facilities and programs. This is unique from the adult system, in which the Texas Department of Criminal Justice operates prison facilities and parole, the TDCJ Community Justice Assistance Division oversees adult probation departments, and the Jail Standards Commission provides oversight to local jails.

Human Resources Code 202.001 requires the TJJD Board to be comprised of three members of county commissioners' courts, one juvenile prosecutor, three chief juvenile probation officers (one from a small juvenile population county, one from a medium juvenile population county, and one from a large population county), one district court judge of a court designated as a juvenile court, one adolescent mental health treatment professional licensed under Subtitle B or I, Title 3 Occupations Code, one educator as defined by Education Code 5.001, and three members of the general public. This composition means that there are certain Board members who are regulated by the Board and who provide funding to the entities they represent (chief juvenile probation officers and those who are on juvenile boards, including judge and commissioners).

Though not a statutory responsibility, the members of the TJJD Board also serve as Trustees for the Parrie Haynes and John C. Wende Trusts, which benefit the youth of Texas who have lost one or both parents to death, termination of rights, abandonment, or incarceration by providing them with financial support to further their education. Both Trusts were created by a testamentary gift of the decedents and include a requirement that the Trusts be managed by one of TJJD's predecessor agencies.

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2019? In FY 2020? Explain if the policymaking body met in-person or virtually during this time.

The Board is required to meet quarterly per Human Resources Code 202.008. In 2019, the Board met six times, of which one was an out-of-cycle meeting to approve a contract. In 2020, the Board met six times, one of which was an out-of-cycle emergency meeting to approve a contract needed for COVID response. The Board met virtually seven times beginning with the May 15, 2020, meeting and ending with the April 9, 2021 meeting. The June 25, 2021, meeting marked the first return to in-person meetings. The August 27, 2021 meeting was virtual.

F. Please list or discuss all the training the members of the agency's policymaking body receive. How often do members receive this training?

A person appointed to and qualified to serve as a member of the TJJD Board may not vote, deliberate, or be counted as a member in attendance until they complete a board-training program covering the following items:

(1) the legislation that created the department;

(2) the programs, functions, rules, and budget of the department;

(3) the results of the most recent formal audit of the department;

(4) the requirements of laws relating to open meetings, public information, administrative procedure, and conflicts of interest; and

(5) any applicable ethics policies adopted by the department or the Texas Ethics Commission.

Additionally, TJJD Board members are required to complete training relating to the Public Funds Investment Act and an ethics continuing education course within six months of appointment to the Board.

G. What information is regularly presented to your policymaking body to keep them informed about the agency's operations and performance?

At each meeting of the TJJD Board, Board members receive reports on agency operations and performance from the Executive Director and Chief Inspector General. The Chief Financial Officer, Chief Information Officer, Deputy Executive Directors, Chief Auditor, Independent Ombudsman, and other internal and external stakeholders provide the Board with regular updates related to their specific areas of responsibility. Additionally, the Board reviews and approves contracts over a certain value, acceptance of gifts to the Department, matters involving the discipline of certified officers, and many other items. The TJJD Board also meets in Closed Executive Session to consult with counsel, deliberate regarding real property, hold discussions regarding personnel, or discuss other matters as allowed by the Government Code.

Internal Audit presents their reports on results of their internal audits on various functions and controls related to financials, grants, state facilities, Information Systems, human resources, complaint handling, youth rights, and other agency functions and processes.

H. How does your policymaking body obtain input from the public regarding issues under the agency's jurisdiction? How is this input incorporated into the operations of your agency?

The TJJD Board obtains input from the public though public comment and briefings during Board meetings and through the Texas Register during the rulemaking process. Input may be used to develop policies and practices. TJJD also solicits input from stakeholders, whether formally through groups such as the Advisory Council on Juvenile Services, or informally through discussions with prosecutors, chief probation officers, etc. This information is used to inform and make recommendations to the TJJD Board.

I. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart. See Exhibit 5 Example. For advisory committees, please note the date of creation for the committee, as well as the abolishment date as required by Texas Government Code, Section 2110.008.

In addition, please attach a copy of any reports filed by your agency under Texas Government Code, Section 2110.007, regarding an assessment of your advisory committees as Attachment 28.

Texas Juvenile Justice Department
Exhibit 5: Subcommittees and Advisory Committees

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee (statute or rule citation)	Creation and Abolishment Dates
Programs subcommittee	Size: 6 board members Edeska Barnes – Chair, James Castro, Pama Hencerling, Jimmy Smith, Melissa Martin, Mona Lisa Chambers	The Board of the Texas Juvenile Justice Department has established a Program Committee. The primary functions of the Committee are to assist the agency's Board in oversight of: programming policies and integrity of programs, including the treatment, education, medical, dental, child nutrition, re-entry, prevention, faith-based, volunteer, and vocational programs.	NA	2013/NA

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee (statute or rule citation)	Creation and Abolishment Dates
Safety and Security subcommittee	Size: 5 board members Lisa Jarrett – Chair, James Castro, Scott Matthew, Allison Palmer, Pama Hencerling	The Board of the Texas Juvenile Justice Department has established a Safety and Security Committee. The primary functions of the Committee are to assist the agency's Board in the oversight of: policies and practices related to the safety and security of youth and employees within state-operated facilities and programs and the reporting and investigation of allegations of criminal offenses, abuse, neglect and exploitation of youth. The committee also reviews and makes recommendations to the Board regarding all variance requests of standards for facilities approved by local juvenile boards and disciplinary actions for certified juvenile probation and supervision officers.	NA	2012/NA
Executive Subcommittee	Size: 5 board members Wes Ritchey – Chair, Jimmy Smith, Edeska Barnes, Lisa Jarrett, Scott Matthew	Composed of the Board Chair and the Chairs of the Subcommittees, the Executive Subcommittee reviews and makes recommendations to the Board regarding the selection, evaluation and compensation of certain Department positions, as well as how the Board will operate.	NA	2012/NA
Finance and Audit subcommittee	Size: 4 board members Scott Matthew – Chair, Vincent Morales, Jr., Wes Ritchey, Melissa Martin	The Finance and Audit Committee of the Texas Juvenile Justice Department Board has oversight over all business and audit matters as well as all compliance activities of the agency. This oversight shall include ensuring sound fiscal and management policies and practices in all operations. The Committee also provides oversight to ensure full compliance with all applicable local, state, and federal laws and regulations.	NA	2012/NA

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee (statute or rule citation)	Creation and Abolishment Dates
Trust subcommittee	Size: 5 board members Jimmy Smith – Chair, James Castro, Ann Lattimore, Allison Palmer, Mona Lisa Chambers	The Board of the Texas Juvenile Justice Department has established a Trust Committee. The primary functions of the Committee are to assist the agency's Board in their duties as Trustees of the Parrie Haynes and Wende trusts.	The Parrie Haynes and Wende trusts were created pursuant to testamentary bequests from Parrie Haynes and John C. Wende, respectively.	The Parrie Haynes trust was created pursuant to a June 23, 1956, codicil to the testator's August 19, 1954, will. The Wende Trust was created pursuant to the testator's November 13, 1948, will.
Advisory Council on Juvenile Services	Size: 14 members Composition: • TJJD Executive Director • TJJD Director of Probation Services • TJJD Director of State Programs and Facilities • HHSC Executive Commissioner • One representative of county commissioners courts • Two juvenile court judges • Seven chief juvenile probation officers How appointed: By the TJJD Governing Board	The advisory council assists the department in: • 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; • Analyzing the potential cost impact on juvenile probation departments of new standards proposed by the board; and • Advising the board on any other matter on the request of the board.	Section 203.0081, Texas Human Resources Code	Created: September 1, 2011 No abolishment date set. The Advisory Council on Juvenile Services is not subject to Chapter 2110, Texas Government Code.

Table 5 Exhibit 5 Subcommittees and Advisory Committees

V. Funding

A. Provide a brief description of your agency's funding, including information about the most recent five percent budget reduction and any funding related to disaster relief or COVID-19, if applicable.

TJJD is 94 percent general revenue funded, 3.3 percent funded with foundation school program funds from the Texas Education Agency (TEA), 2 percent federal revenue, and the rest appropriated receipts for probation grants.

Of TJJD's appropriated funding, 51 percent is allocated for grant programs for juvenile probation departments. The below chart provides information on appropriations for these grants since FY 2014.

State Aid Funding Categories (General Revenue in millions)	FY 14/15 Appropriated	FY 16/17 Appropriated	FY 18/19 Appropriated	FY 20/21 Appropriated	FY 22/23 Appropriated
Basic Probation Supervision	90.00	82.00	71.70	73.60	73.30
Community Programs	13.50	78.00	78.00	77.10	77.10
Pre and Post Adjudication	118.70	51.60	49.60	49.60	49.60
Commitment Diversion	39.70	39.00	39.00	39.00	39.00
Mental Health Services	25.60	25.60	25.60	28.40	28.40
Additional JPD Refunds	-	-	-	3.10	3.10
Total State Aid Funding Categories	287.50	276.20	263.90	270.80	270.50
Percent Change		(0.04)	(0.04)	0.03	(0.00)
Amount Change in State Aid Funding Categories		(11.30)	(12.30)	6.90	(0.30)
State Aid Funding Categories Cost Per Day Comparison (General Revenue)	**FY 14/15 Appropriated**	**FY 16/17 Appropriated**	**FY 18/19 Appropriated**	**FY 20/21 Appropriated**	**FY 22/23 Appropriated**
Basic Probation Supervision	5.40	5.40	4.87	5.05	5.06
Pre and Post Adjudication	54.05	31.40	35.28	34.05	57.93
Commitment Diversion	19.42	35.50	39.80	46.27	61.50

The remaining appropriated funding is for TJJD State Operations allocated for the direct care of youth (42%), and oversight, training and administrative activities (7%).

COVID-19 response. TJJD has spent $51 million on COVID-19 response. Of that total amount, $42.9 million was for public safety salaries, $4.1 million for medical personnel and services, and $4 million for PPE, sanitation, bio-waste removal and prevention activities. The agency has received $47 million in CRF funding to support public safety salaries and medical personnel and services. During the 87th Legislature, HB2 (Bonnen) required the agency to return general revenue funding equal to the amount of CRF funding received. Therefore, TJJD was required to fund the remaining $4 million for non-salary related COVID response from existing appropriated general revenue.

5 percent cost reduction obligation. TJJD was appropriated $611.5M in general revenue for the FY 2020-2021 biennium. Of the general revenue appropriation, $175.4M was general revenue designated in Article IX Section 10.04 as behavior health funding. Given this exclusion from the 5 percent cost reduction, TJJD implemented a cost reduction plan totaling $21.8M.

Excluding pass-through grant funding for Juvenile Probation Departments and the Office of Inspector General, TJJD is appropriated $315.8M in general revenue. Eighty percent, or $251.5 million, is appropriated for the direct supervision and treatment of youth that have been committed to the state. In order to maintain the core mission of the agency, we initiated significant cuts to support operations as well as eliminating any fund balance transfer to JPDs to enhance regional diversion activities. Since FY 2018, TJJD has allocated $9.1 million in state fund balances to provide additional diversion resources for JPDs. Allocating these funds for additional diversion initiatives has resulted in historically low commitments providing TJJD a better environment for reform. This put at further risk the safety and security of state operated facilities and significantly impacted reform efforts. Unlike TDCJ, TJJD did not receive any exemptions to the 5 percent cut for direct-care activities.

The information below outlines TJJD's cost reduction efforts in an order that presents from least risk and impact to the direct care and treatment of our youth to the most risk and disruption of care and treatment of our youth.

Reduction to State Operations and Office of Inspector General $15M

1. The first tier of TJJDs state operations cost reduction plan eliminated 25 non-direct care support positions, initiated a six-month hiring freeze for all central office positions and a three-month hiring freeze for all non-direct care field positions. Efforts were made to reduce in-person training and significantly cut back on travel, and the agency closed three district offices and transitioned employees to telework. These reductions negatively impacted the agency's ability to perform core support operations resulting in decreased human resource and information technology support, delay in legislative reporting, and weakened financial, contracting, and purchasing support.
2. The second tier of TJJD state operations cost reduction plan eliminated the FY 2021 planned contingency, a portion of capital information resource and construction funding, and operating funding from the Office of Inspector general. This reduction put the agency in significant risk to planning and responding to emergencies and addressing critical infrastructure needs. Delaying capital projects will result in increased expenses in the future and will stop many of the physical changes necessary for facilities to accommodate violence reduction efforts. Additionally, the IT infrastructure of TJJD is old and is in a current state of improvement; reductions in funding will slow our ability to modernize systems and improve reporting capabilities.
3. The last tier of TJJD's state operations cost reduction decreased the budgeted number of youth placed in contract residential facilities and eliminated any transfer of fund balances to provide additional funding to divert youth from commitment to the state. It also eliminated fleet replacement funding for the Office of Inspector General. This item placed significant risk to the youth and staff's safety, health, and security. As noted above, eliminating the transfer of state cost savings balances that are realized from the lower-than-appropriated population to JPDs will have serious and long-lasting effects to the juvenile justice system. Reducing allocations for contract placements paused our ability to fully utilize these options in the future. The full measure of the impact the loss of these funds will have on commitments to TJJD cannot be measured in the simple terms of how many fewer youth

will be placed. The practice of providing state cost savings to regional diversion efforts has resulted in our agency being able to approve far more applications for diversion than the appropriated funding would allow. This exponentially increases our ability to provide youth additional diversionary opportunities and creates confidence among the probation departments to consider every youth possible for diversion.

Reduction to Juvenile Probation Grant Funding $6.8M

1. The first tier of probation funding reduction plan eliminated all prevention and intervention funding in FY 2021. Prevention and intervention is the first contact a youth has with the justice system. The programs and services funded with this appropriation are designated to keep youth from having formal contact with the system. TJJD opted to accept the deferred risk of cutting this funding rather than reduce services to juveniles already referred to probation and, thereby, decrease public safety. Although it is not anticipated to have an immediate impact, the results of this lost funding will increase the possibility that a youth will have formal contact with the justice system in the years to follow. Data shows that of the youth who receive this level of intervention, 96.8 percent are not referred to juvenile probation during program participation, 55.5 percent maintain or improve school attendance, and 80.3 percent maintain or decrease disciplinary referrals while at school.
2. The second tier of the probation funding reduction plan eliminated discretionary grants in FY 2021. This reduction eliminated annual discretionary grant funding provided to enhance mental health services and placement options for youth in the community in efforts to keep youth as shallow in the justice system as possible. The average cost of a regional diversion placement in FY 2019 was $38,779, and the average cost of a discretionary state aid community program service was $2,853. Using these costs, the budget reduction represents 75 youth placed or 1,017 community program services.
3. The last tier of the probation funding reduction decreased state aid formula funding. State aid formula funding provides JPDs the ability to operate their basic supervision, community and mental health programs as well as the ability to place youth in their communities. The average cost of a residential placement funded by state aid in FY 2019 was $22,908, and the average cost of a community program service funded by state aid was $1,854. Using these costs, the budget reduction represents 44 youth placed or 539 community program services.

B. List all riders that significantly impact your agency's budget.

Relevant Riders

Rider 4. Restrictions, State Aid. None of the funds appropriated above and allocated to local juvenile probation boards shall be expended for salaries or expenses of juvenile justice board members. None of the funds appropriated above and allocated to local juvenile probation boards shall be expended for salaries of individual personnel whose annual salary rate exceeds 112 percent of the previous year.

Rider 7. Appropriation and Tracking of Title IV-E Receipts. The provisions of Title IV-E of the Social Security Act shall be used in order to increase funds available for juvenile justice services. The Juvenile Justice Department (JJD) shall certify to the Texas Department of Family and

Protective Services that federal financial participation can be claimed for Title IV-E services provided by counties. JJD shall direct necessary general revenue funding to ensure that the federal match for the Title IV-E Social Security Act is maximized for use by participating counties. Such federal receipts are appropriated to JJD for the purpose of reimbursing counties for services provided to eligible children. In accordance with Article IX, Part 13 of this Act, when reporting Federal Funds to the Legislative Budget Board, JJD must report funds expended in the fiscal year that funds are disbursed to counties, regardless of the year in which the claim was made by the county, received by JJD, or certified by JJD.

Rider 8. Federal Foster Care Claims. Out of appropriations made above, the Texas Department of Family and Protective Services and the Juvenile Justice Department shall document possible foster care claims for children in juvenile justice programs and maintain an interagency agreement to implement strategies and responsibilities necessary to claim additional federal foster care funding; and consult with juvenile officials from other states and national experts in designing better foster care funding initiatives.

Rider 13. Juvenile Justice Alternative Education Program (JJAEP). Funds transferred to the Juvenile Justice Department (JJD) pursuant to Texas Education Agency (TEA) Rider 27 and appropriated above in Strategy A.1.6, Juvenile Justice Alternative Education Programs, shall be allocated as follows: Fifteen percent at the beginning of each fiscal year to be distributed on the basis of juvenile age population among the mandated counties identified in Chapter 37, Education Code.

The remaining funds shall be allocated for distribution to the counties mandated by §37.011(a) Education Code, at the rate of $96 per student per day of attendance in the JJAEP for students who are required to be expelled as provided under §37.007, Education Code. Counties are not eligible to receive these funds until the funds initially allocated at the beginning of each fiscal year have been expended at the rate of $96 per student per day of attendance. Counties in which populations exceed 72,000 but are 125,000 or less, may participate in the JJAEP and are eligible for state reimbursement at the rate of $96 per student per day.

JJD may expend any remaining funds for summer school programs. Funds may be used for any student assigned to a JJAEP. Summer school expenditures may not exceed ten percent of appropriation.

Unexpended balances in FY 2022 shall be appropriated to FY 2023 for the same purposes in Strategy A.1.6.

The amount of $96 per student per day for the JJAEP is an estimated amount and not intended to be an entitlement. Appropriations for JJAEP are limited to the amounts transferred from the Foundation School Program pursuant to TEA Rider 27. The amount of $96 per student per day may vary depending on the total number of students actually attending the JJAEPs. Any unexpended or unobligated appropriations shall lapse at the end of FY 2023 to the Foundation School Fund No. 193. If the daily mandatory attendance reimbursement rate falls below $86 per day due to increased days of attendance (the rate established for the 2014-15 school year),

TEA will increase appropriated funds to JJD to provide a minimum reimbursement of $86 per attendance day.

JJD may reduce, suspend or withhold JJAEP funds to counties that do not comply with standards, accountability measures, or Texas Education Code Chapter 37.

Rider 14. **Funding for Additional Eligible Students in JJAEPs.** Out of funds appropriated above in Strategy A.1.6, Juvenile Justice Alternative Education Programs, a maximum of $500,000 in each fiscal year (for a maximum of 90 attendance days per child), is allocated for counties with a population of at least 72,000 which operate a JJAEP under the standards of Chapter 37, Texas Education Code. The county is eligible to receive funding from the Juvenile Justice Department at the rate of $96 per day per student for students who are required to be expelled under §37.007, Education Code, and who are expelled from a school district in a county that does not operate a JJAEP.

Rider 16. Appropriation Transfers between Fiscal Years. In addition to the transfer authority provided elsewhere in this Act, the Juvenile Justice Department may transfer appropriations in an amount not to exceed $10,000,000 in General Revenue made for FY 2021 to FY 2020 subject to the following conditions provided by this section:

a. Transfers under this section may be made only if (1) juvenile correctional populations exceed appropriated areas of daily population targets or (2) for any other emergency expenditure, including expenditures necessitated by public calamity;
b. A transfer authorized by this section must receive prior approval from the Governor and the Legislative Budget Board; and
c. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending under this section.

Rider 19. Appropriation: Refunds of Unexpended Balances from Local Juvenile Probation Departments. The Juvenile Justice Department (JJD) shall ensure that the agency is refunded all unexpended and unencumbered balances of state funds held as of the close of each fiscal year by local juvenile probation departments. Any unexpended balances of probation department refunds as of August 31, 2021, are appropriated to JJD for the purpose of providing grants to local probation departments in the fiscal year beginning September 1, 2021. All FY 2022 and FY 2023 refunds received from local juvenile probation departments by JJD (Appropriated Receipts) are appropriated above in Strategy A.1.5, Commitment Diversion Initiatives. Any unexpended balances of probation department refunds as of August 31, 2022, are appropriated to JJD for the purpose of providing grants to local juvenile probation departments in the fiscal year beginning September 1, 2022.

Rider 25. **JJAEP Disaster Compensation.** Out of funds appropriated above in Strategy A.1.6, Juvenile Justice Alternative Education Programs, the Juvenile Justice Department may compensate a mandatory JJAEP for missed mandatory student attendance days in which disaster, flood, extreme weather condition, or other calamity has a significant effect on the program's attendance.

Rider 27. Commitment Diversion Initiatives. Out of the funds appropriated above in Strategy A.1.5, Commitment Diversion Initiatives, $19,492,500 in General Revenue Funds in fiscal year 2022 and $19,492,500 in General Revenue Funds in FY 2023, may be expended only for the purposes of providing programs for the diversion of youth from the Juvenile Justice Department (JJD). The programs may include residential, community-based, family, and aftercare programs. The allocation of State funding for the program is not to exceed a daily rate based on the level of care the juvenile receives. JJD shall ensure that the State is refunded all unexpended and unencumbered balances of State funds at the end of each fiscal year.

These funds shall not be used by local juvenile probation departments for salary increases or costs associated with the employment of staff hired prior to September 1, 2009. JJD shall require juvenile probation departments participating in the diversion program to report to JJD regarding the use of funds within thirty days after the end of each quarter. JJD shall report to the Legislative Budget Board regarding the use of the funds within thirty days after receipt of each county's quarterly report. Items to be included in the report include, but are not limited to, the amount of funds expended, the number of youth served by the program, the percent of youth successfully completing the program, the types of programming for which the funds were used, the types of services provided to youth served by the program, the average actual cost per youth participating in the program, the rates of recidivism of program participants, the number of youth committed to JJD, any consecutive length of time over six months a juvenile served by the diversion program resides in a secure corrections facility, and the number of juveniles transferred to criminal court under Family Code, §54.02.

JJD shall maintain a mechanism for tracking youth served by the diversion program to determine the long-term success for diverting youth from state juvenile correctional incarceration and the adult criminal justice system. A report on the program's results shall be included in the report that is required under JJD Rider 26 to be submitted to the Legislative Budget Board by December 1st of each year. In the report, JJD shall report the cost per day and average daily population of all programs funded by Strategy A.1.5, Commitment Diversion Initiatives, for the previous fiscal year.

The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to JJD in Goal F, Indirect Administration, if the Legislative Budget Board certifies to the Comptroller of Public Accounts that JJD is not in compliance with any of the provisions of this Section.

Rider 28. Mental Health Services Grants. Included in the amounts appropriated above in Strategy A.1.7, Mental Health Services Grants, is $14,178,353 in fiscal year 2022 and $14,178,351 in fiscal year 2023 to fund mental health services provided by local juvenile probation departments. Funds subject to this provision shall be used by local juvenile probation departments only for providing mental health services to juvenile offenders. Funds subject to this provision may not be utilized for administrative expenses of local juvenile probation departments nor may they be used to supplant local funding.

Rider 29. Contingency for Behavioral Health Funds. Notwithstanding appropriation authority granted above, the Comptroller of Public Accounts shall not allow the expenditure of General

Revenue Related behavioral health funds for the Juvenile Justice Department in Strategies A.1.1, Prevention and Intervention; A.1.3, Community Programs; A.1.4, Pre and Post Adjudication Facilities; A.1.5, Commitment Diversion Initiatives; A.1.7, Mental Health Services Grants; B.1.1, Assessment, Orientation, and Placement; B.1.6, Health Care; B.1.7, Mental Health (Psychiatric) Care; B.1.8, Integrated Rehabilitation Treatment; and C.1.2, Parole Programs and Services, in fiscal year 2022 or fiscal year 2023, as identified in Art. IX, Sec. 10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures, if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the agency's planned expenditure of those funds in fiscal year 2022 or fiscal year 2023 does not satisfy the requirements of Art. IX, Sec. 10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.

Rider 31. Harris County Leadership Academy. Out of funds appropriated above in Strategy A.1.4, Pre and Post-Adjudication Facilities, the amount of $1,000,000 in General Revenue Funds in each fiscal year shall be expended for the Harris County Leadership Academy.

Rider 32. Juvenile Referrals. Included in the amounts appropriated above in Strategy A.1.3, Community Programs, is funding granted to juvenile probation departments for intake and processing of juvenile referrals not subsequently placed on one of the three types of supervision pursuant to Family Code, Section 54.0401.

Rider 34. Single Grant Applications for Local Probation Departments. The Juvenile Justice Department (JJD) shall create a single grant application for local probation departments wishing to apply for discretionary grant funding. The application will require the local probation department to specify the amount of funding it seeks from each strategy. As a condition of funding, local probation departments shall agree to meet research-based performance measures developed by JJD pursuant to Health and Human Services Code §223.001(c).

Rider 35. Non-Profit Pilot Programs. From funds appropriated above in Strategy A.1.3, Community Programs, is $250,000 in General Revenue in each fiscal year of the 2022-23 biennium to establish pilot programs in Harris, Hidalgo, and Cameron counties administered by non-profits that provide trauma-informed counseling and life-skills and hands-on vocational training for youth who were previously committed to state correctional custody in the Juvenile Justice Department. The non-profit must be supported by the counties.

Rider 36. Prevention, Intervention, and Commitment Diversion.

(a) Amounts appropriated above in Strategy A.1.1, Prevention and Intervention, are to continue programs and services designated to keep youth from having formal contact with the juvenile system.

(b) Amounts appropriated above in Strategy A.1.5, Commitment Diversion, are to continue providing juvenile probation departments the ability to operate basic supervision, community and health programs, and place youth within their communities.

Rider 37. Harris County Front-End Multisystemic Therapy Team. Out of the funds appropriated above in Strategy A.1.3, Community Programs, $500,000 in General Revenue for fiscal year 2022 and $500,000 in General Revenue for fiscal year 2023 shall be used to establish a front-end Multisystemic Therapy (MST) team in Harris County to prevent youth and adolescents from entering the juvenile justice and child welfare systems. The Juvenile Justice Department (JJD) and the Harris Center for Mental Health and IDD (Harris Center) shall enter into a memorandum of understanding that provides for the transfer of funds through an interagency contract from JJD to the Harris Center to fund this initiative. The Harris Center shall establish an evidenced-based MST team in partnership with local juvenile probation and protective services programs.

Not later than November 30, 2022, JJD shall submit a performance report to the Legislative Budget Board that includes standard measures to assess the success of the program, including the number of youth and adolescents who have been diverted from the juvenile justice and child welfare systems.

Rider 38. Harris County Admissions. The Juvenile Justice Department (JJD) shall collaborate with Harris County regarding the possibility of housing some or all of its own JJD admissions, including provision of funds, treatment, services, and monitoring. The agency may use funds appropriated above to contract with Harris County to provide these services.

Rider 39. El Paso Front-End Multisystemic Therapy Team. Out of the funds appropriated above in Strategy A.1.3, Community Programs, $500,000 in General Revenue for fiscal year 2022 and $500,000 in General Revenue for fiscal year 2023 shall be used to establish a front-end Multisystemic Therapy (MST) team in El Paso County to prevent youth and adolescents from entering the juvenile justice and child welfare systems. The Juvenile Justice Department (JJD) and the Emergence Health Network shall enter into a memorandum of understanding that provides for the transfer of funds through an interagency contract from JJD to the Emergence Health Network to fund this initiative. The Emergence Health Network shall establish an evidenced-based MST team in partnership with local juvenile probation and protective services programs. Not later than November 30, 2022, JJD shall submit a performance report to the Legislative Budget Board that includes standard measures to assess the success of the program, including the number of youth and adolescents who have been diverted from the juvenile justice and child welfare systems.

C. Show your agency's expenditures by strategy.

Texas Juvenile Justice Department
Exhibit 6: Expenditures by Strategy — Fiscal Year 2020 (Actual)

Goal/Strategy	Expense	Percent of Total	Contract Expenses
A.1.1 Prevention and Intervention	$2,812,889	1%	$-
A.1.2 Basic Probation Supervision	$36,444,959	11%	$-
A.1.3 Community Programs	$40,922,831	13%	$-

A.1.4 Pre & Post Adjudication Facilities	$24,163,834	7%	$-
A.1.5 Commitment Diversion Initiatives	$18,142,795	6%	$-
A.1.6 Juvenile Justice Alternative Education Programs	$6,070,000	2%	$-
A.1.7 Mental Health Services Grants	$14,995,622	5%	$-
A.1.8 Regional Diversion Alternatives	$14,402,990	4%	$-
A.1.9 Probation System Support	$3,094,681	1%	$1,310,039
Subtotal, Goal A (Community Juvenile Justice)	$161,050,602	50%	$1,310,039
B.1.1 Assessment, Orientation, Placement	$1,873,668	1%	$331,089
B.1.2 Institutional Operations and Overhead	$22,300,740	7%	$9,230,257
B.1.3 Institutional Supervision & Food Service	$54,596,779	17%	$9,555,077
B.1.4 Education	$14,216,074	4%	$1,644,859
B.1.5 Halfway House Operations	$8,338,246	3%	$1,964,380
B.1.6 Health Care	$8,964,086	3%	$8,964,086
B.1.7 Mental Health (Psychiatric) Care	$717,782	0%	$717,782
B.1.8 Integrated Rehabilitation Treatment	$10,429,891	3%	$1,538,765
B.1.9 Contract Residential Placements	$5,778,782	2%	$5,505,676
B.1.10 Residential System Support	$3,013,729	1%	$466,545
B.2.1 Office of Inspector General	$5,658,539	2%	$273,105
B.2.2 Health Care Oversight	$1,011,216	0%	$58,005
B.3.1 Construct and Renovate Facilities	$1,266,484	0%	$24,247
Subtotal, Goal B (State Services and Facilities)	$138,166,039	43%	$40,273,873
C.1.1 Parole Direct Supervision	$2,275,457	1%	$384,066
C.1.2 Parole Programs and Services	$1,170,837	0%	$466,419
Subtotal, Goal C (Parole)	$3,446,294	1%	$850,485
D.1.1 Office of the Independent Ombudsman	$805,475	0%	$34,915
Subtotal, Goal D (Office of the Independent Ombudsman)	$805,475	0%	$34,915
E.1.1 Training and Certification	$1,448,279	0%	$93,261

E.1.2 Monitoring and Inspections	$1,663,465	1%	$84,086
E.1.3 Interstate Compact	$220,135	0%	$54,831
Subtotal, Goal E (Juvenile Justice System)	$3,331,879	1%	$232,178
F.1.1 Central Administration	$8,832.045	3%	$2,826,337
F.1.2 Information Resources	$7,376,342	2%	$704,893
Subtotal, Goal F (Indirect Administration)	$16,208,388	5%	$3,531,230
Grand Total	$323,008,677	100%	$46,232,720

Table 6 Exhibit 6 Expenditures by Strategy

D. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines. See Exhibit 7 Example.

Texas Juvenile Justice Department
Exhibit 7: Sources of Revenue — Fiscal Year 2020 (Actual)

Source	Amount
3628 Dormitory, Cafeteria, Merchandise Sales	$4,515
3722 Conf, Seminar, & Training Registration Fees	$3,550
3725 State Pass-Though Revenue	$11,171,461
3740 Grants/Donations	$7,299
3746 Rental of Land/Miscellaneous Land Income	$800
3747 Rental – Other	$12,116
3750 Sale of Furniture & Equipment	$401
3752 Sale of Publications/Advertising	$717
3754 Other Surplus/Salvage Property	$11,512
3802 Reimbursements - Third Party	$404
3806 Rental of Housing to State Employee	$70,110
3839 Sale of Motor Vehicle/Boat/Aircraft	$3,911
3971 Federal Pass-Through Revenue	$45,795,696
3975 Donation Revenue	$3,542

Total	$57,086,034

Table 7 Exhibit 7 Sources of Revenue

Note: This includes $40,208,387 of CARES Federal Funding from the Governor's Office that was received in FY 2021 but was a reimbursement of AY 2020 expenditures. TJJD appropriations in AY 2020 were reduced by the same amount as CRF received.

E. If you receive funds from multiple federal programs, show the types of federal funding sources.

Texas Juvenile Justice Department
Exhibit 8: Federal Funds — Fiscal Year 2020 (Actual)

Type of Federal Pass-Through Funds	Passed Though Agency Number	State/Federal Match Ratio	State Match	Federal Share	Total Pass-Through Federal Funds
VOCA GRANT	300	100%	$0	$400,191	$400,191
CRF GRANT	300	100%	$0	$40,208,387	$40,208,387
DFPS IV-E FOSTER CARE - COMM JUV JUSTICE GRANT	530	39.11%/60.89%	$995,046	$1,549,178	$1,549,178
DFPS TITLE IV-E CONTRACT CAPACITY GRANT	530	39.11%/60.89%	$130,543	$203,241	$203,241
DFPS PLACEMENT SERVICES TITLE IV-E GRANT	530	39.11%/60.89%	$6,816	$10,612	$10,612
DSHS EXERCISE EQUIP GRANT	537	100%	$0	$19,200	$19,200
TDA NSLB FUNDS GRANT	551	100%	$0	$1,532,402	$1,532,402
TDA EQUIPMET GRANT	551	100%	$0	$3,247	$3,247
TEA ESEA TITLE I GRANT	701	100%	$0	$1,190,564	$1,190,564
TEA IDEA-B GRANT	701	100%	$0	$480,202	$480,202
TEA ESEA TITLE II GRANT	701	100%	$0	$44,922	$44,922
TEA CATE CAREER & TECHNOLOGY EDUCATION GRANT	701	100%	$0	$148,550	$148,550
UTHSC PREGNANCY PREVENTION Grant	745	100%	$0	$5,000	$5,000
Total		N/A	$1,132,405	$45,795,696	$45,795,696

Table 8 Exhibit 8 Federal Funds

Note: CRF Federal Funding from the Governor's Office was received in FY 2021 but was a reimbursement of AY 2020 expenditures. TJJD appropriations in AY 2020 were reduced by the same amount as CARES funding received.

F. If applicable, provide detailed information on fees collected by your agency. Please explain how much fee revenue is deposited/returned to the General Revenue Fund and why, if applicable.

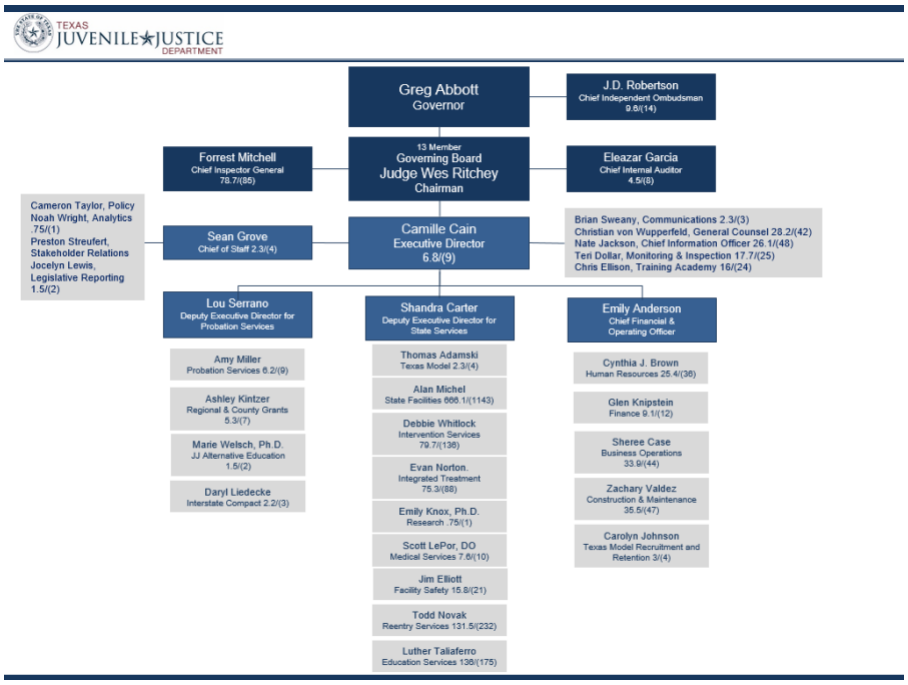
Texas Juvenile Justice Department
Exhibit 9: Fee Revenue — Fiscal Year 2020

Fee Description/ Program/Statutory Citation	Current Fee	Fees Set by Statute or Rule?	Statutory Maximum or Minimum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited?
Dormitory, Cafeteria, Mdse Sales	Varies	No	N/A	Varies	$4,515	General Revenue Fund
Conf, Seminar, & Training Regis Fees	Varies	No	N/A	Varies	$3,550	General Revenue Fund
Rental of Housing to State Employees	Varies	No	N/A	Varies	$70,110	General Revenue Fund

Table 9 Exhibit 9 Fee Revenue

VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division. Detail should include, if possible, department heads with subordinates, and actual FTEs with budgeted FTEs in parenthesis.



B. If applicable, fill in the chart below listing field or regional offices.

Texas Juvenile Justice Department
Exhibit 10: FTEs by Location — Fiscal Year 2021

Office Type	Location	Budgeted FTEs	Actual FTEs (Q3 FY21)
Headquarters	Austin	264	174.7
Secure Facility	Brownwood	309	200.15
Secure Facility	Mart	418	260.44
Secure Facility	Gainesville	255	168.54
Secure Facility	Giddings	386	209.17
Secure Facility	Evins	285	182.91
Halfway House	San Antonio	25	20.08
Halfway House	Willis	22	17.23
Halfway House	Roanoke	46	18.61
Halfway House	El Paso	24	18.99
Halfway House	Harlingen	25	20.33
Halfway House	Fort Worth	18	18.91
Regional Office	Fort Worth	27	17.12
Regional Office	Various Locations	8	4.33
Regional Office	San Antonio	23	14.5
Regional Office	Houston	19	11.54
OIG	Field (various)	85	74.13
	Total	2,239	1,432

C. What are your agency's FTE caps for fiscal years 2019–22?

FY 19: 2,703.3

FY 20: 2,704.3

FY 21: 2,704.3

FY 22: 2,485.7

FY 23: 2,499.2

D. How many temporary or contract employees did your agency have in fiscal year 2020? Please provide a short summary of the purpose of each position, the amount of expenditures per contract employee, and the procurement method of each position.

As provided by Governor Abbott's proclamation declaring a state of disaster for all counties of Texas and suspending the enforcement of any state statute or administrative rule regarding contracting or procurement that would impede any state agency's emergency response that is necessary to cope with the disaster, TJJD entered into a contract with BCFS Health and Human

Services to provide supplemental staffing to TJJD facilities. Such supplemental staff was required due to the declared disaster.

07/03/2020--TJJD / BCFS Contract signed

07/08/2020--100 direct care

07/14/2020--100 direct care; 45 QRT (EMTs); 44 MED (RNs and LVNs)

07/21/2020--108 direct care; 21 QRT; 32 MED

07/23/2020--109 direct care; 32 QRT; 24 MED

07/27/2020--84 direct care; 12 QRT; 24 MED

08/05/2020--30 direct care; 0 QRT; 4 MED

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program.

Exhibit 11: List of Program FTEs and Expenditures – Fiscal Year 2020 can be found in Attachment F.

VII. Guide to Agency Programs

Intake, Orientation, and Assessment

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Intake, Orientation, and Assessment

Location/Division: Ron Jackson/Probation Services, Treatment, Case Management, State Operated Programs and Services

Contact Name: Dr. Evan Norton

Statutory Citation for Program:

Human Resources Code, Chapter 243 Admission and Commitment

242.002, Human Resources Code

242.051 Human Resources Code

244.001, Human Resources Code

59.009, Family Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

Numerous studies indicate a significant number of youth entering the juvenile justice system present with histories of adverse childhood experiences, emotional disturbances, and mental

health and substance abuse issues. Moreover, the complexity of needs these youth present with often make it difficult to keep them safe, stable and/or managed in a juvenile justice, secure care setting as these youth are commonly best served in acute hospitals, psychiatric facilities, and in community mental health, substance abuse and residential treatment settings.

The purpose of TJJD's Intake, Orientation and Assessment Unit, located at the Ron Jackson State Juvenile Correctional Complex in Brownwood, Texas, is to orient the youth from the committing county and to provide complete and timely information regarding TJJD and its facility treatment programs, services, expectations and information about the youth's basic rights. The Intake, Orientation and Assessment process also provides a comprehensive diagnostic evaluation for each youth admitted to its care.

The Regionalization Department participates in collaboration with the Ron Jackson State Juvenile Correctional Complex's Intake, Orientation and Assessment Unit to coordinate the safe admission of youth committed to the care and custody of the Texas Juvenile Justice Department from local Juvenile Probation Departments. Each Regional County Program Administrator has established relationships with juvenile probation departments in their assigned regions and their involvement in submitting pre-admission documents, communicating case-specific issues to TJJD and scheduling admission dates increases safety of youth and staff.

This approach allows TJJD staff to better understand and prepare to meet a youth's most significant needs upon arrival, fostering the trauma-informed approaches that are foundational to the juvenile justice system's treatment and rehabilitation philosophy and affording better opportunities to establish strong, trust-based relationships with youth arriving at TJJD and their families.

Prior to placing these youth transferring from the Intake, Orientation, and Assessment Unit into their assigned secure TJJD facility, each youth receives medical, psychological, and educational assessments to determine their strengths, needs, protective factors, and treatment needs. Additionally, the results of the screening and assessments process helps to identify youth with histories of trauma, emotional disturbances, mental health, and substance abuse needs, and those youth at risk for suicide. Furthermore, the results of these assessments help to individualize the youth's treatment plan as they move through the TJJD continuum of care and as they prepare to return to their respective communities.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

TJJD calculates, reviews, and reports the following program statistics and performance measures to the Legislative Budget Board (LBB):

1. Total number of new admissions to JJD (Exhibit 2);

2. Assessment and orientation cost per juvenile day (Exhibit 2);
3. Average daily population: assessment & orientation (Exhibit 2);
4. Orientation and assessment total served (Exhibit 12): calculated as the population in the program at the beginning of the year plus total placements during the fiscal year; and
5. Orientation and assessment average length of stay (Exhibit 12): calculated as the average of the number of days assigned to the program minus escape days for youth exiting the program for the first time during the fiscal year.

Juvenile Justice Department – Intake Orientation & Assessment
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Orientation and assessment total served	N/A	68+547 See above	NA	615	NA
Orientation and assessment average length of stay	N/A	See above	21 internal goal	33.1 (25.6 in Q1 pre Covid-19)	158%

Table 12 Exhibit 12 Program Statistics and Performance Measures ***See Exhibit 3***

The LBB uses the actual performance in Exhibit 12 for their biennial Criminal and Juvenile Justice Uniform Cost Report published for each legislative session. Also, please reference the performance measure, "Average Daily Population: Assessment and Orientation," in Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The male Intake Orientation and Assessment Unit moved from McLennan County State Juvenile Justice Correctional Facility to the Ron Jackson State Juvenile Correctional Complex in October of 2013. Ron Jackson houses all Orientation and Assessment youth adjudicated to the Texas Juvenile Justice Department.

In February 2015, employees from TJJD's state operated facilities were given access to the Juvenile Case Management System. At that time, the Juvenile Case Management System was providing case management services to juvenile probation departments in over 200 counties in Texas. With this increased access to information on individual youth, as well as the increased knowledge of the adjudicated youth's individual histories, and more access to information about the youth's interaction and responses to the services and treatment provided by probation and the residential treatment facilities during the course of the youth's probation periods, TJJD was better equipped to provide continuity of care as youth moved through these systems. Additionally, as a result of this increased access and information, TJJD was better able

to initially screen, assess, place, and provide improved case management and treatment services throughout the course of a youth's stay within the TJJD system.

In 2019, the Orientation and Assessment timeline changed from 28 calendar days to 21 calendar days. This change helped to reduce the duration of time the youth were in the Intake, Orientation, and Assessment process in order to move them to their long term TJJD facility more quickly.

In August of 2020, in response to the pandemic, TJJD worked with county probation departments to commit youth from their respective counties to TJJD and were placed directly in contract care facilities reducing the duration of time spent at the Orientation and Assessment Unit.

In early 2021, the McLennan County State Juvenile Justice Correctional Facility temporarily facilitated the Intake Orientation and Assessment process to assist in reducing the number of youth on the pending admission list.

Prior to the pandemic, juvenile probation departments would not be scheduled an admission date and time to bring committed youth to TJJD, but rather arrive unannounced. However, during the COVID outbreak, TJJD initiated a process change to admit committed youth in a more controlled fashion, reducing the risk of COVID outbreaks in TJJD-operated facilities. The change allowed Ron Jackson's orientation and assessment unit to resume admissions after an initial pause, removing a backlog of committed youth at the waiting for admission and freeing already limited detention bed space.

The safety benefits of the new process extend beyond controlling the spread of COVID to enhancing safety for both youth and staff during the assessment and orientation period. It ensures vital information about a youth's medical, mental health, and behavioral needs are communicated before the youth's arrival and that youth are brought into their new environment with more one-on-one attention to ease fear and increase safety and cooperation upon admission, which aligns with the agency's trauma-informed approach to treatment and rehabilitation. For these reasons, the process initiated because of COVID will continue into the future.

Texas Family Code Chapter 58 subchapter E addresses the Statewide Juvenile Information and Case Management System, enacted in 2007 and enhanced in 2009, with the purpose to "(1) provide accurate information at the statewide level relating to children who come into contact with the juvenile justice system;(2) facilitate communication and information sharing between authorized entities in criminal and juvenile justice agencies and partner agencies regarding effective and efficient identification of and service delivery to juvenile offenders; and (3) provide comprehensive juvenile justice information and case management abilities that will meet the common data collection, reporting, and management needs of juvenile probation departments in this state and provide the flexibility to accommodate individualized requirements." (TFC 58.402) This system which was intended to "(1) aid in processing the cases of children under this title; (2) facilitate the delivery of services to children in the juvenile justice system; (3) aid in the early identification of at-risk and delinquent children; and (4) facilitate

cross-jurisdictional sharing of information related to juvenile offenders between authorized criminal and juvenile justice agencies and partner agencies." (TFC 58.403) The availability of the Juvenile Case Management System (JCMS), helps to ensure that valuable case information can be accessed from a historical standpoint once a youth is committed. For instance, a youth may be committed from one county but have juvenile referrals in another county throughout the state. Immediate access helps to coordinate case management and individualize treatment plans to address emerging needs or possibly triage prior traumatic events.

In the 84th Legislative session, SB 1630 added to the Human Resources Code 221.003 that reads "A juvenile probation department must, before the disposition of a child's case and using a validated risk and needs assessment instrument or process provided or approved by the department, complete a risk and needs assessment for each child under the jurisdiction of the juvenile probation department. This section reads "Any risk and needs assessment instrument or process that is provided or approved by the department for a juvenile probation department to use under Subsection (b) must be a validated instrument or process." No additional funding accompanied the mandate for a validated risk and needs assessment. As of the second quarter Fiscal Year 2020 all 165 departments are now utilizing a valid risk assessment tool. 164 chose to utilize the same platform and risk and needs assessment as TJJD which enhances the individualization of services and care coordination once a youth arrives at TJJD giving a complete history of the youth.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

165 Juvenile Probation Departments serving 254 individual counties are affected as committed youth begin the TJJD intake process at Orientation and Assessment.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Once a youth is committed to TJJD from a juvenile court, the local juvenile probation department will notify their assigned regional county program administrator of the new commitment and forward a copy of the certified order of commitment and identified pre-admission information to the Ron Jackson orientation and assessment team in accordance with HRC §243.004. Upon receipt and review of these documents, the orientation team notifies the probation department and regional county program administrator that the youth is ready for admission. The regional county program administrator works with the probation department to set the date and time for the youth's transport to the Ron Jackson facility. The committing department brings all remaining items listed in the admission packet section of the TJJD Checklist in accordance with HRC §243.005 when transporting the youth to TJJD.

The Regionalization Department monitors and tracks COVID reports and other issues or barriers from detention centers and county jails across the state of Texas to ensure low risk to committing counties' transporting staff or Sheriff's deputies, committed juveniles, Office of

Inspector General (OIG) staff, University of Texas Medical Branch (UTMB) staff, and Ron Jackson Intake, Orientation and Assessment unit staff during the transport and admission process. Additionally, coordination occurs with program, mental health, and medical staff assigned to the Intake, Orientation and Assessment Unit regarding current medical concerns, COVID vaccination status, prior history of positive COVID infection and recovery, suicide history and recent attempts, active mental health issues, and any other specific items of note. Thus, involvement of the Regionalization department in the TJJD admission process has strengthened the continuity of care for each committed juvenile.

In accordance with GAP.380.8503, the TJJD orientation and assessment unit performs all intake activities, including receipt of the youth from the committing county. TJJD staff members perform the following admission procedures, at a minimum:

- Search each youth in accordance with §380.9709 of this title;
- Inventory any personal possessions and return them to the county transporter;
- Complete a body identification form;
- Require the youth to shower, screen the youth for pediculosis, and provide treatment if indicated;
- Complete an initial health screening;
- Issue clothing;
- Provide personal hygiene articles;
- Photograph and fingerprint each youth;
- Assign an official TJJD number;
- Initiate sex offender registration with the Texas Department of Public Safety (DPS), if required; and
- Take a blood sample from each youth for the DPS DNA database.

TJJD notifies each youth's parent/guardian in writing of:

- The youth's admission;
- TJJD's medical consent authority, as explained in §380.9181 of this title;
- Procedures for communicating with his/her child through mail, phone calls, and visits;
- The parent/guardian's rights as provided in the TJJD parent's bill of rights; and
- The following information:
    - contraband money, as defined in §380.9107 of this title, found in possession of a TJJD youth in a residential facility will be deposited in the student benefit fund;
    - providing contraband to a TJJD youth, including alcohol, drugs, tobacco, or a cellular phone, is a criminal offense and could be subject to prosecution; and

  - TJJD may use the chemical agent oleoresin capsicum, also known as OC spray, as necessary under §380.9723 of this title.

- TJJD provides orientation to youth about the TJJD system, as required by §380.9115 of this title, and documents the orientation.
- TJJD provides youth with counseling services and academic instruction during the youth's stay at the orientation and assessment unit.
- Upon transportation of youth to their initial placements, TJJD notifies the parent/guardian, parole officer, and others as needed of the initial placement location.

The Orientation and Assessment Process includes the following:

Day 1: At Intake

- Assess for suicide alert status by a mental health professional within the first hour after arrival
- Initial Health Screening conducted by trained nursing staff
- Administered MAYSI-2
- Assess for risk of exploitation and victimization to ensure PREA standards are met
- Parole Officer assigned based on region
- Contacts made with Medicaid, Social Security, DFPS and ICE as required
- Intake Case Manager completes Intake Screening for Potential Sexual Aggressive Behavior and/or Sexual Victimization
- Contact made with the youth's parents/guardian
- Youth transitions to assigned dorm and welcomed by juvenile correctional officers, dorm case manager, and peers

Day 1-21: Education

- Youth's education records are requested within first 3 days of their arrival
- Youth is assigned courses based on available records
- All courses are offered through APEX learning
- Youth earns credits for the courses completed or completes courses at the next facility
- Test of Adult Basic Education (TABE), TOWRE, and Career Scope administered
- Youth is placed on Personal Opportunity Plan (POP) curriculum and Pathways to College and Career course
- Special Education services are provided based on the youth's need

Medical and Psychiatry

- Initial Physical evaluation conducted (hearing, vision, and TST)
- Initial Dental evaluation conducted
- Initial Psychiatric evaluation conducted within first 21 days, if indicated
- Optometry appointment, if indicated
- Immunization review within first week, entered into IMMTRC, and scheduled for immunizations, if indicated
- If a youth is under DFPS conservatorship, medical consent is requested from their DFPS caseworker

Case Management and Psychology

- Contact with the parent and/or legal guardian within the first 7 days
- Dorm Case Manager meets with the youth within the first 7 days and once weekly after the initial session to review stage progression criteria
- Youth attends group five days a week
- A comprehensive psychological assessment is completed within 14 calendar days of the youth's admission to TJJD to identify diagnoses and specialized treatment recommendations
- R-PACT (Residential Positive Achievement Clinical Tool) is completed
- Placement meeting is held with the youth and placement is assigned by Central Placement Unit staff based on youth's treatment recommendation
- Youth transitions to long-term placement

In response to COVID-19, youth are first screened by UTMB medical professionals for symptoms related to COVID-19 upon their arrival to the unit. Within one hour of the youth's arrival, a Mental Health Professional assesses the youth for suicide risk and determination of placement on suicide alert status. New youth are also required to view the PREA and COVID information and procedures video.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Intake, Orientation and Assessment	***30.3***	***28.1***	***30.4***	***$ 1,873,688***	***$ 1,795,523***	***$ 1,373,915***
B.1.1. Assessment, Orientation, Placement	30.3	28.1	30.4	$ 1,873,688	$ 1,795,523	$ 1,373,915
Federal Funds	9.5	3.4	-	$ 404,153	$ 144,445	
General Revenue Fund	20.8	24.7	30.4	$ 1,469,535	$ 1,651,078	$ 1,373,915

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The McLennan County State Juvenile Justice Correctional Facility has capabilities of facilitating the Intake Orientation and Assessment process, however, the Ron Jackson State Juvenile Correctional Complex is the only Reception Facility eligible to process court documentation, verify commitment orders, and assign TJJD numbers.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

In 2015, the 84th Texas Legislature passed Senate Bill (SB) 1630, requiring the Texas Juvenile Justice Department (TJJD) to finalize a regionalization plan by August 31, 2016, that would keep more adjudicated youth within their home regions, by accessing available local post-adjudication facility capacity. The plan required the development of a new division to focus on the diversion of youth from commitment to TJJD. This grant program gives additional financial resources, enhances existing residential capacity, expands residential capacity, or a combination of them. As all 165 probation departments have the opportunity to participate, it helps to ensure that alternatives are available to youth that do not rise to the high restriction setting that TJJD operates.

Additionally, while counties that commit to TJJD are not required to apply for diversion dollars, as a result of SB 1630 p, the Texas Family Code 54.04013 was added which lays out a Special Commitment to Texas Juvenile Justice Department, "the juvenile court may commit a child who is found to have engaged in delinquent conduct that constitutes a felony offense to the Texas Juvenile Justice Department without a determinate sentence if the court makes a special commitment finding that the child has behavioral health or other special needs that cannot be met with the resources available in the community." The availability of Regional Diversion grant funds helps to reduce the number of youth committed to the state with an indeterminate commitment simply because financial resources are not available at the local level.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

N/A

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

TJJD uses contracts to procure vital statistics and records for youth in TJJD custody. These contracts are with the Department of State Health Services to purchase necessary state identification and vital records for youth who are committed to TJJD without them (e.g., birth certificates, state-issued identification cards).

- **the amount of those expenditures in fiscal year 2020;**

$1,143.00

- **the number of contracts accounting for those expenditures;**

2

- **the method used to procure contracts;**

Interagency contract with the Department of State Health Services

- **top five contracts by dollar amount, including contractor and purpose;**

CON0000769 – maximum contract amount of $1,640.00 with the Department of State Health Services for vital statistics information for youth.

CON0000967 – maximum contract amount of $40,000.00 with the Department of State Health Services for vital statistics information for youth.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **A short description of any current contracting problems.**

There are no current contracting problems for these contracts; however, TJJD is implementing a new program with DSHS and the Department of Public Safety to further the agency's efforts at providing youth necessary documents and identification during their time with TJJD and upon reentry. This requirement was passed as HB 4544 (87R).

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Texas Family Code Chapter 58 subchapter E addresses the Statewide Juvenile Information and Case Management System, enacted in 2007 and enhanced in 2009, with the purpose to "(1) provide accurate information at the statewide level relating to children who come into contact with the juvenile justice system; (2) facilitate communication and information sharing between authorized entities in criminal and juvenile justice agencies and partner agencies regarding effective and efficient identification of and service delivery to juvenile offenders; and (3) provide comprehensive juvenile justice information and case management abilities that will meet the common data collection, reporting, and management needs of juvenile probation departments in this state and provide the flexibility to accommodate individualized requirements." (TFC 58.402) This system which was intended to "(1) aid in processing the cases

of children under this title; (2) facilitate the delivery of services to children in the juvenile justice system; (3) aid in the early identification of at-risk and delinquent children; and (4) facilitate cross-jurisdictional sharing of information related to juvenile offenders between authorized criminal and juvenile justice agencies and partner agencies." (TFC 58.403)

This chapter cites on more than one occasion that this system is intended for use statewide. While currently 157 departments participate with the Juvenile Case Management System maintained and provided by TJJD, the other eight departments utilize and pay for their own internal case management systems. These eight departments account for 53 percent of the total juvenile age population in 2020. The eight departments cannot see JCMS participating department data and TJJD and CMS participating departments cannot see the eight non-JCMS participating department data. Finally, these 8 counties made up 44 percent of new admissions in fiscal year 2016, 46 percent in fiscal year 2017, 42 percent in fiscal year 2018, 39 percent in fiscal year 2019, and 28 percent in fiscal year 2020. This barrier goes against the core mission of TFC 58.403 (E) resulting in a loss of continuity of care for juveniles referred within our system.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

TJJD receives admissions from all 254 counties within the state of Texas. On average 100-115 counties commit at least one youth each fiscal year. The state of Texas is divided into seven regions and within the Regionalization Division there are five regional county program administrators assigned to the seven regions (two are assigned more than one region).

Sections O and P: N/A

State Secure Facilities: Basic Youth Supervision

A. Provide the following information at the beginning of each program description.

Name of Program or Function: State Basic Supervision
Location/Division: Statewide

- ***Contact Name:*** Shandra Carter, Deputy Executive Director for State Services
- ***Statutory Citation for Program:*** Chapter 242, Texas Human Resources Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

TJJD's core mission is to supervise, treat, and rehabilitate the youth who are committed to TJJD custody. These youth were adjudicated for delinquent conduct in violation of a felony level offense and were committed to TJJD by the court.

Youth may be committed on an indeterminate commitment or determinate commitment under Section 54.04, Texas Family Code. For youth on indeterminate commitments, TJJD assigns a minimum length of stay under Section 243.002, Texas Human Resources Code, taking into account the severity of the offense and the risk the youth poses to the community. Initial lengths of stay on an indeterminate sentence can range from nine to twenty-four months. The Release Review Panel program in this Section includes the information pertaining to the review

of release, discharge, or extensions of a youth's initial length of stay on an indeterminate sentence.

For youth committed to TJJD on a determinate sentence, the penalty level of their adjudicated offense determines their initial sentence length. TJJD may not parole a youth without authorization from the committing court unless the youth has served at least: ten years for conduct constituting capital murder; three years for conduct constituting an aggravated controlled substance felony or a first-degree felony; two years for conduct constituting a second-degree felony; or one year for conduct constituting a third-degree felony. *See* Texas Human Resources Code § 245.051. The Department of Sentenced Offender Disposition program in this Section includes the information pertaining to transfer to TJJD parole, TDCJ parole, or TDCJ institutional division for youth with a determinate sentence.

All youth, regardless of commitment type, can spend time in a TJJD secure facility. The Intake, Orientation, and Assessment program and the Centralized Placement Unit description within the Reentry Program in this Section discusses how youth are assessed and placed in a secure facility, non-secure halfway house, or contract placement.

When youth are housed in a secure facility, they are monitored at all times by juvenile correctional officers employed at the five state secure facilities: the Evins Regional Juvenile Center, the Gainesville State School, the Giddings State School, the McLennan County State Juvenile Correctional Facility, and the Ron Jackson State Juvenile Correctional Complex. The Ron Jackson facility houses our girls' unit and our Orientation and Assessment program, and all other secure facilities house programs for boys.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

See the following key performance measures in Exhibit 2:

- CPD: State-Operated Secure Correctional Facility
- Juvenile Per Direct Supervision JCO Staff Per Shift
- Average Daily Population: State Operated Secure Correctional Facilities

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

See Section III

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Youth who are adjudicated on felony level delinquent conduct, and who are committed to TJJD under Section 54.04, Texas Family Code, may be supervised at one of the five state-operated secure juvenile correctional facilities.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

TJJD operates five secure correctional facilities under the direction of the Deputy Executive Director for State Services. The Director of Secure Facilities directly reports to the Deputy Executive Director. Each secure facility has a facility superintendent who reports directly to the Director of Secure Facilities.

At each secure facility, youth are placed in dorms based on a variety of factors, including their age, risk and needs assessment, safe housing assessment, treatment needs, and whether they need specialized mental health treatment. Each dorm consists of a dorm team leader, senior juvenile correctional officers, and additional juvenile correctional officers who provide direct-care supervision and engagement with the youth on the dorm. The dorm team leaders report directly to the Facility Assistant Superintendent, who reports directly to the Facility Superintendent.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Youth Care and Supervision	***713.6***	***652.0***	***794.4***	***$ 44,636,894***	***$ 32,246,923***	***$ 35,623,189***
B.1.10 Residential System Support	-	-	-	$ 187,000	$ 132,169	$ 230,000
General Revenue Fund	-	-	-	$ 187,000	$ 132,169	$ 230,000
B.1.3. Facility Supervision and Food Service	713.6	652.0	794.4	$ 44,449,894	$ 32,114,754	$ 35,393,189
General Revenue Fund	224.3	502.9	794.4	$ 23,433,045	$ 25,804,264	$ 35,364,501
Other State Funds	-	-	-	$ 19,174	$ 9,798	$ 28,688
Federal Funds	489.3	149.1		$ 20,715,211	$ 6,300,691	$ -
General Revenue (COVID Response)	-	-	-	$ 282,464	$ -	$ -

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The Texas Department of Criminal Justice provides services to persons who might be the same age as a youth committed to TJJD. Youth may be committed to TJJD if their delinquent conduct occurred between ages 10 and 17. Youth may stay in TJJD custody until they reach the age of 19. Persons who are at least 14 years of age can be certified by a court as having adult culpability, and they may be sentenced to TDCJ institutional division. Also, youth committed to TJJD with a determinate sentence may be transferred to TDCJ institutional division at age 16 or after.

Local juvenile probation departments also serve youth the same age as TJJD; however, local probation departments can serve youth who are adjudicated delinquent for misdemeanor level offenses and who engage in conduct in need of supervision in addition to youth adjudicated delinquent for felony level offenses. Youth typically spend time under the supervision or in the custody of a local juvenile probation department prior to their commitment to TJJD. Additionally, youth who are paroled or discharged from TJJD and who remain under the age of 17 may subsequently engage in additional conduct that places them back under the supervision or custody of a local juvenile probation department.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Texas Family Code, Human Resources Code, Code of Criminal Procedure, Penal Code, and Rules of Civil Procedure all set out duties assigned to TJJD, local juvenile probation departments, and TDCJ. When a youth is adjudicated for having committed delinquent conduct, the court, using applicable state law, will decide whether the youth is committed to TJJD or to the custody of a post-adjudication facility operated by a local juvenile probation department. If a youth is certified as an adult, the youth's case will transfer from the juvenile court to the adult criminal court for proceedings and eventual disposition, up to and including incarceration in TDCJ. The statutory mechanism ensures there is not duplication or conflict between the various levels of the juvenile and criminal justice system.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

TJJD operations works with the TJJD Office of Inspector General for safety and security of the secure correctional facilities. Other entities mentioned throughout this section also coordinate services with this program, such as the University of Texas Medical Branch – Correctional Managed Care to provide medical services to youth who are under supervision in secure correctional facilities.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

One contract provided supplemental direct care supervision for TJJD facilities who experienced staffing shortages due to the COVID-19 pandemic. The other contract is for equipment and services to support TJJD's body-worn camera program.

- **the amount of those expenditures in fiscal year 2020;**

$2,147,355.88

- **the number of contracts accounting for those expenditures;**

2

- **the method used to procure contracts;**

The body-worn camera program was solicited and awarded through the DIR contract with the vendor.

As provided by Governor Abbott's March 13, 2020, Proclamation declaring a state of disaster for all counties of Texas and suspending the enforcement of any state statute or administrative rule regarding contracting or procurement that would impede any state agency's emergency response, TJJD entered into a contract with BCFS Health and Human Services to provide supplemental staffing to TJJD facilities. Such supplemental staff was required to effectively respond to the COVID-19 disaster.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0000878 – maximum contract amount of $7,688,579.48 with DBA Taser Training Academy for body-worn cameras for all direct-care supervisory staff.

CON0001182 – maximum contract amount of $6,000,000.00 with BCFS Health and Human Services for supplemental staffing for TJJD facilities affected by COVID-19.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.
N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.
See Section II.E, Section II.H, and Section IX of this Report.

Sections N-P. N/A

Education and Workforce Development for Youth

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Education and Workforce Development

Location/Division: Education Services; Lone Star Independent School District

Contact Name: Luther Taliaferro, Superintendent of Schools

Statutory Citation for Program: Sections 30.102-30.106, Texas Education Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The TJJD division of education services seeks to provide youth with quality academic and vocational experiences in order to better equip them for a successful reentry to their community. TJJD offers courses that enable the student to maintain progress toward completing high school graduation requirements through academic offerings in language arts, mathematics, science, social studies, and self-discipline.

Education

TJJD operates its own school district and provides educational programming at each of the five secure facilities. Youth earn credits in TEKS-aligned courses and participate in all required state assessments. Youth can engage in educational programming in-person provided by teachers, and through online digital learning platforms where teachers can provide supplemental tutoring while youth work on assignments at their own pace. Youth earn credits towards their GED or high school diploma, and youth may also earn dual-credit and college credit through a partnership between TJJD and Blinn College.

Each secure facility has a library designed to help students grow as readers. The librarians strive to offer youth with high-interest reading material and routinely seek youth input when building their collections. The librarians host reading competitions, create non-fiction/fiction book pairings, and offer personalized recommendations to increase the youth's interest in reading. Section 30.106, Education Code, requires TJJD to implement a reading program to improve student reading skills. Students identified in need of reading interventions are placed in specialized reading programs that are taught by teachers certified in reading and who have expertise teaching reading to struggling adolescent readers. The reading program provides individualized reading instruction in the five major essential components of effective reading: phonemic awareness, phonics, fluency, vocabulary, and comprehension. Student progress is monitored by the reading teachers and the district reading specialist.

TJJD ensures the needs of students with disabilities are met and that all federal and state laws and regulations are followed for students who qualify for special education and/or Section 504 services. Each facility has a diagnostician and academic counselor, and TJJD has a Dyslexia Intervention Plan that requires each facility to have a trained educator who can assess, diagnose, and provide instruction to students with dyslexia and related disabilities.

TJJD provides English as a Second Language (ESL) services to students according to the English Language Proficiency Standards (ELPS). This includes identification of ESL students, annual

administration of the assessment for listening, speaking, reading, and writing (TELPAS), and exit of students from the ESL program once they show language proficiency. Each facility has an ESL coordinator who supports ESL students and trains other teachers in ESL learning strategies.

TJJD youth assigned to contract care placements participate in educational programming provided by those placements, and youth assigned to TJJD halfway houses participate in educational programming provided by the local school districts.

Workforce development

At TJJD-operated secure facilities, youth are provided the opportunity to earn certificates in technology, construction, culinary arts, welding, horticulture, OSHA 10-hour training, forklift operation, and CPR and first aid. TJJD facilities also prepare youth for their future careers by hosting career fairs and conducting mock interviews for the youth. Facilities provide financial literacy courses, work study programs, and career preparation classes. Special education students are provided an online platform to discover their compatibility with over 800 careers. TJJD is also a partner agency in the Texas Workforce System—a group of eight state agencies and twenty-eight local workforce boards that promote and enable state-level coordination and collaboration among workforce programs. More information can be found in Schedule G of TJJD's Strategic Plan, and the Workforce Development System Strategic Plan.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

See the following key performance measures in Exhibit 2:

- Diploma or High School Equivalency Rate (JJD-operated Schools)
- Percent Reading at Grade Level at Release
- Industrial Certification Rate in JJD-operated Schools
- Average Math Gain Per Month of Instruction
- Average Reading Gain Per Month of Instruction
- Education and Workforce Cost in TJJD Operated Schools
- Percent Reading at Grade Level at Commitment
- Average Daily Attendance in TJJD-operated Schools
- Number of Industrial Certifications Earned by Juveniles

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The agency began working with the Texas Workforce Investment Council in the fall of 2002, and TJJD continues to contribute to developing the statewide strategic plan for the Texas Workforce System. For many years, TJJD participated on the TWIC's System Integrated Technical Advisory Committee (SITAC). In September 2015, the SITAC was disbanded having accomplished its original goals.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Youth are given the math and reading Test for Adult Basic Education (TABE) tests at the orientation and assessment unit and every six months thereafter. The initial TABE tests are used as diagnostic tools to assess students' skill levels and aptitudes and to identify students who require academic interventions. The TABE tests given at six-month intervals allow for education staff to monitor the youth's learning gains.

Each secure facility operates its own school, with principals, teachers, educational specialists, teachers' aides, ESL services, and special education curriculum. School operates year-round, with youth scheduled to go to class Monday through Friday, excluding holidays, teacher development days, and required statewide testing periods.

Each secure facility has an education reentry liaison. These staff serve as advocates for students and help them apply for financial aid, scholarships, and grants; register with Work in Texas; improve job readiness and college readiness skills; create and education and employment portfolio; and develop a workforce and education reentry plan.

TJJD's education division has a district Public Education Information Management System (PEIMS) coordinator and PEIMS clerks at each campus to collect and verify TEA-required data about attendance, enrollment (including transfers), special populations, demographics, and academic performance.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE 2020 Expended	FTE 2021 Expended	FTE 2022 Budgeted	Appropriations AY 2020 Expended	Appropriations AY 2021 Estimated	Appropriations AY 2022 Budgeted
Education and Workforce Development for Youth	192.8	182.7	194.8	$ 14,216,074	$ 12,928,839	$ 13,878,270
B.1.4. Education	192.8	182.7	194.8	$ 14,216,074	$ 12,928,839	$ 13,878,270
Federal Funds	10.9	14.3	16.2	$ 1,707,696	$ 1,496,132	$ 1,674,340
General Revenue Funds	122.2	114.3	116.3	$ 8,000,271	$ 8,298,129	$ 7,867,290
Other State Funds	59.8	54.1	62.3	$ 4,508,108	$ 3,134,578	$ 4,336,640

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Local school districts provide education to youth in the same age group as youth served through the educational services division at TJJD. Local juvenile justice alternative education programs also serve youth who are involved in the juvenile justice system but who have not been committed to TJJD's custody. Youth who have been committed to TJJD, but who were placed in contract care placements are served by the educational contractors with those placements, and may be served by the educational services division before or after their placement. Likewise, youth who are placed in a TJJD-operated halfway house are served by local school districts pursuant to Section 25.001, Texas Education Code, and these youth might be served by the educational services division prior to or after their placement at the halfway house.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The local school districts only provide educational services to the youth in the halfway houses under Section 25.001, Texas Education Code; they do not provide educational services to the youth in TJJD-operated secure facilities. However, youth might be served by this division prior to their arrival at a halfway house.

Youth who leave a contract care placement may be served by the contract care educational services prior to their reentering their home community, placement, or halfway house.

Coordination efforts are necessary to ensure youth records are shared with the appropriate education provider; however, there is no overlap in services because youth can only be served by one school district or educational entity at a time.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The educational services division works with the Texas Education Agency to ensure services are provided to youth in TJJD's custody. During the COVID-19 pandemic, the TJJD educational services division remained in regular contract with TEA to ensure continuity of educational programming and funding.

This division also coordinates with Blinn College to provide college courses and dual-credit opportunities to youth. New class options are being developed with the goal of increasing the number of students leaving TJJD with college credit.

As a member of the Texas Workforce System, TJJD also coordinates workforce development efforts with the Texas Workforce Investment Council, the Health and Human Services Commission, the Windham School District with TDCJ, The Texas Association of Workforce Boards, the Texas Education Agency, the Texas Veterans Commission, the Texas Workforce Commission, and the Economic Development and Tourism division in the Office of the Governor.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The contracted expenditures through this program provide youth the ability to participate in educational services through online curriculum programming; provide youth the ability to test for and obtain their high school equivalency/General Educational Development (GED) diploma; provide youth the ability to obtain college credits while with TJJD; and provide youth the ability to engage in vocational development courses to further their career-readiness; to provide youth with special education monitoring and services such as speech, visual impairment, psychological assessment, sign language, and other interpreting as needed; to provide monitoring and consultation on reading intervention and positive behavior support systems; and to provide library and textbook services for campus libraries.

- **the amount of those expenditures in fiscal year 2020;**

$192,104.56

- **the number of contracts accounting for those expenditures;**

14

- **the method used to procure contracts;**

These contracts were procured using requests for proposals, interagency contracts, DIR vendors solicited and awarded, and directly awarded contracts without solicitations.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0001000 – maximum contract amount of $84,000 with San Marcos Interpreting Service for the Blind and Visually Impaired for sign language interpreting for special education students.

CON0000863 - maximum contract amount of $65,000 with APEX Learning Inc. for digital learning platform for youth.

CON0001019 – maximum contract amount of $45,000 with Navarro College for college courses and textbooks for students.

CON0001125 – maximum contract amount of $35,1000 with Blinn College for college credit and dual credit course opportunities.

CON0000893 – maximum contract amount of $29,737 with the University of Texas at Austin for the UT Meadows Reading Program Consultation/data analysis.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **A short description of any current contracting problems.**

N/A

Sections L-P. N/A

Mental Health Treatment Program

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Mental Health Treatment Services

Location/Division: State Services, Treatment Programs

- ***Contact Name: Evan Norton***
- ***Statutory Citation for Program:*** Sections 242.0052, 242.051, 242.009, 244.001, and 244.006, Human Resources Code; Section 59.009, Family Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

Mental health care needs are continuing to rise nationwide. It is commonly known that justice involved youth possess some of the highest need for mental health services. Approximately 61 percent of youth in TJJD are classified as possessing a need for mental health services. Mental health need is first assessed and designated at the intake unit, but is regularly monitored and reassessed if needed by the clinical teams at each of the secure facilities. Youth who have been identified with a need for mental health services can be treated at three levels within TJJD. The levels and intervention are as follows:

Moderate mental health need

Youth with these needs are monitored and treated by clinicians at their home facility. They are able to effectively navigate through TJJD programming with the support of a clinician. Youth at this level are often seen to address different mental health needs such as grief, trauma, sleep hygiene, and managing mental health symptoms. Intensity and frequency of treatment is set by the clinical team but the youth are seen for individual counseling minimally twice a month. Youth with these needs are often offered supplemental support groups aimed at increasing effective coping and social prowess. If their needs intensify or they develop a higher need of care a referral to the following programs is completed.

Mental health treatment program

The Mental Health Treatment Program (MHTP) is designed to provide assessment and treatment for youth with primary mental health diagnosis within TJJD. Youth appropriate for the MHTP are those that struggle with mental health symptoms, cognitive and/or developmental delays, and those that have experienced significant trauma that limit their ability to be safe without additional therapeutic interventions. The MHTP is set up in a way to support them to heal and get their needs met in healthy and safe ways. All MHTP staff, case managers, and mental health professionals are provided with specialized training to address the unique needs of this population. Through the combination of individualized interventions, a structured therapeutic milieu, and lower staff to youth ratios, the MHTP aims to provide an environment supportive of both healing and growth. The Mental Health Treatment Program is specifically designed to utilize comprehensive assessments in order to provide diagnostic clarification, guide treatment goals and interventions, and inform transition planning. The MHTP provides youth with their specialized treatment adapting to their unique mental health needs in a safe and therapeutic environment.

Crisis Stabilization Unit

The Crisis Stabilization Unit (CSU) is designed for youth with intensive mental health needs to provide stabilization, assessment, and treatment for youth with primary mental health diagnosis within TJJD. Youth that are appropriate for the Crisis Stabilization Unit are those that cannot be managed in less restrictive environments due to the danger they pose towards themselves and/or others as related to their mental health need. Due to the acuity of their symptoms and mental health needs, it must be determined through a hearing process that they are unable to be safely maintained in less restrictive environment within TJJD. Specialized training is provided to CSU staff, case managers, and mental health professionals. Through the combination of individualized interventions, a self-contained and highly structured therapeutic milieu, and lower staff to youth ratios, the CSU aims to provide an environment supportive of both healing and growth. Upon admission to CSU and throughout their treatment, the youth are provided with enhanced assessments identifying and clarifying particular mental diagnosis and needs to inform treatment and transition planning. Throughout the youth's treatment on CSU they will be offered medication management services, individual therapy, therapeutic group activities, recreational activities, and educational services all with the support of specially trained staff. For all CSU youth, staff provide daily coaching, co-regulation, modeling of skills, and intensive support. Develop a transition plan for the youth that focuses on what is needed at his/her next placement. The treatment team develops a plan designed to address specialized mental health needs, this plan is designed to facilitate a successful movement to a less restrictive environment, another TJJD facility for continued care, and in other cases it is focused on community reintegration (e.g., halfway house placement or parole). Identification and processing of youth who qualify for discharge from the TJJD due to mental illness (as outlined in GAP.380.8779).

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the

calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

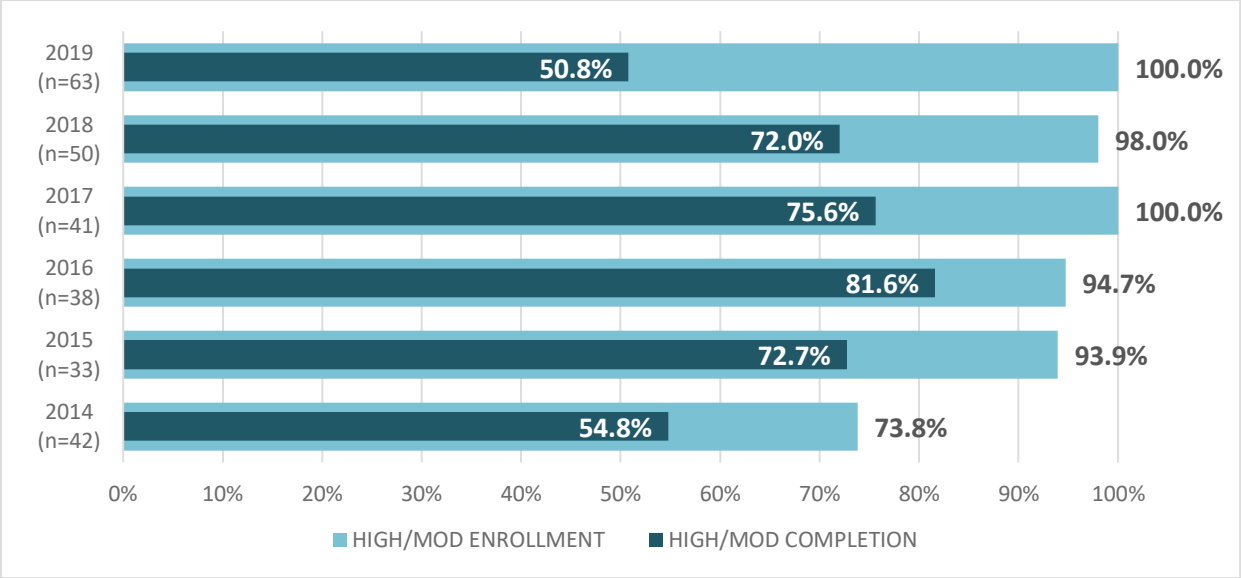
Mental Health Treatment for Girls

TABLE C.11: Need for Mental Health Treatment: Girls Released FY 2014 TO FY 2019

Total Girls Released		High Need		Moderate Need		Low Need		Any Need	
FY	#	#	%	#	%	#	%	#	%
2019	74	10	13.5%	53	71.6%	5	6.8%	68	91.9%
2018	64	6	9.4%	44	68.8%	8	12.5%	58	90.6%
2017	53	4	7.5%	37	69.8%	5	9.4%	46	86.8%
2016	63	2	3.2%	36	57.1%	9	14.3%	47	74.6%
2015	60	5	8.3%	28	46.7%	13	21.7%	46	76.7%
2014	61	1	1.6%	41	67.2%	9	14.8%	51	83.6%
Total	**375**	**28**	**7.5%**	**239**	**63.7%**	**49**	**13.1%**	**316**	**84.3%**

Figure C.6 below shows the percentage of girls with high or moderate MHT needs who enrolled in and completed high or moderate MHT. The percent of girls who were assessed as needing high or moderate MHT enrolled in the appropriate level of treatment has increased since FY 2014, reaching 100 percent in two of the most recent three years. The percentage completing treatment varied across years. Among girls released in FY 2019 who did not complete treatment, girls were often enrolled in more than type of mental health program with service lasting a large portion of their residential stay. Because mental health treatment needs are highly individualized and complex in the population of TJJD youth, MHT enrollment may be a better measure of youth progress than completion.

Figure C.6: Enrollment and completion of High to Moderate Mental Health Treatment for Girls



In Table C.12 below, recidivism rates for girls enrolled in high and moderate MHT are combined across years due to small sample sizes. Rates for both groups combined are similar to the overall rate for girls released from TJJD. However, when separating high and medium treatment

for the whole period from FY 2014 to FY 2019, girls in high MHT had rates of general and violent rearrest higher than girls in moderate MHT and higher than all girls released from TJJD. Small sample sizes mean that caution should be used in comparisons.

Table C.12: One-Year Recidivism Rates for Girls in High to Moderate Mental Health Treatment

Number of Girls Enrolled			One-Year Rearrest Rate		One-Year Violent Rearrest Rate		One-Year Reincarceration Rate	
FY	Level	#	#	%	#	%	#	%
2019	Both	66	22	33.3%	5	7.6%	8	12.1%
2018	Both	53	17	32.1%	3	5.7%	12	22.6%
2017	Both	41	9	22.0%	0	0.0%	7	17.1%
2016	Both	39	7	17.9%	0	0.0%	5	12.8%
2015	Both	37	9	24.3%	0	0.0%	11	29.7%
2014	Both	38	6	15.8%	0	0.0%	9	23.7%
Total	**High**	**50**	**18**	**36.0%**	**4**	**8.0%**	**9**	**18.0%**
	Moderate	**224**	**52**	**23.2%**	**4**	**1.8%**	**43**	**19.2%**
	Both	**274**	**70**	**25.5%**	**8**	**2.9%**	**52**	**19.0%**

Mental Health Treatment for Boys

For boys, the trends in MHT needs were quite different from those for girls. Boys had lower levels of MHT needs overall, though the percentage increased each year until the FY 2019 cohort had the highest rate of any level of need, at 67%. More boys had low MHT needs until the most recent two years when the largest percentage of boys had moderate needs. While the percentage of boys assessed as needing high-intensity MHT is low, it increased each year since FY2016. These results are displayed in Table C.13 below.

Table C.13: Need for Mental Health Treatment for Boys: Released FY 2014 to FY 2019

Total Boys Released		High Need		Moderate Need		Low Need		Any Need	
FY	#	#	%	#	%	#	%	#	%
2019	703	45	6.4%	251	35.7%	179	25.5%	475	67.6%
2018	739	42	5.7%	221	29.9%	168	22.7%	431	58.3%
2017	741	31	4.2%	161	21.7%	210	28.3%	402	54.3%
2016	621	25	4.0%	87	14.0%	191	30.8%	303	48.8%
2015	622	29	4.7%	77	12.4%	192	30.9%	298	47.9%
2014	710	50	7.0%	93	13.1%	183	25.8%	326	45.9%
Total	**4136**	**222**	**5.4%**	**890**	**21.5%**	**1123**	**27.2%**	**2235**	**54.0%**

Even though a noticeably lower percentage of boys than girls have high or moderate treatment needs, boys did not enroll in high and moderate MHT as frequently as girls did. However, as Figure C.7 below shows, the percentage of boys with high or moderate MHT needs enrolled in high or moderate MHT increased each year since FY 2015, reaching almost 98 percent in FY 2019. The seven boys not enrolled and released in FY 2019 were all considered stable to receive other services in medium restriction settings. More than 60 percent of eligible boys completed

MHT in FY 2019. Boys not completing MHT were generally enrolled in other treatment programs and MHT services ended when locations moved. As with girls, MHT completion may not be the best measure of progress for boys.

Figure C.7: Enrollment and Completion of High to Moderate Mental Health Treatment for Boys

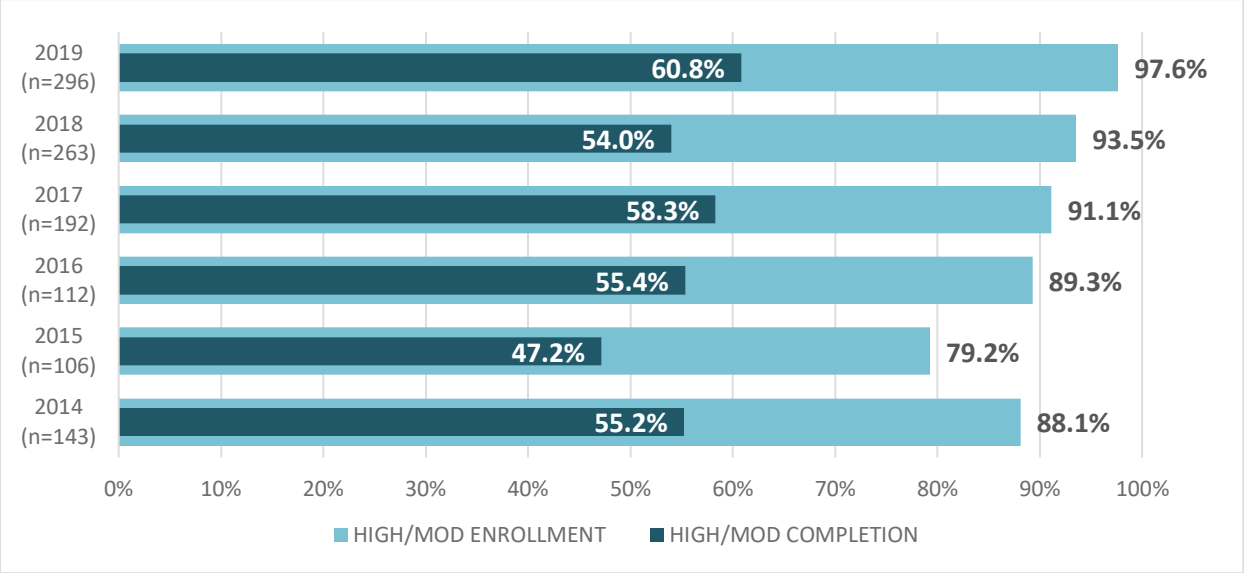


Table C.14 shows recidivism rates for boys enrolled in high and moderate MHT. For boys in moderate MHT, recidivism rates for general rearrest and reincarceration are similar to the overall rate for boys released from TJJD. The same is true for violent rearrest boys in high MHT. However, general rearrest rates for boys in high MHT were consistently lower than boys overall, a pattern opposite that of girls.

Table C.14: One-Year Recidivism Rates for Boys in High to Moderate Mental Health Treatment

Number of Boys Enrolled by Treatment Level			One-Year Rearrest Rate		One-Year Violent Rearrest Rate		One-Year Reincarceration Rate	
FY	Level	#	#	%	#	%	#	%
2019	High	60	26	43.3%	13	21.7%	7	11.7%
	Moderate	391	220	56.3%	81	20.7%	44	11.3%
2018	High	59	27	45.8%	6	10.2%	8	13.6%
	Moderate	329	186	56.5%	51	15.5%	37	11.2%
2017	High	54	19	35.2%	8	14.8%	6	11.1%
	Moderate	326	167	51.2%	60	18.4%	40	12.3%
2016	High	31	11	35.5%	2	6.5%	5	16.1%
	Moderate	213	101	47.4%	32	15.0%	30	14.1%
2015	High	43	18	41.9%	8	18.6%	8	18.6%
	Moderate	192	92	47.9%	13	6.8%	40	20.8%
2014	High	73	32	43.8%	8	11.0%	15	20.5%
	Moderate	177	91	51.4%	28	15.8%	25	14.1%
Total	**High**	**320**	**133**	**41.6%**	**45**	**14.1%**	**49**	**15.3%**
	Moderate	**1628**	**857**	**52.6%**	**265**	**16.3%**	**216**	**13.3%**

See Average Daily Population: Specialized Treatment in Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

TJJD has seen a substantial increase in the number of youth presenting significant mental health needs. Due to the increased acuity of TJJD population, programs have shifted and expanded since their initial inception. The Corsicana State School was the main treatment facility for youth with mental health needs until it's closure in 2013. The program then moved to the Mart Residential Treatment Center (MRTC) where it remained until March 2020 when it moved to the Giddings State School. The Giddings State School currently has the Mental Health Treatment Program (MHTP) and Crisis Stabilization Unit (CSU) which houses 36 and 8 youth, respectively. This move expanded the bed capacity compared to that of the previous program. Program organizational flow has evolved to incorporate a program director over these specialized units. This position has increased supervision, training capacity, and efficiency within roles. TJJD has increased staff, clinician, and case managers to youth ratios allowing more effective interventions for acute needs.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Mental Health Treatment Program

All youth transferred to an MHTP undergo a 30-day pre-admission, multi-disciplinary assessment. This assessment clarifies the diagnosis and mental health needs, determines the need for an MHTP admission, and begins the process of identifying modifications that may be needed. The Mental Health Professional (MHP) develops an initial treatment plan that includes goals for addressing immediate mental health concerns, initial diagnostic impressions, and a plan for evaluating whether the youth meets MHTP admission criteria. After a youth is admitted to the MHTP, the treatment plan is updated to reflect the admission diagnoses and ongoing treatment goals, both short- and long-term. The treatment plan also reflects responses to initial interventions. A major area of emphasis is the identification and treatment of target symptoms that are associated with the youth's mental health needs. Youth in the MHTP may also require additional assessment and consultation by mental health staff because of the nature of their mental health needs. The MHP completes updated psychological assessments as needed to clarify diagnostic and intellectual functioning issues and to assist with referral to follow-up placements.

The MHP develops an initial treatment plan that includes goals for addressing immediate mental health concerns, initial diagnostic impressions, and a plan for evaluating whether the youth meets MHTP admission criteria. After a youth is admitted to the MHTP, the treatment plan is updated to reflect the admission diagnoses and ongoing treatment goals, both short- and long-term. The treatment plan also reflects responses to initial interventions. This plan is developed with the youth and family as appropriate and is updated every 90-calendar days to reflect progress and additional treatment goals. The clinical staffing team directs the assessment and treatment planning process for youth in the MHTP. A major area of emphasis is the identification and treatment of target symptoms that are associated with the youth's mental health needs. Assessment results are reviewed and shared with the clinical staffing team members. Input and concerns of direct care staff, academic staff, or others are brought for review.

The living environment in an MHTP is critical to successful treatment. Youth with mental health treatment needs are even more dependent on external structure than similarly aged peers. The environment must feel physically and emotionally safe for the youth and for the staff. Youth in the MHTP often respond to high levels of stress, confrontation, or strong displays of emotion with dysregulation or withdrawal. It is especially important for MHTP youth that staff provide an environment for the youth that supports felt safety and connectedness. Direct-care staff are trained to use different strategies to address a variety of different behaviors and mental health needs. A schedule is important to establishing a predictable and safe structure for MHTP youth, and the MHTP operates under a structured, daily schedule. Youth in the MHTP are expected to attend and participate in an academic or workforce development program. Their behavioral and mental health needs are an important consideration in their educational programming. Many MHTP youth qualify for special education services. Requirements established by state and federal regulations and TJJD's Special Education Operating Guidelines are followed.

Crisis Stabilization Unit

Youth in the CSU often respond to high levels of stress, confrontation, or strong displays of emotion with dysregulation or withdrawal. To assist in minimizing stress associated with uncertainty, an orientation program is designed to provide the youth timely and relevant information in a form they can use. After a youth is admitted to the CSU, the treatment plan is updated to reflect the admission diagnoses and ongoing treatment goals, both short- and long-term. This plan is developed with the youth and family as appropriate and is updated at a minimum every 30-calendar days to reflect progress, additional treatment goals, and CSU extension. The treatment plan is developed in collaboration with the entire treatment team and utilized used to aid the team in working effectively with the youth.

Youth with mental health treatment needs especially those in crisis are even more dependent on external structure than similarly aged peers. The environment must feel physically and emotionally safe for the youth and for the staff. The living environment in the CSU is critical to successful treatment. The environment is designed in a way to promote regulation. There is a calming room available on the pod to allow a safe space to regulate. There is a padded room to help a youth regulate when they are dysregulated. The padded room significantly reduce the amount of visual and auditory stimuli creating a naturally calming effect which creates a felt

safety environment. As CSU is a self-contained unit, all of the activities including school and meal times are facilitated on the unit to minimize transitions and over-stimulation. There is an outdoor recreational area connected to the unit to allow for outside time and large muscle activities in a safe and contained space. The environment is frequently assessed by staff to minimize risk to youth. The CSU operates under a structured, daily schedule. Staff facilitate a sense of felt safety by preparing youth for transitions. The schedule in the CSU is created to provide alternating stimulating and regulating activities with incorporate transition times. The schedule may be modified to meet the youth's evolving needs and individual parallel programs may be developed to meet an individual youth's needs.

CSU staff receive training and support to implement a variety of evidence-based and trauma-informed interventions to address unhealthy behavior patterns and respond to their needs. These recommended interventions are included in the individualized plans. Staff also teach and model healthy coping skills, communication skills, and symptom management. Staff work collaboratively with the youth to help them identify their own feelings and needs and to communicate those in healthy and appropriate ways.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Mental Health Treatment Program	***33.2***	***42.3***	***58.9***	***$ 4,772,070***	***$ 3,001,429***	***$ 3,507,325***
B.1.8. Integrated Rehabilitation Treatment	33.2	42.3	58.9	$ 4,772,070	$ 3,001,429	$ 3,507,325
Other State Funds	-	-	-	$ 19,200	$ 17,652	$ -
General Revenue Fund	33.2	42.3	58.9	$ 4,752,870	$ 2,983,777	$ 3,507,325

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Internal

Moderate mental health youth are seen on all five campuses as well as at the halfway houses.

MHTP: there is no other unit within TJJD that provides similar or identical treatment.

CSU: there is no other unit within TJJD that provides similar or identical treatment.

External

Moderate level needs may be provided by the local mental health authority or private practice.

MHTP: Residential Treatment Programs in the community provide similar programming.

CSU: The State Hospitals and private inpatient psychiatric hospitals provide similar programming.

The programs listed above all provided similar programming; however, they do not work with adjudicated youth. Community programs are often unwilling to accept mental health youth with aggressive/adjudication backgrounds and do not target both during treatment. At TJJD, we have the capacity to address both mental health and criminogenic risk needs

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The youth that come to TJJD are there for delinquent conduct. Our program works to effectively manage risk for recidivism while addressing and treating the youth's mental health need. Youth with high levels of aggression or criminal offenses are often not accepted into community-based programs.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Mental Health Treatment Program and Crisis Stabilization Unit work closely with Health Human Service Commission, TCOOMMI, YES Waiver and Local Mental Health Authority for youth to receive wrap around services in the community when released on parole. Youth who are identified as having a moderate mental health need are eligible for TCOOMMI resources upon re-entry to the community.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

While most services are offered in house, the treatment division contracted with entities during FY 20 to provide additional training for suicide assessments for at-risk youth.

- **the amount of those expenditures in fiscal year 2020;**

$40,000.00

- **the number of contracts accounting for those expenditures;**

2

- **the method used to procure contracts;**

Contracted through bid awarded after a request for proposal was sent issued.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0001120 – maximum contract amount of $30,000.00 with Education Development Center LLC for curriculum and training on the zero suicide prevention collaborative.

CON0001119 – maximum contract amount of $10,000.00 with CAMS-CARE LLC for training on a therapeutic framework for suicide specific assessment of potential risk.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires

review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Most secure facilities, including the Giddings State School, are located in relatively rural areas. This creates a unique challenge in recruiting and retaining qualified treatment providers and mental health professionals. These providers are often able to seek employment in more developed areas closer to their place of residence. TJJD has made efforts to offer competitive pay, career advancement, and benefits to attract clinicians but the geographical locations of facilities often results in treatment staff levels lower than necessary to perform key duties. Treatment staff working within a correctional environment also presents unique challenges with complex cases and safety measures many clinicians find unattractive and are nonexistent in many other clinical settings.

Sections N-P: N/A.

Alcohol or Other Drug Treatment

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Alcohol or Other Drug Treatment Program

Location/Division: State Services Treatment Programs

- ***Contact Name***: John R. Johnson and Tammy Guerra
- ***Statutory Citation for Program:*** 242.002, 242.051, 244.001 and 244.009, Human Resources Code; 59.009, Family Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

Texas Juvenile Justice Department Alcohol or Other Drug Treatment Program (AODTP) is based on the philosophy that substance disorder on alcohol and other drugs is a primary, chronic disease, which is progressive, influenced by genetic, environmental, and psychosocial factors. If left untreated, it will become fatal. Substance Use Disorder is characterized by loss of control, poor choices over the use of substance use, preoccupation with substance use, continued use despite negative consequences, and distortions in thinking. Substance Use Disorder is not a symptom of something else, but rather has its own set of pathological and physiological symptoms, and is considered an involuntary disability. Adverse consequences due to the use

will cause deterioration in all life areas including spiritual, moral, physical, emotional, intellectual, and social functioning.

The approach to treatment is holistic and focuses on repairing the damage done by this disorder to the youth's physical well-being and mental health. Part of our philosophy also deals with the external environment beyond the institution. We believe that this disorder is a family disease, which affects everyone in contact with the youth that has this substance use disorder. It is therefore essential that, whenever possible, the family be involved in some form of treatment at the same time the youth is receiving treatment.

Alcohol or Other Drug Treatment programs are offered within secure institutions, at specific locations at each facility dedicated to that purpose of treating the youth with this disorder. The AODTP treats sentenced offenders and non-sentenced offender who meet the criteria for Substance Use Disorder. Treatment occurs within the context of the Texas Model, which has as its major components, of safety and empowering in an environment that includes connecting and correcting. The Alcohol or Other Drug Treatment Program seeks to address not only underlying emotional dynamics that fuel delinquent behaviors, but also addresses the youth's substance use issues as they relate to his behavior, effects on his family, his victim and his criminal activity. The youth in AODTP must also demonstrate accountability for the prevention and relapse of his/her substance use before he/she is considered for release to a less restrictive setting.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

See Average daily population: Specialized treatment in Exhibit 2.

Alcohol and Other Drug Treatment for Girls

The percent of girls released from TJJD with some level of AODT need ranged from 83 percent to 92 percent over the six-year period. The majority of girls identified for AODT have a high level of need, a percentage that peaked sharply in FY 2016 and has steadily decreased since then. In FY 2019, over two-thirds had a high or moderate need, and the percentage with low AODT was the highest of all years. These results are displayed over time in Table C.5 below.

Table C.5: Need for AOD for Girls Released FY 2014 to FY 2019

Total Girls Released		High Need		Moderate Need		Low Need		Any Need	
FY	#	#	%	#	%	#	%	#	%
2019	74	30	40.5%	21	28.4%	12	16.2%	63	85.1%
2018	64	27	42.2%	24	37.5%	4	6.3%	55	85.9%
2017	53	27	50.9%	18	34.0%	4	7.5%	49	92.5%
2016	63	41	65.1%	16	25.4%	1	1.6%	58	92.1%
2015	60	28	46.7%	18	30.0%	4	6.7%	50	83.3%

2014	61	327	44.3%	21	34.4%	9	14.8%	57	93.4%
Total	**375**	**180**	**48.0%**	**118**	**31.5%**	**34**	**9.1%**	**332**	**88.5%**

As shown in Figure C.3, for all years except FY 2019, every girl with high or moderate AODT need has been enrolled, but the percentage who complete treatment is slightly lower. However, it is important to note that small sample sizes make comparison across years difficult to interpret. Of the five girls not enrolled for FY 2019, four completed the Capital and Serious Violent Offender Treatment Program (CSVOT), and one was discharged early by court order. For FY 2019, all girls who did not complete treatment were enrolled in mental health services and most who were enrolled in AODT were served for over five months.

Figure C.3: Enrollment and Completion of High to Moderate AODT for Girls

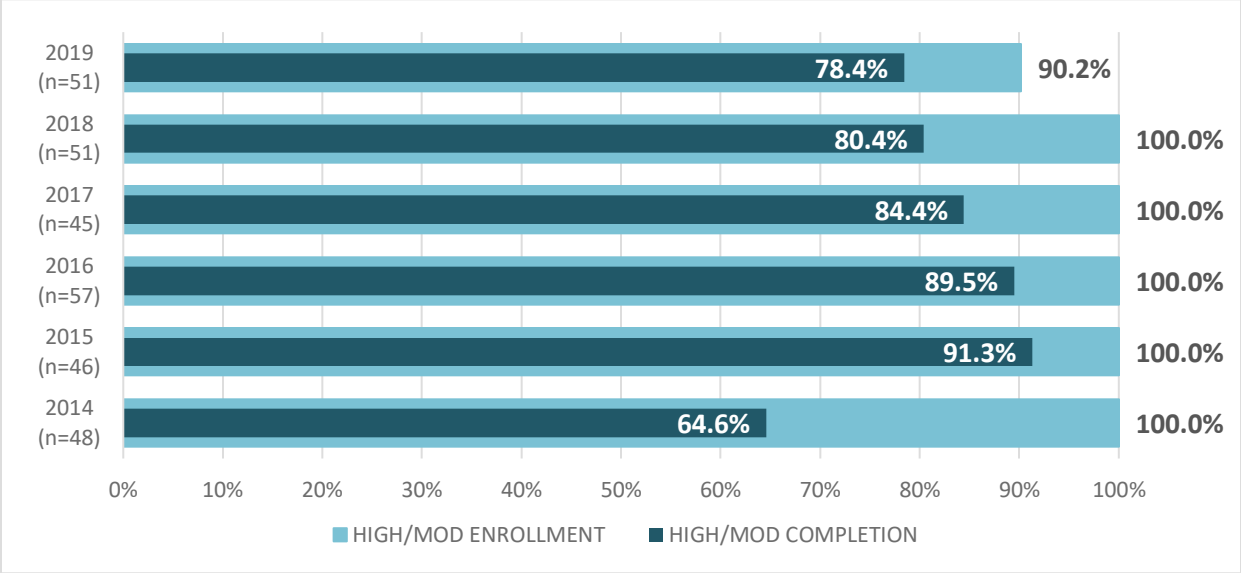


Table C.6 below shows the recidivism rates for girls enrolled in high or moderate AODT and released from FY 2014 to FY 2019. High and moderate AODT are combined across years because of small sample sizes but broken out for the entire FY 2014 to FY 2019 span to show the difference between treatment levels. Because nearly 80 percent of girls released between FY 2014 and FY 2019 participated in high or moderate AODT, it is unsurprising that the recidivism rates across all three categories closely mirror the rates for girls generally. Rearrest and violent rearrest rates have increased, while reincarceration rates vary more widely. However, caution should be used in comparing across years due to small sample sizes. When recidivism is broken out by high and moderate treatment enrollment for the six-year span, there is a small difference between the groups, with girls in high-intensity treatment having slightly higher rearrest and reincarceration rates, but slightly lower violent rearrest rate.

Table C.6: One-Year Recidivism Rates for Girls Enrolled in High to Moderate AODT

Number of Girls Enrolled			One-Year Rearrest Rate		One-Year Violent Rearrest Rate		One-Year Reincarceration Rate	
FY	Level	#	#	%	#	%	#	%
2019	Both	49	18	36.7%	5	10.2%	4	8.2%

2018	Both	51	18	35.3%	2	3.9%	13	25.5%
2017	Both	47	11	23.4%	0	0.0%	9	19.1%
2016	Both	57	12	21.1%	1	1.8%	7	12.3%
2015	Both	46	9	19.6%	0	0.0%	14	30.4%
2014	Both	49	10	20.4%	2	4.1%	8	16.3%
Total	**High**	**174**	**47**	**27.0%**	**5**	**2.9%**	**33**	**19.0%**
	Moderate	**125**	**31**	**24.8%**	**5**	**4.0%**	**22**	**17.6%**
	Both	**299**	**78**	**26.1%**	**10**	**3.3%**	**55**	**18.4%**

Alcohol and Other Drug Treatment for Boys

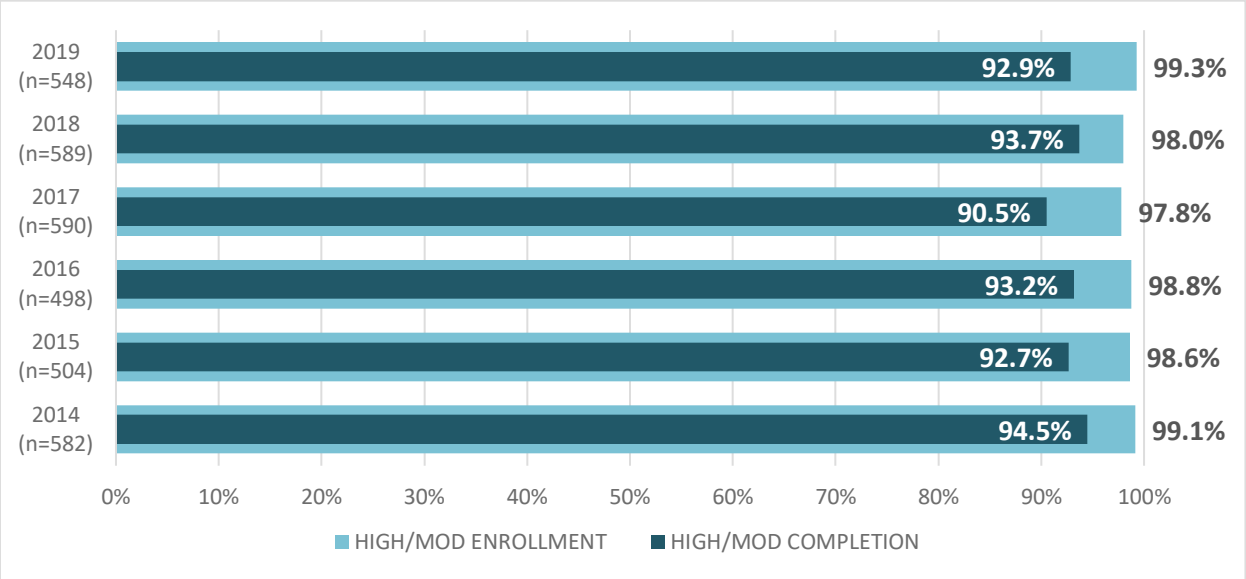
Almost 90 percent of boys released from TJJD in FY 2019 had some level of AODT need. This percentage is slightly above that for girls and has remained nearly constant since FY 2014. In recent years, however, fewer boys than girls have needed high AODT, with only 34 percent of boys released in FY 2019 assessed as high need for AODT, compared to 40 percent of girls. However, more boys than girls were assessed as having moderate AODT needs with 78 percent having high or moderate need compared to 69 percent for girls. Table C.7 below shows the AODT needs of boys over time.

Table C.7: Need for AODT, Boys Released FY 2014 TO FY 2019

Total Boys Released		High Need		Moderate Need		Low Need		Any Need	
FY	#	#	%	#	%	#	%	#	%
2019	703	241	34.3%	307	43.7%	78	11.1%	626	89.0%
2018	739	284	38.4%	305	41.3%	70	9.5%	659	89.2%
2017	741	321	43.3%	269	36.3%	83	11.2%	673	90.8%
2016	621	258	41.5%	240	38.6%	64	10.3%	562	90.5%
2015	622	270	43.4%	234	37.6%	69	11.1%	573	92.1%
2014	710	277	39.0%	305	43.0%	77	10.8%	659	92.8%
Total	**4136**	**1651**	**39.9%**	**1660**	**40.1%**	**441**	**10.7%**	**3752**	**90.7%**

Access to, and completion of, moderate- and high-intensity AODT also remained quite constant for boys between FY 2014 and FY 2019, with 98 percent to 99 percent of all boys enrolling in high or moderate AODT and 90 percent to 95 percent completing, as shown in Figure C.4 below. As with CSVOT, many of the boys who did not complete successfully for FY 2019 were enrolled in treatment one or more times but failed to complete due to poor behavior, and some released for reasons including age and mental health needs.

Figure C.4: Enrollment and Completion of High to Moderate AODT for Boys



As shown in Table C.8 below, recidivism rates for boys enrolled in AODT vary slightly by level of treatment enrollment. Boys in high AODT have slightly higher general rearrest rates overall. Rearrest rates for boys in AODT, particularly high AODT, are slightly above agency averages. In contrast, reincarceration rates for boys enrolled in high AODT have been lower than boys in moderate AODT and the overall population of boys for the most recent three fiscal years.

Table C.8: One-Year Recidivism Rates for Boys Enrolled in High to Moderate AODT

Number of Boys Enrolled by Treatment Level			One-Year Rearrest Rate		One-Year Violent Rearrest Rate		One-Year Reincarceration Rate	
FY	Level	#	#	%	#	%	#	%
2019	High	244	150	61.5%	41	16.8%	23	9.4%
	Moderate	326	187	57.4%	69	21.2%	40	12.3%
2018	High	277	174	62.8%	51	18.4%	29	10.5%
	Moderate	319	178	55.8%	50	15.7%	41	12.9%
2017	High	305	174	57.0%	46	15.1%	36	11.8%
	Moderate	303	172	56.8%	61	20.1%	43	14.2%
2016	High	253	140	55.3%	36	14.2%	39	15.4%
	Moderate	248	124	50.0%	32	12.9%	41	16.5%
2015	High	254	137	53.9%	25	9.8%	60	23.6%
	Moderate	254	126	49.6%	31	12.2%	37	14.6%
2014	High	273	151	55.3%	34	12.5%	42	15.4%
	Moderate	319	152	47.6%	38	11.9%	50	15.7%
Total	**High**	**1606**	**926**	**57.7%**	**233**	**14.5%**	**229**	**14.3%**
	Moderate	**1769**	**939**	**53.1%**	**281**	**15.9%**	**252**	**14.2%**

See Average Daily Population: Specialized Treatment in Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The Texas Juvenile Justice Department was legislatively mandated back in the early 1990's to begin providing treatment for Chemically Dependent (CD) now known as Alcohol or Other Drug Treatment Program to youth committed to the agency. The implementation of services began at three schools offering services where the intent was to provide treatment that was geared towards community based chemical dependency programs. In an effort to staff the program with qualified treatment counselors, the agency funded many staff to pursue their Chemical Dependency Licensure (Licensed Chemical Dependency Counselor).

To satisfy the mandate, the agency began expanding services. As the program grew, the provision of services went from more of a traditional approach to treating chemically dependent youth into the Resocialization© framework, and since moving from Resocialization, to now using the new "Texas Model for Trauma-Informed Corrections".

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Alcohol or Other Drug Treatment Programs operate at five state schools at secure locations. All five programs listed below receive grant funding from the Department of State Health Services, Substance Abuse Division. This grant provides enhancements to the staffing patterns and allow for program operational cost. The programs served an average daily population of 55 youth in the fiscal year 2019. The agency received approximately 777 youth during fiscal year 2019. Of these 777 youth 689 were identified as having a diagnosis as substance use disorder. Of those (689) identified 626 were admitted into AOD treatment. Of the 626 admitted, 582 successfully completed the program requirements. The AOD program is designed for the average youth to complete in six to seven months.

All youth are assessed at the Ron Jackson Orientation and Assessment Unit where they are given the Massachusetts Youth Screening Instrument-2 (MAYSI-2). This instrument suggests the severity of the youth's substance use problem. In tandem with the Texas Model, the AODTP includes an educational component that emphasizes the genetic, environmental, and psychosocial factors that lead to substance use disorder; communication styles; parenting skills; social skills; and conflict management. The youth receive Alcohol or Other Drug Treatment specific group (5 hours per week), individual counseling (1 hour twice a month), and Substance Abuse Education or Relapse Prevention groups or Life Skill training (2 hours per week), and Anger Replacement Training ART (3 hours per week).

Each program has one Lead Substance Abuse Counselor (SACIII) that provides management over the daily treatment activities and they are responsible for maintaining standards and work directly with the clinical director at the facility level. Each program has a counselor for every 10-12 youth in treatment, supervised by the Lead Substance Abuse Counselor.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Alcohol or Other Drug Treatment Program(s) receive funding for two sources. Those sources are: The Texas Department of State Health Services (DSHS) - Substance Abuse Division and from Texas Juvenile Justice Department General Revenue (GR). The programs receiving DSHS grant funding are at the five secure facilities, and two Central Office administrative/support staff. In Fiscal Year (FY) 2020, The Department of State Health Services granted $691,000.00. These funds are intended to supplement the cost for supportive residential, moderate and low Alcohol or Other Drug treatment at the five secure facilities within the agency.

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Alcohol or Other Drug Treatment	***21.8***	***19.7***	***29.4***	***$ 1,255,488***	***$ 1,514,226***	***$ 2,036,787***
B.1.8. Integrated Rehabilitation Treatment	21.8	19.7	29.4	$ 1,255,488	$ 1,514,226	$ 2,036,787
Appropriated Receipts	8.7	6.3	11.0	$ 618,545	$ 550,740	$ 586,836
General Revenue Fund	13.1	13.4	18.4	$ 636,943	$ 963,486	$ 1,449,951

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The Alcohol or Other Drug Treatment programs are structured in accordance with the Department of State Health Services (DSHS) – facility Licensure Rules outlined in the Texas Administrative Code (TAC) 25, chapter §448. These licensure standards are required by all substance use treatment programs operating in the state of Texas. In comparison to other adolescent programs within the state, our programs are designed as Adolescent Supportive Residential Treatment. DSHS has granted a waiver to the Texas Juvenile Justice Department Alcohol or Other Drug Treatment Program to provide 11 hours of treatment services due to the intense requirements of the correctional institution.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Within the organization, there are no other programs that duplicate this service. If a youth is identified as having a need for AOD treatment, but did not receive this service for a variety of reasons, they will be connected with a community resource upon release from the institution.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Youth released from the institutions are often connected to other programs-services provided through local or regional government; many discharging youths continue to receive service for substance use disorder and/or ancillary services connected with these entities. Specific alcohol or other drug programs and related services that are subsidized by local or federal governmental funding are often utilized to provide continuing care for substance use disorder. In cases where a youth did not receive treatment, they will be referred to a program funded by the above-mentioned entities.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

While the majority of the specialized treatment is provided by TJJD staff, TJJD contracted with one provider for alcohol and other drug treatment for youth in secure facilities.

- **the amount of those expenditures in fiscal year 2020;**

$28,610

- **the number of contracts accounting for those expenditures;**

1

- **the method used to procure contracts;**

Direct award

- **top five contracts by dollar amount, including contractor and purpose:**

CON0001108 – maximum contract amount of $28,633.00 with Candace M Kimbrough to provide alcohol and other drug treatment services to TJJD youth.

- **the methods used to ensure accountability for funding and performance;**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems**.

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The Alcohol or Other Drug Treatment programs have a continual challenge working within the confines of a correctional institution. Competing with the many institutional requirements and the length of time the youth must spend in school allows for a very small window to provide treatment. Often the needs of these other service have priority and the treatment program has difficulties finding meeting / group space with the required number of hours. Maintaining standards is often compromised because of the internal demands placed on the youth.

The largest challenge faced by the Texas Juvenile Justice Department in providing Alcohol or Other Drug treatment for the youth is in recruiting and retaining credentialed staff. Hiring and retaining credentialed staff directly impacts the quality of treatment and the stability of the program. The AOD treatment programs operate five AOD treatment programs at five facilities, requiring 22 qualified counselors to work directly with the program. During fiscal year 2019, there was an average staff shortage of three counselors per month. In some of the smaller sized programs this represents half of their needed counseling professionals. Another challenge faced by our Alcohol or Other Drug program is limited space within each facility to provide the treatment services.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

AOD programs provide treatment services to youth who have a diagnosis of Substance–Related Disorder or those identified has having risk in the area of alcohol or other drugs. Treatment programs are designed to target the specific needs of the youth. The agency offers a full complement of AOD services including: Alcohol or Other Drug Psycho-educational classes (low need); Short-Term Treatment (moderate need) programs; Supportive Residential (high need) programs; Aftercare treatment; and Individual counseling.

Sections O and P: N/A

Capital and Serious Violent Offender Treatment Program Spectrum

A. Provide the following information at the beginning of each program description.

Name of Program or Function: C&SVOTP Spectrum

Location/Division: State Services Treatment Programs

- ***Contact Name: Evan Norton***
- ***Statutory Citation for Program:*** 242.002, 242.051, 244.001, 244.009, and 203.018 Human Resources Code; 59.009, Family Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Capital and Serious Violent Offender Treatment Program (C&SVOTP) is a spectrum of services designed to address risk factors specific to violent and aggressive offending. The vast majority of youth who are adjudicated to the Texas Juvenile Justice Department (TJJD) have engaged in offenses that involve aggressive or violent actions, requiring targeted interventions.

In an effort to reduce or mitigate this risk they are referred to this spectrum of treatment services during their time with TJJD. At the orientation and assessment unit, youth are evaluated for a variety of programmatic intervention needs including the C&SVOTP. Based on the nature of their committing offense and relevance risk factors a level of intervention is recommended by the intake treatment team. The C&SVOTP is broke into three levels of intervention based on the risk need present. The lowest tier intervention is Aggression Replacement Training, middle tier is Power Source, and the highest intervention Capital Offender Program. A summary of the intervention programs is listed below:

Aggression Replacement Training (ART)

This is a research-based program based on three integrated components.

1. Social Skills Training: teaches participants socially appropriate methods of meeting their needs in an effort to replace antisocial behavior.
2. Anger Control: teaches coping skills to manage anger and respond in a nonthreatening manner.
3. Moral Reasoning: raises the participant's understandings of justice and concern for the welling being of others.

Trained providers complete this 10-12 week program with youth at all of the secure and medium restriction facilities. Sessions frequently involve coping skill development, role playing and problem-solving training. Upon completion youth receive a certificate.

Power Source (PS)

This is an evidence-based program designed to empower at-risk youth with social and emotional skills to avoid offending behaviors. Power Source places a heavy emphasis on the dignity and worth of each person; using trauma-informed programming, participants are taught mindfulness and resilience skills. Program goals include:

- Learn effective strategies for emotional regulation
- Change negative core beliefs about themselves
- Reduce engagement in high-risk behavior, such as interpersonal violence
- Heal for histories of trauma
- Discover alternative coping strategies to substance use
- Develop resilience and acquire the social and emotional skills associated with success in school, the workplace and the world at large

Trained clinicians conduct the PS groups, typically lasting four months with youth in all of the high restriction facilities. Youth receive a certificate upon completion and retain all of their workbooks with relapse prevention planning work included.

Capital Offender Program

The Capital Offender Program or Capital Offender Group (COG) is a Cognitive Behavioral Therapy (CBT) based program developed by TJJD in response to the growing number of family

homicides in the state. It has since been expanded to include any act of violence that results in serious bodily injury or death to victim. The program is an intensive treatment program designed to assist youth in understanding the emotional and cognitive contributors to criminal behavior and promote individual responsibility, to foster victim empathy, and to teach youth to interrupt negative behavior cycles to reduce future offending. Program goals are:

- Decrease in feelings of hostility and aggression towards others
- Increase in ability to identify and express emotions appropriately
- Improved ability to describe perspectives and feelings of others, including victims and peers
- Decrease in use of thinking errors to justify delinquent behaviors
- Increase in acceptance of personal accountability for behaviors

Participants first work through Life Story where they process significant life events as a form of trauma resolution and self-worth training. Upon completion of Life Story, the group shifts its focus to Victim Impact where the focus becomes about empathy and sympathy development. The last group phase is Crime Story and Relapse Prevention Planning. In this stage of treatment programming the participant's process through crime themes and patterns taking responsibility for their attempts at meeting their childhood unmet needs. Clinicians help participants process through and choose alternative prosocial options of getting their needs met. Upon successful completion of Capital Offender Group, the participants often become mentors on campus and enroll in an Alumni Group where they continue to get support from their treatment providers and group peers.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

CSVOT For Girls

Table C.1 Need for CSVOT, Girls Released FY 2014 to FY 2019

Number of Girls Released		High Need		Moderate Need		Low Need		Any Need	
FY	#	#	%	#	%	#	%	#	%
2019	74	7	9.5%	57	77.0%	2	2.7%	66	89.2%
2018	64	4	6.3%	50	78.1%	7	10.9%	61	95.3%
2017	53	1	1.9%	41	77.4%	6	11.3%	48	90.6%
2016	63	3	4.8%	47	74.6%	7	11.1%	57	90.5%
2015	60	1	1.7%	37	61.7%	16	26.7%	54	90.0%
2014	61	3	4.9%	34	55.7%	23	37.7%	60	98.4%
Total	**375**	**19**	**5.1%**	**266**	**70.9%**	**61**	**16.3%**	**346**	**92.3%**

Figure C.1 below shows enrollment and completion rates for girls in high and moderate intensity CSVOT. More than 90 percent of girls with a high or moderate need for CSVOT were enrolled in high or moderate treatment each year, and the majority completed treatment. Girls not completing treatment and released in fiscal year 2019 were either released at the age of majority (19) or by court order at which time TJJD no longer has jurisdiction or, except one, completed another high or moderated treatment program.

Figure C.1: Enrollment and Completion of High to Moderate CSVOT for Girls

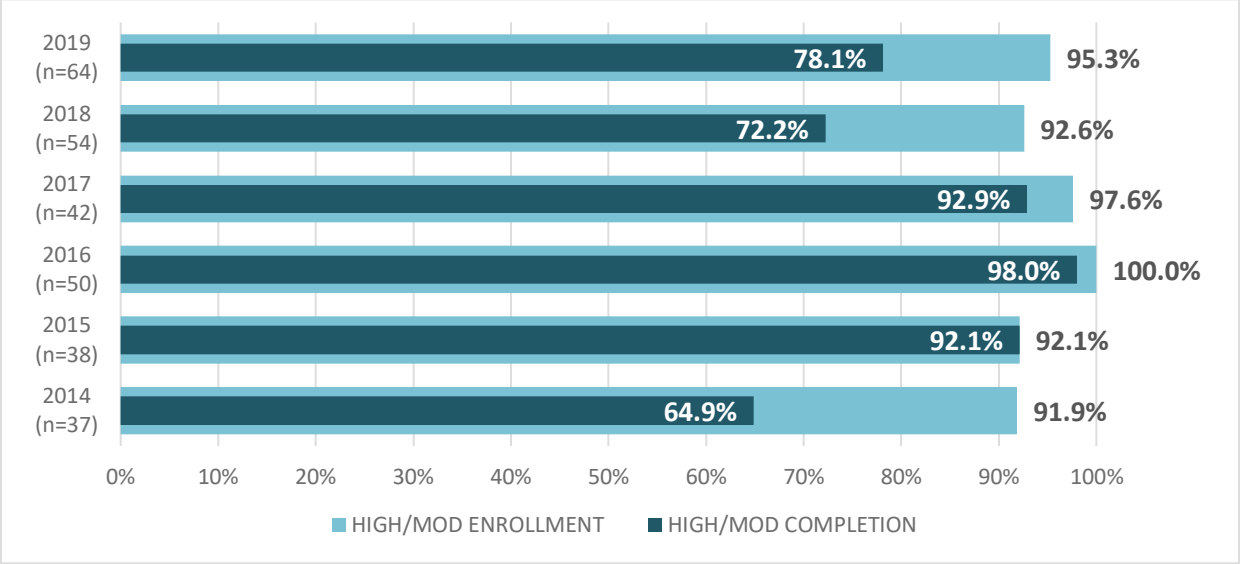


Table C.2 shows the recidivism rate for girls enrolled in high or moderate CSVOT before release from a residential facility. High and moderate treatment is combined for girls because only 23 girls total released across all six years participated in high-intensity CSVOT treatment. Caution should be used in comparing recidivism rates across years due to small sample sizes. The re-arrest and violent re-arrest rates increased in the most recent two years consistent with recidivism for all girls released. Re-incarceration rates were more variable ranging from nine to 33 percent across the six years; however, the rate has remained lower than a peak in FY 2015.

Table C.2: One-Year Recidivism Rates for Girls Enrolled in High to Moderate CSVOT for Girls

Number of Girls Enrolled		One-Year Rearrest Rate		One-Year Violent Rearrest Rate		One-Year Reincarceration Rate	
FY	#	#	%	#	%	#	%
2019	67	24	35.8%	5	7.5%	6	9.0%
2018	56	16	28.6%	2	3.6%	11	19.6%
2017	44	8	18.2%	0	0.0%	8	18.2%
2016	54	11	20.4%	1	1.9%	5	9.3%
2015	39	10	25.6%	0	0.0%	13	33.3%
2014	34	6	17.6%	1	2.9%	5	14.7%
Total	**294**	**75**	**25.5%**	**9**	**3.1%**	**48**	**16.3%**

CSVOT For Boys

Table C.3 below shows the percentage of male youth in each release cohort who had high, moderate, low, and any need for CSVOT. Similar to girls, more than 90 percent of boys released over the six-year period had a need for some level of CSVOT. Although the overall need in the two most recent years is consistent with prior years, the percentage with high need for CSVOT steadily increased since FY 2014 with almost one-fourth of boys released in FY 2019 having a high need for CSVOT.

Table C.3: Need for CSVOT, Boys Released FY 2014 TO FY 2019

Number of Boys Released		High Need		Moderate Need		Low Need		Any Need	
FY	#	#	%	#	%	#	%	#	%
2019	703	168	23.9%	384	54.6%	85	12.1%	637	90.6%
2018	739	128	17.3%	467	63.2%	85	11.5%	680	92.0%
2017	741	53	7.2%	533	71.9%	92	12.4%	678	91.5%
2016	621	38	6.1%	397	63.9%	114	18.4%	549	88.4%
2015	622	30	4.8%	402	64.6%	168	27.0%	600	96.5%
2014	710	12	1.7%	397	55.9%	271	38.2%	680	95.8%
Total	**4136**	**429**	**10.4%**	**2580**	**62.4%**	**815**	**19.7%**	**3824**	**92.5%**

In Figure C.2, CSVOT enrollment and completion rates are shown for boys with high or moderate CSVOT needs. Since FY 2014, over 98 percent of all boys with moderate or high need for CSVOT have been enrolled. Correspondingly, over 90 percent of all boys with high or moderate CSVOT needs have completed high or moderate CSVOT. Male youth with high or moderate CSVOT needs released in FY 2019 who did not complete treatment were generally enrolled in the program one or more times and removed each time due to program failure or other reason.

Figure C.2: Enrollment and Completion of High to Moderate CSVOT for Boys

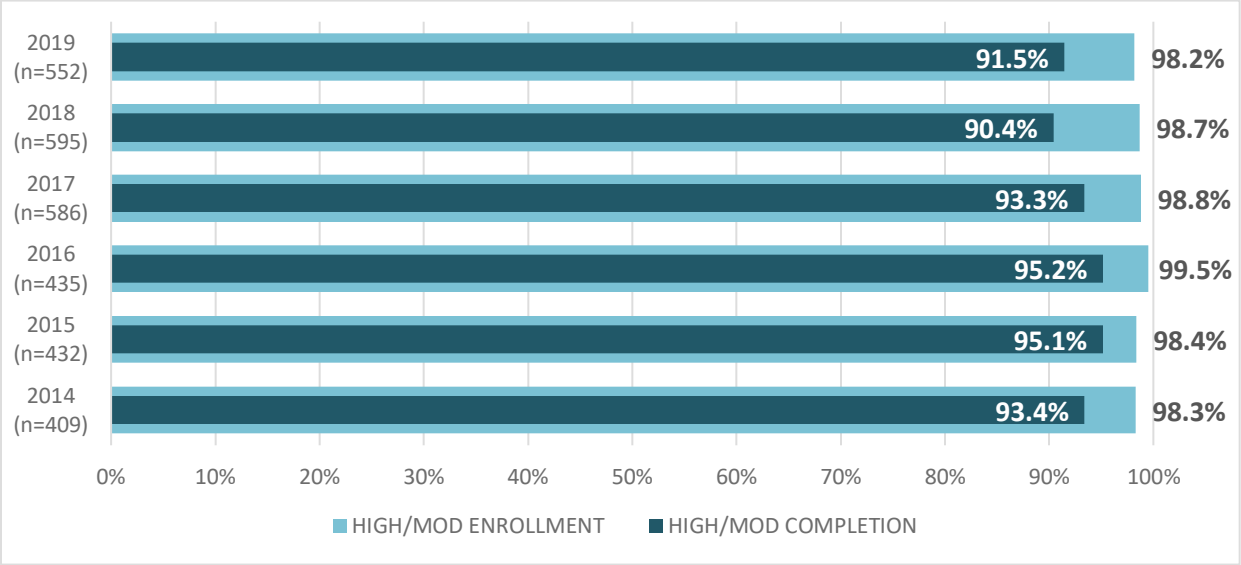


Table C.4 shows the recidivism rates of boys who were enrolled in high and moderate CSVOT, separated by treatment level, across years. Across all six years, the youth who were enrolled in high-intensity CSVOT had lower rates for one-year re-arrest and re-incarceration than the overall male population. Although small sample sizes make it difficult to interpret changes across years, the rates for boys in high-intensity CSVOT remained lower than FY 2017 for all measures.

Table C.4: One-Year Recidivism Rates for Boys Enrolled in High to Moderate CSVOT

Number of Boys Enrolled by Treatment Level			One-Year Rearrest Rate		One-Year Violent Rearrest Rate		One-Year Reincarceration Rate	
FY	Level	#	#	%	#	%	#	%
2019	High	161	75	46.6%	20	12.4%	11	6.8%
	Moderate	443	268	60.5%	95	21.4%	55	12.4%
2018	High	114	47	41.2%	14	12.3%	4	3.5%
	Moderate	527	312	59.2%	91	17.3%	74	14.0%
2017	High	50	26	52.0%	9	18.0%	4	8.0%
	Moderate	590	325	55.1%	109	18.5%	82	13.9%
2016	High	37	10	27.0%	5	13.5%	1	2.7%
	Moderate	448	234	52.2%	62	13.8%	81	18.1%
2015	High	27	12	44.4%	2	7.4%	0	0%
	Moderate	456	235	51.5%	54	11.8%	94	20.6%
2014	High	11	3	27.3%	2	18.2%	1	9.1%
	Moderate	464	236	50.9%	70	15.1%	70	15.1%
Total	**High**	**400**	**173**	**43.3%**	**52**	**13.0%**	**21**	**5.3%**
	Moderate	**2928**	**1610**	**55.0%**	**481**	**16.4%**	**456**	**15.6%**

See Average Daily Population: Specialized Treatment in Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The C&SVOTP purpose has largely remained the same as its primary function is to address risk factors related to violent or aggressive offending. However, as the agency has implemented the Texas Model for Corrections, the C&SVOTP has evolved to incorporate trauma informed practices at every level of the intervention spectrum. Trained providers and clinicians have received extensive training on trauma informed practices and meeting the physiological and emotional needs of the participants. If a youth struggles to progress through the treatment programming, the treatment team individualizes the interventions to the need of the child. Using therapeutic interventions including but not limited to those in the Texas Model, Neurosequential model of therapeutics, and dialectical behavioral therapy, the team aims to address each youth's needs and unique risk factors.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Treatment need is determined at the Ron Jackson Orientation and Intake unit. Upon assignment to a long-term campus the youth are enrolled in specialized treatment prior to their minimum length of stay. Treatment services are provided in the frequency described in the table below:

Treatment Program	Sessions	Treatment Duration
Capital Offender Program	48-72	6-9 months
Power Source	16-24	3-4 months
Aggression Replacement Training	10-12	3 months

Treatment providers meet with the youth before or after educational services multiple times a week in designated group rooms. Services are predominately offered in group settings with individual counseling session included as needed or part of an individualized plan. As youth complete their specialized treatment needs they become eligible for step down to a halfway house or parole.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Capital and Serious Violent Offender Treatment Program	***3.0***	***1.5***	***1.8***	***$ 140,455***	***$ 103,926***	***$ 160,188***
B.1.8. Integrated Rehabilitation Treatment	3.0	1.5	1.8	$ 140,455	$ 103,926	$ 160,188
General Revenue Fund	3.0	1.5	1.8	$ 140,455	$ 103,926	$ 160,188

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Internally TJJD Case management services provide supplemental services that occur concurrently to C&SVOTP programming. These services are supportive and generalized to risk reduction work while the C&SVOTP target specific risk factors that require more intensive clinical intervention.

Externally, a few counties across the state have attempted to facilitate programming aimed at addressing risk for violent or aggressive behavior. These programs often struggle to provide intervention appropriate for the level of need often found in TJJD youth. The Texas Department of Criminal Justice has a Youthful Offender Program that provides specialized risk intervention programming for youth of similar age to those adjudicated to TJJD. However, this program often does not allow the opportunity for parole and community reintegration upon completion of programming. A number of youth within this program transfer to adult facilities once they reach a certain age.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TJJD has the capacity to treat and manage youth with significant risk to the community. Youth adjudicated to TJJD often require this level of intervention due to unsuccessful attempts at managing them in less restrictive settings. The C&SVOTP makes an effort to mitigate and reduce risk that often cannot be treated in other settings. While all of TJJD programming aims to reduce risk, the interventions of the C&SVOTP spectrum specifically address risk present in violent and/or aggression offending.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

TJJD Treatment leadership partner and collaborate with county courts frequently. We provide education and information during adjudication and transfer hearings. Treatment Program leadership staff challenging cases with county partners to assist in treatment and intervention planning. Providing information about TJJD's programming and services have helped to reduce the number of adolescents in the adult correction system.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

None.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Most secure facilities are located in relatively rural areas. This creates a unique challenge in recruiting and retaining qualified treatment providers and mental health professionals. These providers are often able to seek employment in more developed areas closer to their place of residence. TJJD has made efforts to offer competitive pay, career advancement and benefits to attract clinicians but the geographical locations of facilities often leave treatment staff levels lower than necessary to perform key duties. Treatment staff working within a correctional environment also presents unique challenges with complex cases and safety measures many clinicians find unattractive and are nonexistent in many other clinical settings.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

There appears to be a growing need for C&SVOTP, especially the higher intensity intervention programs. The number of youth adjudicated to TJJD for capital level offenses has seen a large increase over the past few years. As a result, TJJD has had to expand the C&SVOTP to meet the needs of the youth.

Sections O and P: N/A

Sexual Behavior Treatment Program

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Sexual Behavior Treatment Program

Location/Division: Primarily located at Gainesville State School. Individualized treatment interventions can occur at all secure facilities.

- ***Contact Name:***
- ***Statutory Citation for Program:*** 242.002, 242.051, 244.001 and 244.009, Human Resources Code; 62.352, Code of Criminal Procedure; 59.009, Family Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Sexual Behavior Treatment Programs are designed to help youth within TJJD identified as having sexual behavior treatment needs to stop victimizing others and to learn and implement skills leading to a safe re-entry to the community. Community safety and victim protection are critical aspects of all services provided to the youth.

Youth are assigned levels of needs of low, moderate, or high based off of their offense, risk factors, and assessments. The low needs are typically provided through psycho education and team intervention and processing. Moderate and high needs are provided a more intensive and structured program that must be facilitated by an ASOTP or an LSOTP. In the moderate and high program, youth are provided with a variety of therapeutic interventions that address their offense, personal trauma, empathy building, boundaries, relapse prevention, and the development of new skills. Treatment is facilitated utilizing curriculum that has been approved by the agency and adapted to meet the youth's responsivity needs. JCOs, case managers,

mental health professional, and licensed sex offender therapists collaborate with the youth and family about the youth's treatment and safety planning.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Sexual Behavior Treatment for All Youth

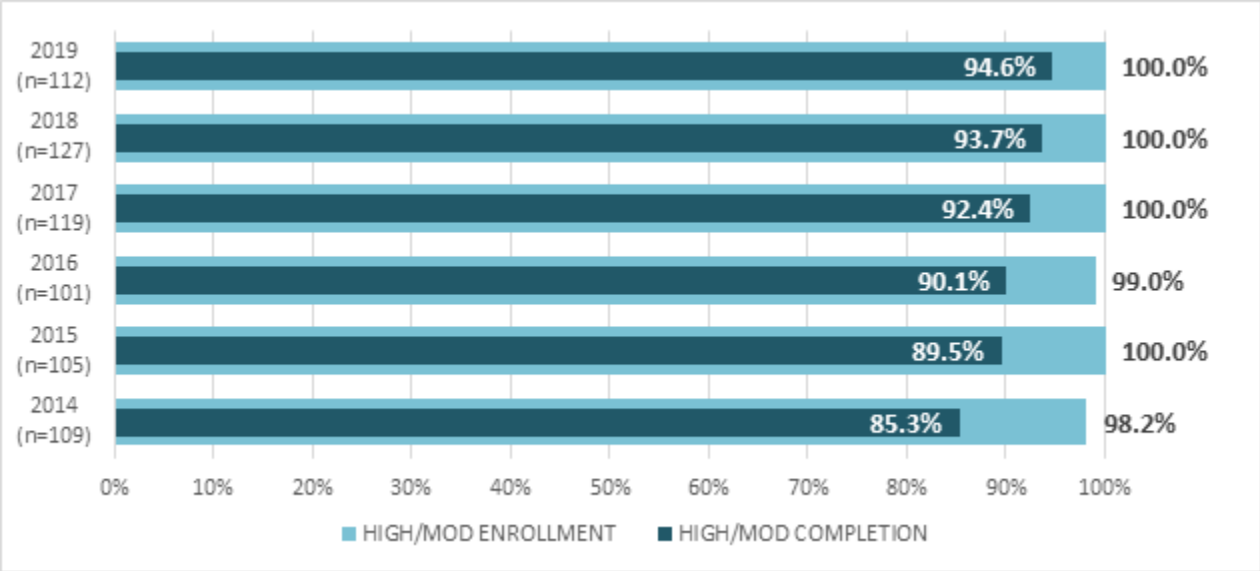
The number of girls released from TJJD with high or moderate SBT needs was very low—only two in FY 2019 and never more than five per year since FY 2014. As a result, both Table C.9 and Figure C.5 below show results for girls and boys combined. As shown in Table C.9 below, the number of youth with any level of SBT need increased consistently between FY 2014 and FY 2019, nearly tripling, from 20 percent to 55 percent. However, it is important to note that this increase was driven almost exclusively by low-need youth. In FY 2019, 41 percent of youth released from TJJD had low SBT needs, including 46 percent of girls (not shown). Between FY 2014 and FY 2019, the number of youth with high and moderate needs for SBT remained constant around 15 percent, with 10 percent high need and 4 percent moderate need, on average. As noted, the vast majority of youth with high and moderate SBT need were boys.

Table C.9: Need for SBT, All Youth Released FY 2014 TO FY 2019

Total Youth Released		High Need		Moderate Need		Low Need		Any Need	
FY	#	#	%	#	%	#	%	#	%
2019	777	73	9.4%	39	5.0%	318	40.9%	430	55.3%
2018	803	101	12.6%	26	3.2%	230	28.6%	357	44.5%
2017	794	87	11.0%	32	4.0%	178	22.4%	297	37.4%
2016	684	76	11.1%	25	3.7%	68	9.9%	169	24.7%
2015	682	71	10.4%	34	5.0%	55	8.1%	160	23.5%
2014	771	64	8.3%	45	5.8%	47	6.1%	156	20.2%
Total	**4511**	**472**	**10.5%**	**201**	**4.5%**	**896**	**19.9%**	**1569**	**34.8%**

As Figure C.5 shows, since FY 2014, only three youth with high or moderate SBT needs were not enrolled in high or moderate SBT, and every youth released in fiscal years 2017-2019 was enrolled. Completion rates have increased consistently since FY 2014 and were quite high by FY 2019, with 95 percent of youth completing high or moderate SBT. Of the six youth who were released in FY 2019 without completing treatment, all were enrolled and discharged prior to program completion at least once. Four were released at the age of majority (19) at which time TJJD no longer has jurisdiction over youth; two if these were released to adult parole. One youth was released prior to age 19 by court order. One youth completed treatment at the county level prior to admission, was enrolled at TJJD and released to parole without completing due to low IQ, and completed aftercare treatment on parole.

Figure C.5: Enrollment and Completion of High to Moderate SBT



As shown in Table C.10 below, recidivism rates for youth (almost all boys) enrolled in high or moderate SBT were lower than the rates for boys released from TJJD generally, by a factor of almost half across all three measures of recidivism for high SBT. Youth in high SBT have consistently lower rearrest rates than youth in moderate SBT, while reincarceration rates varied across years.

Table C.10: One-Year Recidivism Rates for Youth Enrolled in High to Moderate SBT

Number of Youth Enrolled by Treatment Level			One-Year Rearrest Rate		One-Year Violent Rearrest Rate		One-Year Reincarceration Rate	
FY	Level	#	#	%	#	%	#	%
2019	High	73	18	24.7%	6	8.2%	4	5.5%
	Moderate	41	18	43.9%	6	14.6%	1	2.4%
2018	High	103	26	25.2%	8	7.8%	8	7.8%
	Moderate	30	13	43.3%	6	20.0%	1	3.3%
2017	High	90	21	23.3%	5	5.6%	4	4.4%
	Moderate	43	11	25.6%	2	4.7%	5	11.6%
2016	High	80	18	22.5%	2	2.5%	2	2.5%
	Moderate	32	10	31.3%	1	3.1%	2	6.3%
2015	High	73	15	20.5%	3	4.1%	6	8.2%
	Moderate	44	13	29.5%	5	11.4%	4	9.1%
2014	High	63	10	15.9%	0	0.0%	3	4.8%
	Moderate	54	13	24.1%	3	5.6%	2	3.7%
Total	**High**	**482**	**108**	**22.4%**	**24**	**5.0%**	**27**	**5.6%**
	Moderate	**244**	**78**	**32.0%**	**23**	**9.4%**	**15**	**6.1%**

See Average Daily Population: Specialized Treatment in Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Previously the TJJD Sexual Behavior Treatment Program was delivered primarily at three of the secure facilities: Giddings State School, McClennan County State Juvenile Correctional Facility, and the Gainesville State School. During 2020, the residential (dorm-based) SBTP programming was moved entirely to Gainesville State School. This transition was done in an effort to consolidate specialized resources such as licensed sex offender therapists and experienced staff. Youth that have needs more appropriately met in programs at other secure facilities such as the young offender program, mental health treatment program, or girl's facility may receive individualized SBTP interventions.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Sexual Behavior Treatment Program at the Gainesville State School provides services to approximately fifty students housed in four dormitories. The program functions within the Psychology Department and is managed by a doctoral-level licensed psychologist dually licensed as a Licensed Sex Offender Treatment Provider (LSOTP). A licensed clinical social worker provides clinical supervision to five dually-licensed treatment providers who provide individual, group and family counseling. Presently, one of the five direct service treatment providers is an LPC-s also licensed as an LSOTP; another treatment provider is an LCSW.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Sexual Behavior Treatment Program	***7.4***	***6.1***	***8.3***	***371,592.0***	***464,099.0***	***703,068.0***
B.1.5. Halfway House Operations	-	-	-	$ 4,760	$ -	$ 4,765
General Revenue Fund	-	-	-	$ 4,760	$ -	$ 4,765
B.1.8. Integrated Rehabilitation Treatment	7.4	6.1	8.3	$ 351,461	$ 459,599	$ 633,427
General Revenue Fund	7.4	6.1	8.3	$ 351,461	$ 459,599	$ 633,427
C.1.2. Parole Programs and Services	-	-	-	$ 15,371	$ 4,500	$ 64,876
General Revenue Fund	-	-	-	$ 15,371	$ 4,500	$ 64,876

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are private agencies in the community, such as Pegasus Schools, and some counties that provide similar treatment services. We contract with some of these facilities to provide care that meet their age requirements, gender specifications, and are receptive to treatment. Typically, private agencies and county programs that provide similar sexual behavior treatment do not have the capacity or the specialized training to address youth that are aggressive, oppositional, low intellectual functioning, complex mental health issues, or are treatment resistant.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

As youth are identified to be within the requirements of specific outside programs, TJJD coordinates the placement of these youth within budgetary restraints to contract providers.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The program does work with local probation, juvenile detention, and parole offices in an effort to provide continuity of care and appropriate safety planning with you in sexual behavioral treatment programs.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

TJJD periodically contracts with licensed sex offender treatment providers to augment the in-house services by the mental health staff. These providers offer individualized services to assigned youth whose needs are best met in another setting aside from the TJJD sexual behavior treatment residential program.

- **the amount of those expenditures in fiscal year 2020;**

$1,269.90

- **the number of contracts accounting for those expenditures;**

1

- **the method used to procure contracts;**

Directly awarded without solicitation.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0001135 – maximum contract amount of $7,205.00 with Linda Mitchell to provide sexual offender treatment.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The Texas JSORAI-2 is a sex offender risk assessment required, by statute, for students whose charges include sex offenses who are seventeen or younger years old. The instrument was developed to be used with Juvenile sex offenders and provide an option of having a risk level lower than 'Moderate' as is the case with the STATIC-99R. However, there is no known reliability or validity associated with this instrument; after legislation is changed, another more credible risk assessment should be identified and used instead.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Most of the students who have entered the Texas Juvenile Justice Department Sexual Behavior Treatment Program have previously had less restrictive interventions where they were unsuccessful. The program requires the safety of the high restriction facilities and the therapeutic care of the Texas Model to meet the very complex needs of the youth and provide them adequate treatment for their safety and the safety of the community.

Sections O and P: N/A

Intervention Services

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Intervention Services

Location/Division: Statewide

- ***Contact Name:*** Debbie Whitlock
- ***Statutory Citation for Program:*** Sections 244.002, 244.005, and 244.006, Texas Human Resources Code.

B. What is the objective of this program or function? Describe the major activities performed under this program.

Utilizing one of the most widely used models for assessment and case management of justice-involved youth is the Risk-Need-Responsivity (RNR) framework Based on a substantial body of research conducted over the past 25 years, the TJJD Intervention Services framework outlines a systematic, evidence-based approach for evaluating an individual's risk of future offending and identifying the specific factors (criminogenic needs) that must be addressed to reduce risk, while paying heed to treatment modality (general responsivity) as well as individual characteristics such as cognitive ability, learning style, and motivation that may impact the effectiveness of interventions (specific responsivity).

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

See "General Rehabilitation Treatment Cost Per Juvenile Day" and "Average Daily Population: General Rehabilitation Treatment" in Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Historically, the agency's Case Management functions were nested within the State Facilities Operations Division and were further divided between separate managers who oversaw specific facilities with limited program staff to effectively facilitate a large and critical direct service function. In addition, case managers were required to deliver the specialized treatment modalities for numerous populations. This approach lacked the benefit of statewide administration and diminished the ability to implement the evidence-based components known to be effective in reducing recidivism and improving outcomes.

Currently, the Case Management functions have been reorganized to their own division with a title of Intervention Services to accurately reflect the focus of providing each youth in our care individualized, effective, evidence-based interventions by qualified case managers. The Intervention Services team uses a statewide administration, shifted the specialized treatment delivery to the Integrated Treatment Division and created a career ladder better reflect the needed skills of case managers.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other

illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

In direct service to the youth in our secure facilities, the Intervention Services Division is charged with helping youth to increase their chances of success, decreasing their chance of continued delinquent behavior, and improving community safety. In developing and refining the Texas Model, we use science and evidence to find ways to reach the youth in our care.

A central goal of Intervention Services is correcting behavior. In determining the methods to be used in the model, correcting behavior is at their core. We must also seek to understand the youth in our care and what approaches are most likely to reach them. Only this way, can we hope to help them to better understand themselves and support them in correcting behavior that is not socially appropriate or dangerous to the community. In the administration of our program we adhere to the following core principles and practices.

Evidence-Based Practices. Evidence-based practices (EBP) are practices and approaches that have been empirically shown to improve offender outcomes and reduce recidivism through an emphasis on meta-analysis research, control of confounding variables through random assignment, and cross-site replication of results. We are currently utilizing evidence-based interventions such as Dialectical behavior skills, Carey Guides, and Brief Intervention Tools.

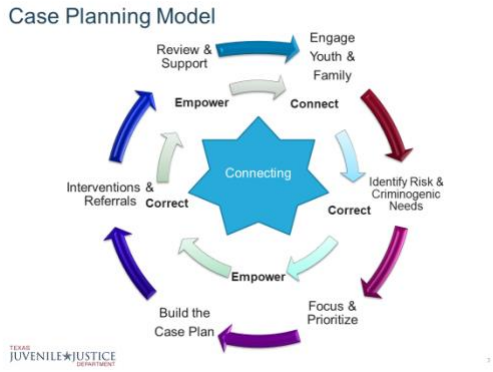
"What Works" Principles. The "What Works" principles are a set of evidence-based practices for reducing recidivism when working with delinquent youth. The "What Works" principles were developed based on more than thirty years of research, which suggested that programs and services had a higher success of reducing offender recidivism if four basic principles were implemented. These four principles are: Risk, Need, Responsivity, and Program Integrity, and they are often collectively referred to as the "What Works" principles of effective intervention.

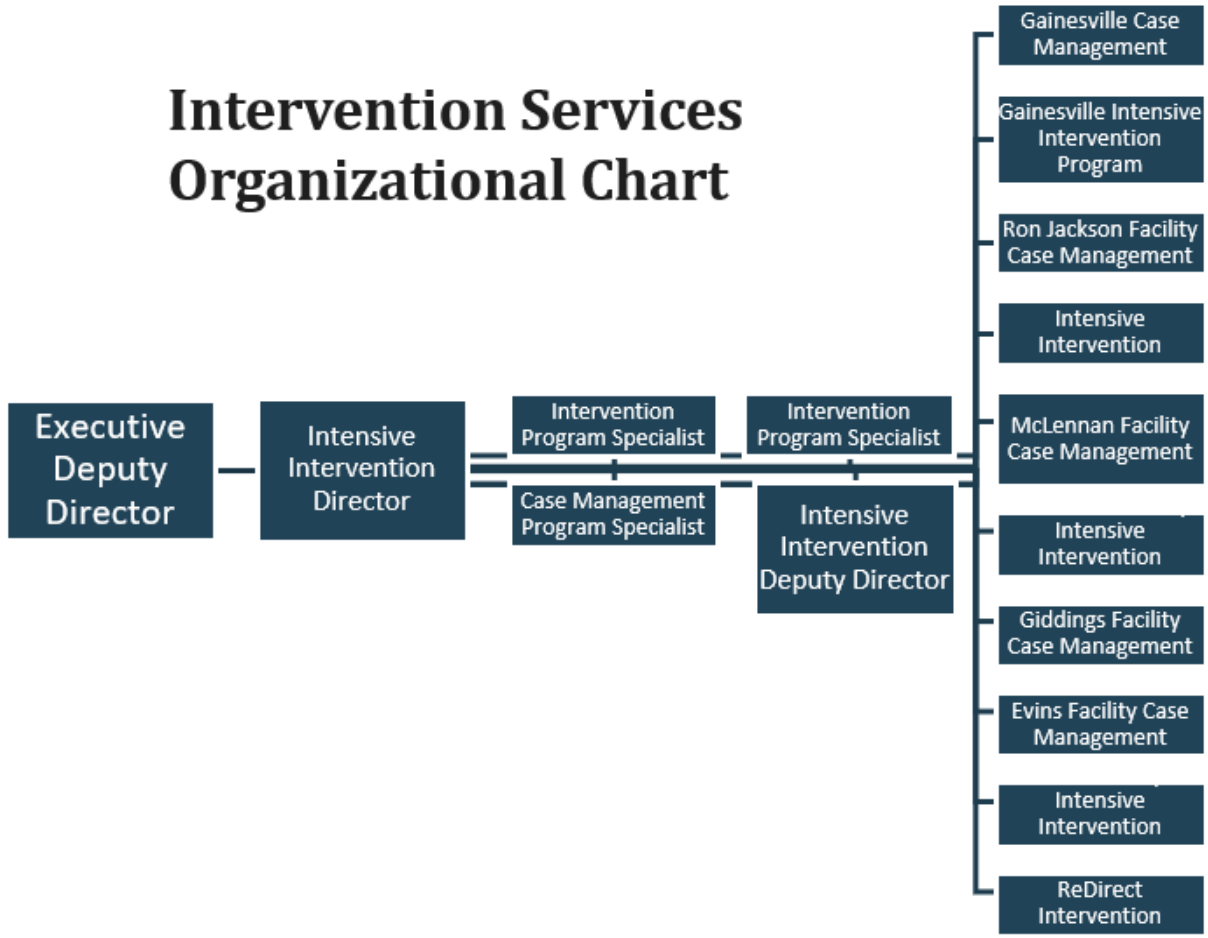
Risk Principle. Interventions and services focus on moderate and high-risk offenders and provide little intervention to low risk offenders. The intensity of services provided match the youth's risk to reoffend level, with the most intense services tailored to the youth with the highest risk to reoffend. Research shows that delivering high intensity services to low risk youth has the unintended consequence of increasing recidivism. Additionally, low risk youth should not be mixed with higher risk youth as it can result in peer contagion with low risk youth learning negative behaviors from higher risk youth.

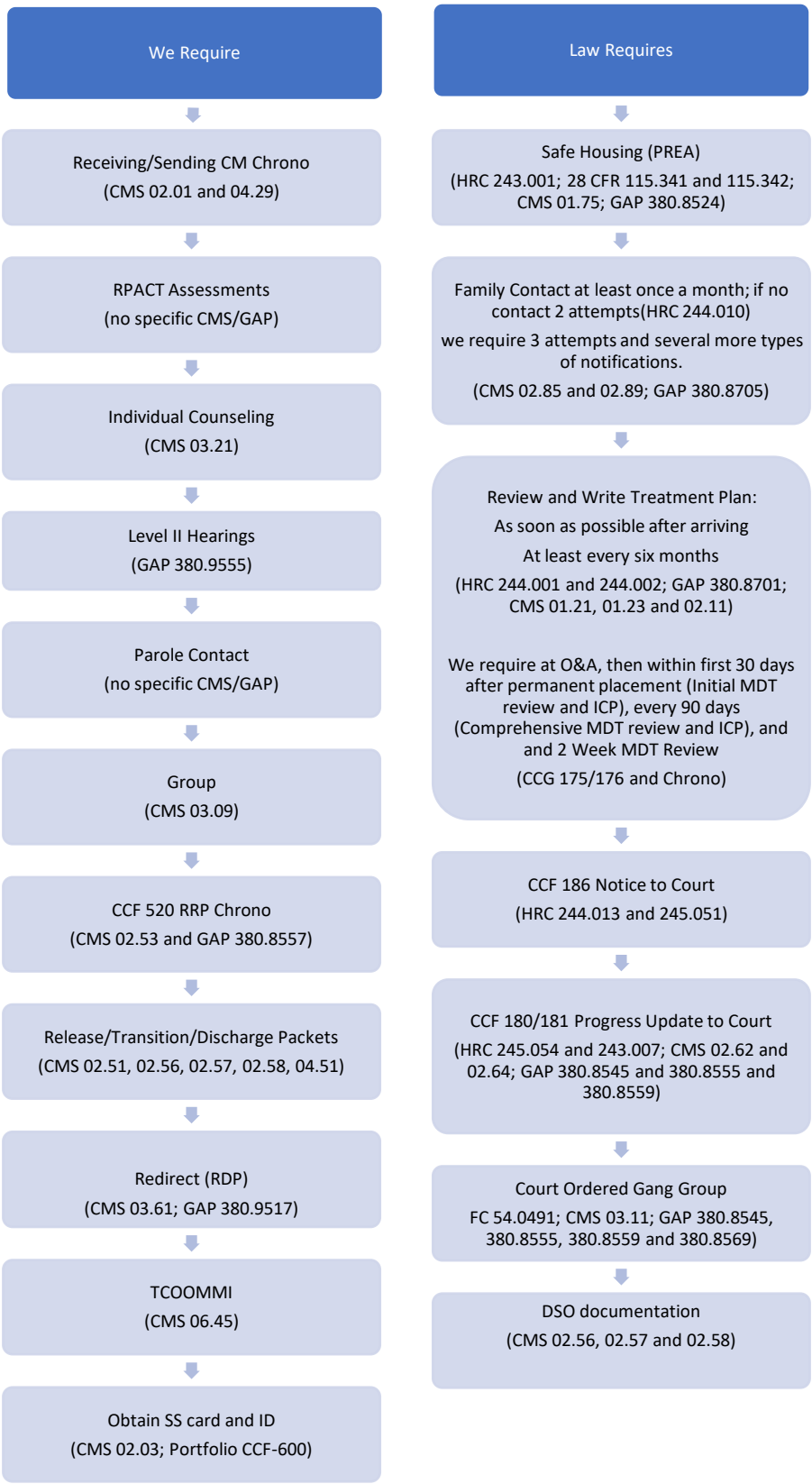
Need Principle. The services provided target criminogenic needs, which are dynamic, changeable factors most directly associated with delinquent behavior. Some examples of criminogenic needs are: pro-criminal peers, antisocial attitudes, substance abuse, and educational problems. Programs that reduce criminogenic needs are more likely to reduce recidivism.

Responsivity Principle. The services provided and the worker's style match the learning style of the youth. Additionally, intervention varies according to the relevant characteristics of youth such as gender, culture, developmental stages, comprehension and reading levels, mental health diagnosis, motivation, etc.

Program Integrity Principle. Programs are monitored for implementation quality and intervention fidelity to ensure programs are delivered as designed and intended. This is necessary in order to maximize program success and recidivism reduction. Services employ evidence-based intervention approaches such as cognitive behavioral and dialectical behavior therapy theoretical foundations and reinforcement of pro-social behaviors. The programs are also be structured and focused on developing skills.







G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For

state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Intervention Services (Case Management)	***103.3***	***106.3***	***117.8***	***$ 3,181,525***	***$ 4,401,108***	***$ 5,745,235***
B.1.8. Integrated Rehabilitation Treatment	103.3	106.3	117.8	$ 3,181,525	$ 4,401,108	$ 5,745,235
General Revenue Fund	103.3	106.3	117.8	$ 3,181,525	$ 4,401,108	$ 5,745,235

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The Integrated Treatment Division of TJJD also utilizes the Risk, Need, Responsivity Model in their therapeutic approaches. In doing so, they provide therapeutic services to youth in our care while the Intervention Services Division focuses on intervention strategies and behavior skill acquisition.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Integrated Treatment Division utilizes the Risk, Need, Responsivity Model in conjunction with Intervention Services and Treatment Services in order to ensure that therapeutic approaches are targeted to youth individually. This supplements Intervention Services to ensure a holistic approach rather than being a duplication of effort or in conflict.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

N/A

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Current staffing levels provide for minimal staffing which, at times, requires case managers to provide direct supervision for the daily routine. This impacts the ability of our case managers to proactively and effectively complete their interventions with youths. At a 1:12 staffing ratio, staff are managing youth versus "engaging youth".

Sections N-P: N/A

Texas Model of Intervention

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Texas Model of Intervention

Location/Division: Statewide

Contact Name: Thomas Adamski

Statutory Citation for Program:

- Sections 242.002, 242.051, and 244.006, Texas Human Resources Code.
- Section 59.009, Texas Family Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Texas Model is the way in which our agency conducts its business with youth, staff, families, and other stakeholders. The Texas Model is a comprehensive trauma informed correctional process which helps staff understand how trauma impacts the brain of our youth and helps youth develop regulation skills through: connection, engagement, purposeful dysregulation/regulation activities, giving youth a voice, empowerment, "softening" of the correctional environment, and the skills needed to help them regulate and become self-regulating.

The Texas Model uses the principles of Trust-Based Relational Intervention (TBRI®) and other trauma informed practices to help youth develop, grow, and learn to self-regulate. A bedrock of the Texas Model is Connection. The Texas Model uses staff led youth activities to help develop connection, build trust and empower youth. We use the IDEAL Response Levels of Engagement to help staff and youth navigate dysregulated behaviors working from the lowest level of interventions to the most restrictive, in progressive steps, if necessary.

The Texas Model incorporates youth art projects, music, sensory activities and other activities to help youth develop and grow. We use Nurture Groups to help youth: use their voice, give and receive care, role play difficult situations, engage in activities, and learn how to regulate themselves when they become dysregulated. The Texas Model relies upon connection and appropriate relationships versus compliance.

The agency uses our Texas Model Champions staff and TBRI® Practitioners to help coach staff and infuse the Texas Model into dorm, facility, and the agency's culture.

Texas Model Champions Certification

The purpose of the Texas Model Champion Certification program is to provide staff with personalized in-depth training conducted by facility Texas Model Mentors, and Team Leaders in order to help those staff develop skill sets and become the embodiment of "The Texas Model". In turn, Champions carry the mantle of the Texas Model by role modeling and helping develop other staff members in the Model's principles and skill sets.

The Champion Certification process provides a structured manner to review and train on the following eight essential functions: Connecting Principles, Empowering Principles, Correcting Principles, Engagement Strategies, Playful Engagement, Structured Engagement, Calming Engagement, and Protective Engagement. It also provides a systematic method to review skills, train on them, and demonstrate those skills by staff to the Texas Model Coach or Team Leader.

The culmination of training includes a Texas Model Champion Certification process using a performance-oriented checklist of demonstrated skill sets for each of the eight essential function areas. It provides staff the opportunity to demonstrate, be coached, receive feedback, and be supported, while developing these crucial skill sets. Once the staff has satisfactorily completed the certification process, they are a Texas Model Champion.

Our current emphasis is developing Texas Model Champions lies in certifying Dorm Team Leaders (Priority 1), then Senior JCOs (Priority 2) and then JCOs (Priority 3) across all five facilities.

The Texas Model Certification process is intended to become a Train-the-Trainer program, eventually reaching all coaching staff agency-wide.

Texas Model Camps

Texas Model Camps will be conducted at all five secure facilities during the summer of 2021. These camps are intended to be both educational and enjoyable and encourage youth and staff to engage in a myriad of activities. These "fun" staff led youth activities are to provide youth with a fun "camp like" experience while reinforcing their ability to engage in activities, dysregulate and then self-regulate. They also develop teamwork between youth and staff.

The camps are structure in a round robin fashion with multiple activity stations, youth and their supervising staff rotate through the stations as the day progresses. Both youth and their supervising staff engage in activities together. Each facility is working independently to tailor their camp to their specific youth population. Each facilities Recreation Department and Texas Model Mentor is working with the Texas Model Development Team to conduct their respective camp.

The following dates are indicated below for each facilities camp dates:

- Mart 7/28/2021
- Ron Jackson 7/19&20/2021
- Giddings 7/26&27/2021

- Gainesville 7/28&29/2021
- Evins 7/27/2021

Facility Texas Model Camps were conducted as scheduled. The events were well received by youth and staff across the agency.

Texas Model Camps for our Halfway Houses are to be conducted during the late summer of 2021. It is intended for Texas Model Camps will become annual or semi-annual events at all facilities and Halfway Houses by the spring of 2022.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

The Texas Model of Intervention is an overarching concept that encapsulates parts of many programs including treatment, parole, reentry, state services, and others. See Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Texas Model History/Timeline: 2018-2021

In February 2018, TJJD Executive Director, Ms. Camille Cain, tasked several executive staff members to begin the initial planning and preparation for a pilot program for an Agency Model trauma-informed practices. Her intent was to identify and develop a framework to serve as the framework for a trauma informed system for the state's juvenile program. Ms. Cain directed that the pilot program occur at two separate facilities initially, and that the process be "exportable" to all other facilities within the agency. This Model was designated "The Texas Model".

- **March 2018:** Texas Model dorm pilot planning began (2 pilot dorms: 1 at Ron Jackson in Brownwood, TX, and 1 at Mart, TX)
- **March-July 2018:** Texas Model pilot dorm planning, infrastructure modifications, staffing model development, and environmental softening initiatives conducted at Mart and Ron Jackson facilities.
- **May 2018:** Key Agency Leadership Trained at a 2 Day TBRI® Training in Houston, Texas (Approximately 16 staff).
- **September 2018:** Facility-wide Trainings at Ron Jackson and Mart (2 X 8 Hour sessions each Darren Jones/Henry Milton KPICD) Approximately 200 staff trained at each facility.
- **September 2018:** Key staff members assigned to Texas Model pilot dorms and youth cohorts Identified (ACES score of 2 plus)

- **September 2018:** First cohort of TJJD staff attend TBRI® Practitioner Training (16 total staff)
- **September-October 2018:** Texas Model pilot dorms conducted internal trainings in the following areas: schedule, regulation, activities, hydration/nutrition, Nurture Group®, and the IDEAL Response®.
- **October 2018:** Texas Model workshops held at Mart and RJ. Workshops facilitated by Ms. Cain and Ms. Carter. Workshops included Texas Model dorm staff and youth.
- **November 2018:** Ms. Marti Smith, Occupational Therapist and TBRI® Practitioner visits the Ron Jackson facility and Mart Facility. Trained approximately 100 staff and conducted site visits with recommendations.
- **November-December 2018:** Texas Model pilot dorms come up on line. (Youth admission rates of 2-4 youth per week were allowed to help manage dorm cultures)
- **January 2019:** The "Champion Team" formed, whose purpose was to involve Executive Level staff direct access to supporting facility efforts in implementation, by Executive Director Camille Cain to begin the task of agency-wide planning and implementation of the Texas Model. The Texas Model Implementation Team formed to assist in facility leadership and staff in their implementation of the Texas Model.
- **March/April 2019**: 2nd cohort of TBRI® practitioners attended training. Approximately 16 staff. This cohort included Facility Leadership, various agency directors, and other key leaders from throughout the agency.
- **April 2019:** Data assessment conducted of The Texas Model dorms and their incident rates and overall environments.
- **April-June 2019:** The Texas Model Team developed the Agency's Implementation Plan, Texas Model Dorm Criteria Compliance Checklist, multiple training and instructional packages for staff, and the method by which the agency would measure its compliance overall with a certification process. Version 1.0.
- **May 2019:** Focus Groups held by Executive Director Camille Cain and Deputy Executive Director Shandra Carter at Mart. Youth anecdotal comments clearly chose the Texas Model dorm's overall culture over other dorms on campus.
- **June 2019:** Facility Implementation Plans finalized and approved.
- **July 2019:** The Texas Model Team added 2 new staff, both TBRI® Practitioners, to assist in staff training and agency implementation of The Texas Model.
- **July 2019:** Isolation (Security Units) re-designated as Regulation and Safety Teams/Units. Action taken to provide assistance in regulating youth versus removing them from a housing unit or programming.
- **July/Mid-August 2019:** Facility-wide staff training occurring on the Texas Model (TM 101 Overview, TM 102 IDEAL Response, TM 103 Nurture Group, and TM 201

Brain/Trauma). Texas Model Lesson slides with handouts retained. Approximately 600 total facility staff trained during this period.

- **Late July-August 2019:** All dorms on all high restriction facilities began to serve youth with The Texas Model.
- **August 19-30, 2019:** Texas Model Dorm Certifications conducted at all agency facilities by the Texas Mosel Team and key facility staff.
- **August 31, 2019:** 70 percent Agency Goal. (499 youth served/796 youth assigned): 63 percent of all assigned youth in high restriction facilities served by The Texas Model on August 31, 2019.
- **September/October 2019:** 3rd Cohort of TBRI® practitioners trained. Approximately 16 staff.
- **September 2019:** Developed and distributed to all agency personnel a TBRI® Practitioner application. Application sent by Executive Director Cain. Texas Model Team retains all applications submitted in a centralized repository.
- **September-November 2019:** Academic school building added a functional MAPS area in all school buildings to allow youth to regulate within the school and return to academic programming.
- **October 2019-January 2020:** Multiple Agency Texas Model training occurred for agency staff at Central Office Headquarters. Trainings conducted as various Division/Department Chairs asked for specific training sessions. All training sessions conducted by a TBRI® Practitioner Texas Model Team member.
- **October-February 2019:** Facility Mentorship Collaboration initiative launched with all facilities, key staff, and Ms. Sarah Mercado from KPICD at TCU. Initial meeting held via TEAMS Conference in February 2020.
- **November 2019-** Agency TBRI® Practitioner training seats allocated for FY/CY 2020. 4 iterations at 10 seats per class. 40 total training seats.
- **November-January 2020:** Ms. Marti Smith, Consultant, Occupational Therapist, and TBRI® Practitioner conducted staff training and a site visit at the Giddings Facility in November 2019. She then later conducted training for staff at the agency Headquarters in Austin Texas in January 2020. 85 staff were trained in Trauma Informed Care systems.
- **December-March 2020:** TBRI® 101 self-paced, computer based-learning program made available to select staff. The first iteration included training approximately 100 TJJD staff in the tenants of TBRI® and trauma informed care practices. Each group had a designated facilitator (TBRI® practitioner), to provide additional resources to assist in completing their respective program.
- **December 2019-** Consultation visit from Dr. Henry Schmidt from the University of Washington. Provided great insight into program successes, measurement, metrics, and

a measurement tool. Based upon previous work with Washington State Juvenile authorities and the implementation of Cognitive Behavioral Therapy (CBT).

- **December 2019:** The Texas Model Dorm Assessment (v2.0) and the Texas Model Staff Proficiency Assessment, were developed in draft form and circulated for input and comments. Both forms highlighted specific Texas Model Proficiency indicators, examples, antithetical behaviors, and scoring guidelines.
- **December 2019:** v2.0 of the Texas Model Dorm Assessment checklist tested at the Evins Facility on two dorms. Results compared to dorm results from the previous assessment tool. (Moving away from a Go, No-go status to a numeric value that can be monitored by proficiency area to review improvement)
- **January-March 2020:** Facility Mentor/Coach initiative undertaken to hire one dedicated TBRI® Practitioner staff per facility. These staff report directly to the facility Superintendent with a dotted line to the Associate Director of the Texas Model (Troy McPeak). All Mentor Coaches hired by March 1, 2020. Mentors will help drive the Texas Model Champion program at facilities.
- **February 2020:** Approved Agency Goals and tasks provided to all Champion Team members. Team members developed and implemented assigned tasks.
- **February-April 2020:** Collaboration between KPICD and TJJD allowed for a Facility Mentor from KPICD to be "paired up" with each facility. Initial introductions and site visits underway.
- **March-April 2020:** TBRI® Practitioner staff training scheduled for Orange County California and Fort Worth Texas both canceled due to Covid-19. 20 scheduled staff training seats lost.
- **May-July 2020:** Texas Model Staff Certification initiative underway. Texas Model Team members working with Facility Texas Model Coaches and key leadership to conduct a baseline staff competency assessment. These results will allow for a more focused and individualized training plan at the Dorm/ Team level as we move forward.
- **August 2020- February 2021:** Coordinated with TCU's KPICD to conduct an on-line version of TBRI® Practitioner Training for Texas Juvenile Justice Department and Texas County Probation staff.
- **October 2020- February 2021: The** Texas Model Team collaborated with TCU's KPICD to develop role-play videos for use in the online TBRI® Practitioner's training.
- **March 1-12, 2021:** Collaborated with TCU's KPICD and participated in the Texas Juvenile Justice TBRI® Practitioner Training. This training event qualified approximately 150 Texas state and county juvenile justice staff as TBRI® Practitioners.
- **March-April 2021:** Developed Texas Model informational PSA (Public Service Announcement) videos focusing on information to families of TJJD youth and other stakeholders.

- **March-June 2021:** Texas Model Team in partnership with State Facility Leadership began planning for Texas Model Camps at all facilities and Halfway Houses during the summer of 2021.
- **March-June 2021:** Texas Model Team in collaboration with Treatment Services began the initial infusion of DBT (Dialectical Behavior Therapy) into the conduct of Nurture Groups.
- **April-June 2021:** Texas Model Team in partnership with State facility leadership initiate The Back-to-Basics campaign. This campaign re-refocused all agency staff on fundamental concepts of the Texas Model.
- **April-June 2021:** Texas Model Team in partnership with State Facility leadership refocused on training and developing facility staff in the concepts "Staff Led Activity" to help staff engage better with youth and build enhanced levels of trust.
- **April-July 2021:** Texas Model Team in partnership with State Facility leadership refocused the efforts of the Texas Model Champion program to help enhance and streamline the Champion process. In addition, infuse other Champions and TBRI® Practitioners into the Champion development process.
- **July 2021:** Conducted Texas Model Camps at all State Facilities.
- **August 2021-** Conduct Texas Model Camps at all Halfway Houses.
- **August 2021**- Trauma Informed Camp initiative undertaken in partnership with facilities, Director of Secure Facility Operations, and the KPICD team.
- **August 2021**- Director of Texas Model Leadership Development identified.

Texas Model Implementation/Sustainment Strategies

- Agency Leadership must role model the importance of this task. Implementation of the Texas Model must be everyone's priority.
- Initiate steps to enhance staff connection and engagement with youth – before training begins on dorms and Teams.
- Adjust staffing models to afford direct care staff the ability to interact, connect, and engage with youth.
- Take lessons learned from the pilot dorm projects and apply to agency implementation.
- Train at the Dorm and Team level as much as possible. (Team Leaders must own their teams and be accountable for their training and success).
- Ensure trained staff (TBRI® Practitioners) are spread throughout facilities and used in critical positions. E.g. where they can move the needle and role model for other staff.
- Train, Train, and Train staff. Then, practice, practice, practice. Ensure staff feel comfortable to make an honest mistake.

- Each Facility and Team should have a Principle of the Month to focus on. Support the selected Principle with a Direct Care Skill of the Month.
- Nurture Groups are a critical part of intervention and connection. Ensure supervisory staff assist direct care staff in the logistics required.
- Facility Leadership must use their Coach and Mentors to focus on critical staff training and development needs.
- Use all staff meetings, Team Meetings, and Management Meetings to focus on a skill or principle of the model.
- Share information via the formal and informal chain of command.
- Use the Champions Team Meeting as a forum for all to raise issues, share information, and voice concerns.
- Have selected staff conduct Body Worn Camera (BWC) reviews. Use appropriately as a training tool.
- Continue a robust program of identifying key staff who have "bought in" and get them to TBRI® Practitioner training or other development trainings as quickly as feasible.
- Carefully select TBRI® Practitioner candidates. These precious training seats are used on those staff who can "move the needle" and influence others.
- Ensure all critical incidents are debriefed. Glean "lessons learned" and ensure there is a repair piece to the process.
- Must have a balance of Nurture with Structure. Avoid too much Nurture or too much Structure! (Achieve a reasonable balance)
- Staff must be accountable to use the Texas Model in their daily roles as direct care staff.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Texas Model Team currently assists the agency's leadership in moving the Texas Model forward via training, consultation, technical assistance and collaborative projects. The Texas Model Team is comprised of the following positions:

Director of the Texas Model

Associate Director of the Texas Model

Youth Activities Leader

All members of the Texas Model Team are TBRI Practitioners

The Director of the Texas Model reports to the Deputy Executive Director and serves as a coordinator/conduit for agency-wide efforts to continue development of staff and assist in training efforts agency-wide. The Texas Model Team works collaboratively with all agency directors to ensure their specific training and development needs are met. The team also works closely with other divisions to maximize resources and avoid duplicative efforts.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Texas Model of Intervention	***1.0***	***1.0***	***-***	***$ 728,893***	***$ 411,922***	***$ 272,000***
B.1.8. Integrated Rehabilitation Treatment	1.0	1.0	-	$ 728,893	$ 411,922	$ 272,000
Other State Funds	1.0	1.0	-	$ 312,068	$ 153,256	$ -
General Revenue Fund	-	-	-	$ 416,824	$ 258,666	$ 272,000

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

N/A

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Texas Model Team works closely with Executive Leadership and Facility Leadership to ensure effective communication occurs and minimal duplication occurs. Primary responsibilities are defined and teams work to positively impact outcomes for youth.

A MOU exists currently between Williamson County Juvenile Center and Texas Juvenile Justice Department to share instructional videos on the IDEAL Response and Levels of Engagement.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

A partnership with County Probation Chiefs and their respective departments for participation in an all Texas Juvenile Justice TBRI® Practitioner Training March 1-12, 2021. This effort produced approximately 150 TBRI Practitioners throughout Texas in state, county and local juvenile justice settings.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

TJJD contracts with entities to provide trauma-informed training and resources to agency staff and opportunities for probation departments.

- **the amount of those expenditures in fiscal year 2020;**

$51,000.00

- **the number of contracts accounting for those expenditures;**

2

- **the method used to procure contracts;**

These contracts were procured using a request for proposal (TCU) and by being directly awarded without solicitation (Marti Smith Seminars Inc).

- **top five contracts by dollar amount, including contractor and purpose;**

CON0000981 – maximum contract amount of $525,000.00 with Texas Christian University for training for staff on Trust-based Relational Intervention.

CON0000957 – maximum contract amount of $8,200.00 with Marti Smith Seminars, Inc. for trauma-informed employee training.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Current direct care staffing levels provide for minimal staffing, which impacts the ability of direct care staff to proactively engage and regulate youth. At a 1:12 staffing ratio, staff are "managing youth" versus "engaging youth". The goal of the Texas Model is to engage youth and help them maintain their own personal regulated state. Once youth become dysregulated, staff operating at minimum staffing levels often need assistance from others not on the dorm/pod.

This makes it very difficult to catch minor behavior issues low before minor behavior issues become major issues.

Sections N-P: N/A

Violence Intervention Continuum

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Violence Intervention Continuum. It is designed to manage aggressive and violent behavior and includes the Intensive Intervention Program, the Redirect Program, and the Phoenix Program.

Location/Division: Statewide

- ***Contact Name: Tamu Steptoe***
- ***Statutory Citation for Program:*** Sections 244.002, 244.005, and 244.006, Texas Human Resources Code.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The TJJD rehabilitation strategy is focused on Texas Model concepts and includes identifying each youth's dynamic risk and protective factors and helping youth develop skills to reduce the risk factors in their lives. Evidence demonstrates that identifying a youth's risk level, assessing needs, and targeting interventions that are responsive to individual needs is critical to that youth's long-term success upon returning to the community.

The programs and services offered through the agency's Texas Model of Intervention support daily success for the majority of youth committed to TJJD. However, a small group of youth demonstrate behavior that requires removal of these youth from the general population for the safety of others. TJJD provides these youth with additional resources within the *TJJD Violence Continuum* to transform their behavior and facilitate their success.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

The Violence Intervention Continuum has demonstrated its effectiveness in keeping incidents of violence lower at the four facilities that do not operated the highest levels of the Continuum. From 2020 to 2021, there was a 33 percent reduction in individual incidents classified as aggressive at these four facilities, and the rate per 100 youth decreased 17 percent. These statistics show that the focused intervention of placing violent youth in the specialized program works to decrease aggressive incidents at the other facilities.

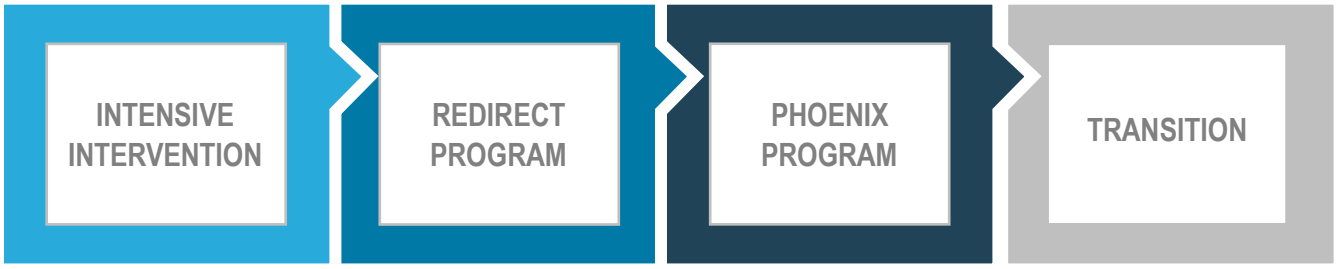
D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The Violence Intervention Continuum program is a multifunctional tier program to ensure we are able to meet each youth need at the least restrictive environment. The Continuum holds three different tiers Intense Intervention Program, Redirect Program and the Phoenix Program. The Intense Intervention Program is housed at multiple facilities and allows TJJD to provide youth with a day intervention that works with disruptive behaviors that do not allow treatment to flourish. The Redirect Program is housed at Evins Regional Juvenile Center and is designed to reduce risk factors through a reduced population, increased programming and a token economy. The Phoenix program is designed to work with highly aggressive youth through appropriate placement. The Phoenix program holds three levels Phoenix, Phoenix Max and Phoenix Mental Health. This allows for appropriate population sizes to deliver intensive treatment and increased staffing to ensure safety and treatment are the key priorities.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.



Intensive Intervention Program (IIP)

The Intensive Intervention Program is an intensive 30- to 45-day behavior intervention day program designed to empower necessary behavior change as well as teach youth to manage emotions, their reactions to stress, and learn to take responsibility for their decisions using Dialectical Behavior Therapeutic Principles. During the duration of the program, youth will remain a member of their assigned dorm (home dorm), but will attend all daily functions at the off-dorm Program site. Youth will sleep on their home dorm. As their behavior improves, regulates, and stabilizes, a youth can transition back to their placement in general population, specialized treatment, and programming in an individualized graduated progression.

Interventions include both group and individual sessions focused on youth's individual goals and target skill as outlined in the youth's individualized case plan. Delivered a minimum of 22 hours

per week these skills and strategies include Nurture Groups, Regulation Activities, DBT Skills Groups and Mindfulness Groups, Carey Guides and Brief Intervention Tools.

For a youth to qualify for placement in the Redirect Program or the Phoenix, they must have a proven true level II hearing.

Redirect Program

The Redirect operates as a self-contained unit. All services, such as case management services, school, psychological counseling, dining services, and recreational activities, are provided within the unit or in a secured outdoor space.

The Redirect Program are built around evidence-based principles and practices, with a focus on the specific risk factors that contribute to each youth's aggression. The program addresses these risk factors by teaching DBT skills and regulation techniques. This program is designed to reduce the intensity, frequency, and duration of a youth's violent and/or unsafe behavior by teaching them emotion regulating skills and appropriate replacement behaviors.

Phoenix Program

The Phoenix Program is a longer-term, highly structure environment that operates as a self-contained unit. All services are provided within the unit, to include Case Management, Education, Psychological counseling, dining services, and recreational services. Youth must have a proven level II hearing and approved by the Violence Intervention Continuum committee to be placed in the Phoenix program.

All youth are assessed for appropriate placement in Phoenix, to include Phoenix Max for highly aggressive youth and Phoenix Mental Health for dual treatment youth. Youth in the Phoenix Program are all provide Weekly Case management services, weekly Youth Service Team meetings, Mental Health services based off their needs, DBT skills and regulation techniques. All services are focused on reducing risk behaviors and preparing a youth to return to the least restrictive environment.

Transition

Transition Unit was developed to help youth re-enter general population. The program provides all general population aspects and allows youth to demonstrate the skills they learned. Each youth transitions from the Evins Regional Juvenile Center with an Individual Case Plan and a support plan.

Goals of these programs

- provide youth with a highly structured and safe environment that allows them to develop the motivation and skills necessary to reduce aggressive behavior;
- help youth explore personal risk factors and the impact of these risk factors on attitudes, values, thoughts, choices, and behaviors;
- shape behavior and build coping skills through targeted skill development with directed practice, positive reinforcement, and staff modeling of pro-social skills;
- help youth to experience positive peer interactions;

- help youth internalize behavioral change by reinforcing demonstration of learned skills; and
- provide a gradual reintegration of them back into the regular programs with support for relapse prevention and reinforcement for ongoing demonstration of learned skills.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Violence Intervention Continuum	***191.7***	***184.7***	***194.7***	***$ 6,064,330***	***$ 8,018,690***	***$ 10,125,007***
B.1.2. Facility Operations and Overhead	19.8	19.9	22.8	$ 1,578,087	$ 1,614,111	$ 1,885,853
General Revenue Fund	19.8	19.9	22.8	$ 1,578,087	$ 1,614,111	$ 1,885,853
B.1.3. Facility Supervision and Food Service	171.9	164.8	171.9	$ 4,486,243	$ 6,404,579	$ 8,239,155
General Revenue Fund	171.9	164.8	171.9	$ 4,486,243	$ 6,404,579	$ 8,239,155

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Entry in Specialized Treatment programs at TJJD requires youth to be assessed by the Psychology department to find the risk factors of the youth and the need for treatment, However, entry into the Moderate Level, Redirect, and the Intense Level, Phoenix, of the violence continuum, youth must have a proven Level II hearing that meets the program eligibility.

Eligibility for the Moderate Level, Redirect, is that a youth must meet the following:

1. a youth who is referred to the Phoenix program pursuant to GAP 380.9535, of this title or who engages in one or more of the following rule violations as defined in 380.9503 of this title meets criteria for placement in the Redirect Program:
    a. assault or fighting;
    b. escape or attempted escape;
    c. vandalism (major rule violation only);
    d. sexual misconduct (excluding kissing);
    e. possessing or threatening others with a weapon or item that could be used as a weapon;
    f. chunking bodily fluids;
    g. tampering with safety equipment, or
    h. any other major rule violation when the totality of circumstances justifies placement.

Eligibility for the Intense Level, Phoenix, is that a youth must meet the following:

2. a youth who engages in one or more of the following rule violations:
    a. assault causing moderate or serious bodily injury to another youth
    b. assault causing bodily injury to staff;
    c. fighting causing moderate or serious bodily injury to another youth, or
    d. chunking bodily fluids at staff, or
3. a youth who engages in any other major rule violation when the totality of circumstance justifies the placement in the program and the placement is directed by the executive director or designee, or
4. a youth who commits, on three separate occasions within a 90-day period, an assault causing bodily injury, as defined in 380.9503 of this title, when the second and third assaults are committed after a finding of true with no extenuating circumstances had been made in a Level II due process hearing for the previous assault.

When a youth completes all required phases, levels and or needs of a treatment program youths program need is completed and closed. However, when a youth in the Redirect or Phoenix program completes the needs for the program the youth is moved to a Transition status within the program and slowly reintegrated to General Population. During this slow reintegration to General Programming youth is housed in a smaller environment but participates in all campus movement. Youth do receive programming for treatment needs, Case Management Groups and Individuals and Mental Health Interventions. While in this program youth are expected to use the skills, they learned through their previous programming. If a youth is unable to remain safe or unable to use the skills they learned the Youth Service Team is able to meet and recommend placement back in their program. If YST does determine placing back in Redirect or Phoenix is appropriate then this must be sent to the Violence Continuum Board for final approval. Once approved a youth does go back to original programming, Redirect or Phoenix, and will start as a Level III in the program. If a youth is able to use their skills within the program and continue safe behaviors after 14 days in the program, CPU will be notified the youth is ready to complete and the youth will be moved into a General Population at the appropriate TJJD State School within 7 days.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The General Population Programs use a stage system, this requires youth to use appropriate coping skills, meet goals set through the YST and continue safe behaviors. The Violence Intervention Continuum program uses dosage hours, demonstration hours and a Level System to move throughout the program. Dosage hours are obtained through participation in treatment groups and activities, and demonstration hours are obtained through demonstrating skills learned outside of the treatment groups and actives. The Level System requires the youths

YST to meet and determine if a youth has established safe behaviors, followed the programming schedule, worked on their goals to help reduce recidivism and utilized appropriate regulation tools. The Primary Level- Intensive Intervention Program requires youth to complete 210 dosage hours and 60 demonstration hours prior to release from the program. The Moderate Level- Redirect Program requires youth to obtain 180 dosage hours, 60 demonstration hours and the Transition program. The Intense Level- Phoenix requires youth to earn three levels approved by the YST and complete the Transition program.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

N/A

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

To ensure the safety and security of all youth and staff in the Violence Intervention Continuum programs the staffing ratios are higher. The higher level of ratio needed does impact staffing and at times can cause barriers within the staffing constraints. This increases the number of overtimes to maintain the high level of staffing and to work with the most challenging and aggressive youth. This also requires high levels of Case Management interventions and Mental Health interventions; higher level of interventions does require a higher number of staffing for these two department. This can cause variances in services provided and ability to provide the services when positions are not filled. Which affects the fidelity of the program.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Due to working with highly challenging and aggressive youth the amount of training provided to employees needs to increase. This will help train staff on how to handle sexually driven behaviors, aggressive behaviors and trauma response behaviors. Along with ensuring each staff

understand the different treatments provided, such as DBT, to ensure all staff are providing the same interventions. And ensuring each staff understand the programming provided to each youth and how a youth progresses in programming.

This also requires us to ensure all Case Managers and Mental Health Provider are DBT certified. Along with ensuring that Team Leader, Senior JCO, Case Manager and Mental Health Provider is either TBRI certified or Texas Champion certified to provide Nurture Groups and mentor the Texas Model. And ensuring each JCO was been provided the Texas Model Basic training each year to ensure appropriate interventions are provided to each youth.

By providing a higher level of training to each staff and increased training based on the staff's role it allows for a well-rounded program. A well-rounded program allows each area to act in unison and help create a safe and structured environment.

Sections O and P: N/A

Nutrition and Food Services

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Nutrition & Food Services

Location/Division: Central Office

Contact Name: Sarah B. Wall, MS, RDN, LD

Statutory Citation for Program: Statutes: 242.051, Human Resources Code; 244.009, Human Resources Code; Healthy, Hunger-Free Kids Act of 2010 (HHFKA, P.L.111-296); reimbursement through USDA-FNS requires compliance with National School Lunch Program and School Breakfast Program

B. What is the objective of this program or function? Describe the major activities performed under this program.

Nutrition & Food Services (NFS) provides nutritious, appetizing meals that are designed to meet current and reputable nutrition guidelines and food safety and sanitation practices; follows United States Department of Agriculture (USDA) guidelines for the National School Lunch Program (NSLP) and School Breakfast Program (SBP); and supports the rehabilitation of youth through good nutrition. NFS Standardized Menus are revised annually for use by the TJJD facilities and meet or exceed the standards set forth by the NSLP/SBP and the most recent Dietary Guidelines for Americans and the Recommended Dietary Allowances.

To ensure that nutritional, safety, sanitation, and quality standards are met, NFS provides the following services: menu planning that meets evidence-based nutrition standards; on-site semiannual inspections of food services to monitor compliance with program regulations, food safety and sanitation standards issued by Texas Department of State Health Services (TDSHS), purchasing, and food preparation, and to provide oversight of Texas Department of Agriculture – National School Lunch Program/School Breakfast Program (TDA - NSLP/SBP) implementation; policy and procedure development; annual foodservice staff training that meets professional

standards criteria as established by USDA for NSLP/SBP; and nutrition consulting and special diet accommodations.

In addition to these services, NFS conducts annual Food/Wellness Surveys, which provide all youth an opportunity to express their food preferences and provide feedback on current meals and snacks served.

NFS Registered Dietitian Nutritionists (RDN) provide consultation and technical assistance to facility health care staff regarding therapeutic special medical diets and other nutrition-related issues regarding TJJD youth.

NFS monitors youth grievance trends relating to the nutrition and food services program; investigates youth grievances, as needed; and oversees the resolution of grievance appeals and alleged mistreatments to ensure that youth receive timely and appropriate nutrition.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Youth Food/Wellness Survey – An annual survey to measure youth food preferences and access to services related to wellness goals and requirements. Examples from 2021 survey:

Survey Question	Strongly Agree	Somewhat Agree	Neither Agree nor Disagree	Somewhat Disagree	Strongly Disagree
I know more about nutrition now than when I first arrived at TJJD.	12%	16%	26%	0%	46%
I am given the opportunity to exercise daily, such as basketball, football, walking, or swimming.	30%	22%	16%	0%	32%
I participate in exercise daily such as basketball, football, walking, or swimming.	31%	25%	16%	0%	28%
Information is available at TJJD about how to care for myself, such as daily showering, washing hair, brushing teeth, and shaving.	26%	24%	20%	0%	30%
TJJD gives me the items I need to care for myself, such as soap, shampoo, toothpaste, tooth brush, hair brush or comb, and razor.	26%	22%	17%	0%	35%
In school, I would like to be taught more about food that is good for me.	18%	17%	26%	0%	39%

Survey Question	Always	Most of the time	About half the time	Sometimes	Never
Food servers are nice and polite when serving food.	40%	13%	15%	15%	17%
I am served many different types of food.	18%	17%	19%	21%	25%
The dining room is clean.	33%	16%	17%	16%	18%

Triennial Assessment of Local Wellness Policy. USDA requires participants in the NSLP/SBP to conduct a Triennial Assessment of our Local Wellness Policy (LWP). The Triennial assessment measures the effectiveness of TJJD's LWP at least every three years and includes an assessment of the following: (1) compliance with LWP; (2) alignment to model, evidence-based LWPs; and (3) progress made towards attaining the goals described in the LWP. The assessment considers feedback from the annual youth Food/Wellness Survey, semiannual inspection reports, health department inspections, and NFS standards to assess the effectiveness of our LWP. *See Attachment G: NFS School Year (SY) 2020-2021 Triennial Assessment findings.*

Semiannual Food Service Inspection Report. Central Office nutrition services manager, dietetic & nutrition specialist or designee develops report from semiannual inspection of food service operations in TJJD institutions and halfway houses. The semiannual inspection assesses compliance to policies and standards related to foodservice references & records, meal service & dining, sanitation and safety, storage facilities, food service practices, and meal quality.

Local Health Department Inspection. Per NSLP regulations, all food service operations are inspected by state, city or county health departments twice each school year. *Health department inspection averages:* 99.6 percent (SY19); 99.2 percent (SY20); 98.5 percent (SY21).

Annual On-Site Review. Per NSLP/SBP regulations, TJJD assess compliance to meal counting procedures and policy annually at all sites for the lunch meal service and at half of the sites for the breakfast meal service.

Texas Department of Agriculture (TDA) Administrative Review. The Texas Department of Agriculture (TDA) performs an Administrative Review (AR) of NSLP/SBP operations at TJJD every 3 years.

Food Grievances & Appeals – Youth, parents/guardians of youth, and youth advocates have the right to file grievances concerning the care, treatment, services, or conditions provided to youth under the jurisdiction of TJJD. Within food service operations, food service managers at each site address food grievances. If a youth files an appeal to the resolution provided by the food service manager, the Central Office nutrition services manager provides a resolution to the youth's appeal. Grievances are monitored on a weekly basis and tracked throughout the school year. *See Attachment H: NFS Reports from Grievances and Appeals from SY 19-20* for more information.

Special diet reports – TJJD provides medical and religious diets to youth as ordered by appropriate staff based on policies. Central Office Nutrition staff review and track all medical

and religious diets by site, including youth name, type of diet, diet specifications, start/end date, and diet termination information. *See Attachment I: NFS Special Diet Reports for more information.*

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

With the agency adoption of the Texas Model, Nutrition & Food Services (NFS) has taken steps towards implementing a more trauma-informed approach to dining and meal services and a more therapeutic menu that considers the unique dietary requirements of our youth population. Whereas NFS food operations has consistently met or exceeded current nutrition standards set forth by the NSLP/SBP, Dietary Guidelines for Americans, and the Recommended Dietary Allowances, current NFS practice also considers the unique background, culture, and experiences of our youth population that may impact dietary needs and preferences, such as:

- History of trauma, chronic stress and/or anxiety related to a high prevalence of adverse childhood experiences (ACEs);
- Behavioral health, psychiatric & mood disorders;
- Brain development & function;
- Limited choice & variety of meals (4-week cycle menu);
- Cultural diversity & food heritages; and
- Preferences of Generation Z.

With these considerations in mind, in addition to providing safe meals and continuing to meet state and federal requirements and dietary standards, NFS:

- Implements a trauma-informed approach to dining & meal services;
- Provides a therapeutic diet that not only meets the special dietary needs of our youth, but enhances overall health and quality of life;
- Provides meals that appeal to our youth's diverse cultural heritages & traditions; utilizes seasonally-appropriate produce; and considers popular food trends, kid-friendly foods, peer group influences and evolving palates of Generation Z; and
- Enhances the future career prospects of our youth through foodservice skills training.

See Attachment J: NFS New Menu Approaches for additional information.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Administration

TJJD employs registered, licensed dietitians as the Central Office nutrition services manager and dietetic & nutrition specialist to provide direction, oversight, and technical assistance for nutrition and food services. Each site employs a certified food service manager to oversee daily on-site food service operations and to act as supervisor to cooks. All NFS staff receive orientation training and are required to meet a specified amount of annual professional training hours per NSLP regulations.

Menu

NFS conducts an annual Menu Board with NFS staff and supervisors to allow staff to provide input into the development of pre-planned, standardized menus and recipes. Menu Board also considers the results of the Youth Food/Wellness Survey when making recommendations for the menu. After Menu Board convenes, Central Office dietitians use Menu Board suggestions in developing the standardized menus and recipes, with adjustments made as needed, to meet the applicable regulations, requirements, and cost considerations.

Food services at TJJD facilities and halfway houses follow a 4-week standardized cycle menu created by Central Office dietitians. The daily menu includes 3 meals (breakfast, lunch, and dinner), AM snack, PM snack, HS (late-night snack), and fresh fruit snack, follows USDA regulations for NSLP/SBP, and meets current dietary standards.

TJJD provides medical diets for TJJD youth using the Texas Academy of Nutrition & Dietetics Medical Nutrition Therapy Manual as a guideline. Special diet menus (sodium-restricted, diabetic, ovo-lacto vegetarian, etc.) are available at all TJJD sites to accommodate youth on special medical or religious diets. Medical diet orders are completed by health care professionals and completed diet orders are provided to the site food service manager. Religious diet orders are completed by facility chaplains, halfway house assistant superintendents, or designees, and completed diet orders are provided to the site food service manager.

Purchasing

TJJD institutions and halfway houses submit requisitions for food, food service equipment, and supplies in accordance with a standardize menu, statewide purchasing rules and procedures, the Texas Department of State Health Service Texas Food Establishment Rules, and TDA-NSLP/SBP.

Requisitions for food items that are on statewide term contracts, on the scheduled purchase requisition, and obtained through the Texas Comptroller of Public Accounts are submitted through each institution's purchasing department.

Food Preparation

Food service staff prepare all food using standardized recipes developed by Central Office dietitians to ensure quality, quantity, and cost control of all meals served, and complete a food production record for each meal and snack to meet documentation requirements for TDA-NSLP/SBP.

Health & Hygiene

Food service managers ensure that all food service staff members properly follow safety, hygiene, and sanitation requirements set forth by TJJD and DSHS, and monitor all staff and youth working in food service daily for health and cleanliness at each shift.

Food Safety and Sanitation

Food service operations adhere to Hazard Analysis and Critical Control Point (HACCP) principles in its standard operating procedures for food safety in order to prevent contamination and foodborne illness. Food service operations comply with the Texas Department of State Health Services' Texas Food Establishment Rules (DHSH – TFER) for food storage in refrigerated, frozen and dry states. Potentially hazardous foods such as meats, seafood, and dairy products are properly cooled and thawed in accordance with DSHS – TFER. The temperature of all food served by TJJD meets the requirements of the DSHS – TFER and the NSLP/SBP. Each facility's food service areas, including the kitchen and dining areas, are cleaned daily and inspected weekly, in accordance with the DSHS – TFER. Food that is received by delivery is inspected for freshness and safely transferred to proper storage as quickly as possible.

Inspections and Monitoring

Meal quality evaluations are performed regularly by NFS and site administration to ensure that food flavor, texture, temperature, appearance, and portion size are considered in the preparation and service of meals. Food Service inspections are performed on a regular basis by both TJJD staff (Food service managers, Central Office NFS staff) and Non-TJJD staff (TDA, local health departments, etc.).

Meal Counting & Claiming

Free meals are provided to all youth. All TJJD facilities maintain a daily and monthly record of all meals served by meal service period as required by TDA-NSLP/SBP regulations. Meal counts are taken by individual youth and staff name as each meal is served at the point-of-service for breakfast, lunch, and supper.

Equipment and Product Safety

Food service equipment is maintained in compliance with standards identified by DSHS, and food service staff members submit work orders for food service equipment to the Maintenance Department and/or site administration.

All kitchen tools including cooking utensils, knives, other potentially dangerous tools, and hazardous substances are maintained in locked areas when not in use, are kept under tight inventory, and are checked out of the secure area when in use.

Wellness

As participants in the NSLP/SBP, TJJD is required to implement wellness standards and follow a local wellness policy which is assessed triennially. TJJD incorporates wellness goals and requirements throughout its residential programming with policy standards in the following areas: (1) Nutrition Education; (2) Physical Activity; (3) Health Education; (4) Healthy Nutrition Environment; and (5) Guidelines for Reimbursable Meals.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Food Services	***56.3***	***53.5***	***60.6***	***$ 4,907,580***	***$ 4,236,308***	***$ 6,550,678***
B.1.3. Facility Supervision and Food Service	47.5	43.5	49.0	$ 4,313,832	$ 3,707,537	$ 5,922,877
Federal Funds	-	-	-	$ 1,520,970	$ 1,354,642	$ 1,762,950
General Revenue Fund	47.5	43.5	49.0	$ 2,792,862	$ 2,352,895	$ 4,159,927
B.1.5. Halfway House Operations	8.8	10.0	11.6	$ 593,748	$ 528,772	$ 627,801
Federal Funds	-	-	-	$ 115,296	$ 104,900	$ 133,500
General Revenue Fund	8.8	10.0	11.6	$ 478,452	$ 423,872	$ 494,301

For the 2019-2020 school year (July 2019 - June 2020), TJJD received $1,682,062.30 in reimbursement by providing breakfast and lunch meals that meet USDA regulations and requirements for the NSLP/SBP.

Nutrition & Food Services applies for the USDA Food Service Equipment Assistant Grant on an annual basis. Grant funding received over the past 5 years are as follows: $60,275 (2016); $63,131 (2017); no grant funding awarded (2018); $3,247 (2019); no grant funding awarded (2020).

Entitlement funds for the USDA Foods program is supplied to each site annually based on site population and participation in the NSLP/SBP. Entitlement funds received vary by site and may only be utilized to purchase commodity foods.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Food service operations are consistent at all TJJD facilities and halfway houses. There are no other known programs internally or externally planning, testing, and implementing food service that follow NSLP/SBP guidelines within our target population.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Texas Department of State Health Services (DSHS) / Local health departments. State, city or county health departments are responsible for performing food service inspections twice per year, per NSLP/SBP regulations, to ensure kitchens are kept free of any food sanitation, facility, health, and safety violations. *Health Department Inspection Averages: 99.6 percent (SY19); 99.2 percent (SY20); 98.5 percent (SY21).*

The Texas Department of Agriculture (TDA). NSLP/SBP; performs an Administrative Review (AR) of NSLP/SBP operations every three years. The AR evaluates compliance with the following program requirements in the Critical and General Areas of Review, which include: Meal Access and Reimbursement, Meal Pattern & Nutritional Quality, Resource Management, General Program Compliance and the operation of any other applicable SNP federal programs.

"Excellent" rating received on most recent TDA Administrative Review of NSLP/SBP (SY 2018-2019).

USDA Foods. USDA makes available, nationally, approximately 180 foods for the NSLP program. TDA makes available 145, of the 180, to contracting entities of the NSLP/SBP via the TX-UNPS Annual, Periodic and Processing Surveys. TDA orders USDA Food for the NSLP based on school demand. All TJJD sites take part in the USDA Foods program using entitlement funds provided by TDA annually.

USDA Department of Defense Fresh Fruit & Vegetable Program (DoD Fresh). The DoD Fresh Program allows schools to use USDA Foods entitlement dollars to buy fresh and seasonal produce.

Education Service Centers (ESC). Service organizations of the Texas Education Agency. Local ESC branches provide technical support and assistance to Contracting Entities (CE's) participating in NSLP/SBP.

TxSmartBuy – Texas Comptroller of Public Accounts. TJJD Food Contracts; The State of Texas Cooperative Purchasing Program, available for local governments, education, and non-profit assistance organizations.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

TJJD does not contract for the procurement of food services, those are provided through the utilization of previously negotiated state-wide contracts. However, during FY 2020, TJJD expended $2,833,180.97 from general revenue and federal grant funding to provide food services for the youth in secure facilities and halfway houses.

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Food services acts under budgetary constraints for food purchases, recipe development, and menu planning. What is often the most economical option is often not the most nutritious choice (e.g., canned fruit packed in extra light syrup vs. canned fruit packed in 100 percent juice; refined oils vs. cold-pressed or virgin oils, etc.), and we are limited with our choices by such budgetary considerations. For example, based on annual estimated usage, the total cost of using canned fruits packed in natural fruit juices compared to the total cost of using canned fruits packed in extra light syrup is a cost difference of approximately $56,700 per year. We are also limited to what food items we can purchase based on what is available on state contract. For spot purchases, we are limited to the selection of choices available from our contracted vendors.

Funding for food service staff salary is a limiting factor in our ability to retain trained, dedicated food staff members. Vacant positions and high turnover rates are common in food services, partly due to a salary that is not competitive with other food service industry jobs. Low staffing puts a strain on our food service workers who have to carry the extra workload of vacant positions, or devote additional time to training new workers on a regular basis.

Central Office nutrition services staff is limited to 2 dietitians (nutrition services manager and dietetic & nutrition specialist). The ability to devote adequate time and attention beyond baseline functions to projects and activities that could enrich the NFS program and scope, such as a therapeutic edible teaching garden program for youth, is limited. Additional resources and funding would be required for such projects, as well.

Sections N-P: N/A.

Medical Services

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Medical Services

Location/Division: Central Office

- ***Contact Name:***
  Scott LePor, DO, TJJD Medical Director
  Jana Johnson, RN, TJJD Nursing Director

- ***Statutory Citation for Program:***
  Texas Hum. Res. Code §§244.001, 244.006, 244.009

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Medical Services division provides and oversees healthcare services including medical, psychiatric, optometric, dental, pharmacy, and nursing care, for preventive, acute and chronic treatment services through a trauma-informed lens. These services are provided through a contract vendor for all secure facilities and through free-world healthcare entities for all contract and halfway-house facilities. TJJD medical services oversees all implementation, quality, access to care, and efficiency of these services provided through quality measures and reviews.

Quality measures and reviews include bi-annual Continuing Quality Improvement meeting with contract vendor, monthly reviews of access to care report, medication errors, psychotropic medication report, communicable and sexually transmitted infection report, hospital and emergency room utilization report, quarterly injury, self-harm, and suicidal behavior reports, individualized care cost report for contract care and free-world healthcare costs, quarterly formulary and pharmacology meetings and pharmacy manual review, weekly crisis stabilization patient review, periodic meeting with medical directors for Texas state hospitals and community mental health services, and to investigate and address any concerns for medical mistreatment and grievances. Oversee notification to caregivers for consent or refusal of TJJD statutory obligation to provide medical, medication, psychiatric, dental, immunization and optometric services.

We also oversee appropriation of sick leave pool to TJJD employees for catastrophic medical events. Oversee and approve expenditures for medical care that exceed a baseline amount for youth in high-restriction contract care facilities. Maintain qualifications and approval for access to medical records for TJJD employees. Train and scaffold implementation of trauma-informed healthcare practices with contract vendor and state agencies for TJJD youth. Work with state hospitals and counties to optimize acute mental health care needs of TJJD youth through civil commitments. Working with treatment services team to further develop and optimize an on-site crisis stabilization unit for TJJD youth in optimizing trauma-informed care practices and currently investigating incorporating best practice compelled-medications to fortify safest and optimal on-site care as well as collaborate with state agency medical directors to develop optimal practices in managing further care for critical youth in state hospitals. Developed and maintained best-practice protocols for COVID-19 testing, quarantine, isolation, supportive care and monitoring, preventive measures within facility operation, medical education to youth and staff.

As the COVID-19 pandemic made itself evident, medical services implemented protocols and procedures for screening staff and youth, maintaining safe practices through universal and standard precautions, wearing and handling best available PPE, testing the youth and staff with best evidence-based PCR testing and appropriating proper quarantine and isolation areas while using testing with time-based release strategies. This model was forged through diligence in

evidence-based literature and CDC guidelines as well as reviewing previous similar pathogens and historical bodily responses to recovery and immunity. Testing protocols included variations for mass testing and individual testing, assessing risk of exposure through contact tracing, viral shedding patterns, and relative risk through CDC and WHO recommendations. We were able to maintain a bias towards being health risk averse while also maintaining as optimal staffing as possible for youth safety and facility operations.

Implemented best-practice vaccination services for staff, youth, and community. Maintain continuous as needed contact with contract vendor for any and all healthcare concerns on a daily basis. Integrate facility operations with contract vendor to optimize implementation of healthcare services and safety to youth and medical staff.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

See Cost of Health Care Services Per Juvenile Day, Average Daily Population: Health Care, Cost of Psychiatric Services Per Juvenile Day, and Average Daily Population: Psychiatric Services in Exhibit 2.

Other reports are utilized and regularly reviewed to maintain optimal health care for our youth according to current best practices and monitoring that each youth has access to that care as needed and requested. These reports are listed below with their frequency, and are available upon request:

- Access to care reports (monthly)
- Communicable disease report (monthly)
- MRSA/MSSA Report (annually by fiscal year)
    - Monitored for antibiotic resistant infections to provide effective treatment and prevent spread within TJJD-operated facilities.
- Medication Error Report by Facility (monthly)
    - The division monitors medication errors to continue to improve implementation practices to eliminate errors and optimize safest administration practices. Any error is immediately assessed by the medical provider for any concern or action required.
- Grievance appeals (quarterly)
- Hospital/ER utilization (quarterly; annually by fiscal year)
    - The division monitors for trends in hospitalization and ER utilization and monitors for any underpinning concerns and addresses those concerns accordingly.

- Youth injuries (quarterly)
  - The division closely monitors trends in youth injuries, including self-harm and suicidal behavior, and works closely with the treatment service division and facility operations to maintain the safest possible environment for the youth.
- Medical staffing (as needed)
  - The division monitors medical staffing and implements measures as needed to maintain levels of staffing that afford optimal and cost-effective health care for our youth.
- Healthcare costs (quarterly; annually by fiscal year)
- Psychotropic Medication (monthly)
  - The division receives monthly reports from contract care facilities regarding TJJD youth on psychotropic medication. These reports are reviewed by the director of medical services and director of nursing to ensure there is a clinical justification for the medications. If needed, TJJD medical staff may contact contract care facilities for further information to justify the medications prescribed.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Medical services has foundationally moved to an understanding of its purpose and implementation through the current neuroscience of interpersonal neurobiology and trauma-informed care to optimize implicit healing and connection for youth who come from hard places. Medical services also strives to provide quality and cost-effective health care that is aligned with what a youth would receive in free-world health care.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Infirmary. Each institution has a Health Services Administrator (HSA) who serves as the health authority for the institution. The HSA supervises nursing staff, RNs and LVNs. Each institution has a physician or mid-level practitioner who goes to the facility at least weekly for assessments, physical exams, chronic condition clinics, etc. Dentist, hygienist, and dental assistant to each facility at least weekly for exams, treatments, fillings, etc. Psychiatric services are conducted via telemedicine at each facility. Nursing staff at all institutions; with 2 of the facilities with 24-hour nursing including Ron Jackson and Mart. Scheduled clinics with providers are conducted Monday through Friday, however nursing can assess youth 7 days a week. For

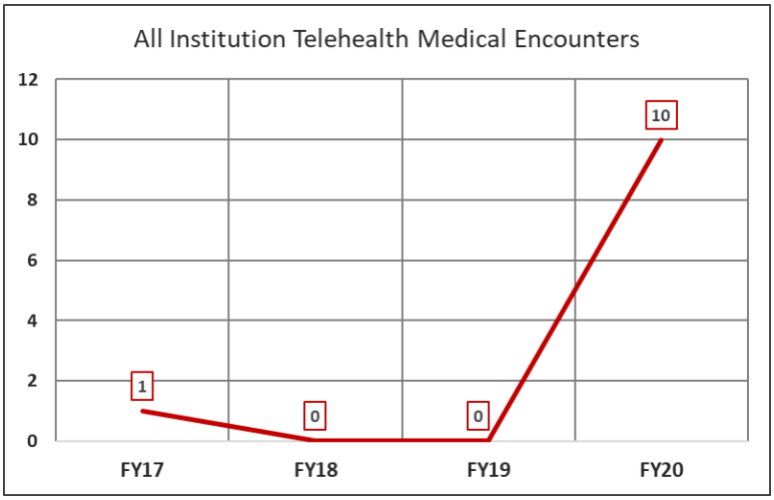
the 3 facilities that do not have 24-hour nursing coverage, TJJD staff may contact on-call nursing after hours for any youth concerns; these facilities have nursing staff on campus between 5AM and 11PM each day. Each facility also includes nursing case managers who maintain communication with youth caregivers updating the caregivers to any health concerns, issues, or questions. The nursing case managers also provide individual chart reviews to assure continuity of care, maintain complete medical records by obtaining any free-world medical records associated with the youth, and provide discharge medical summaries for youth when they are ready to leave the facility.

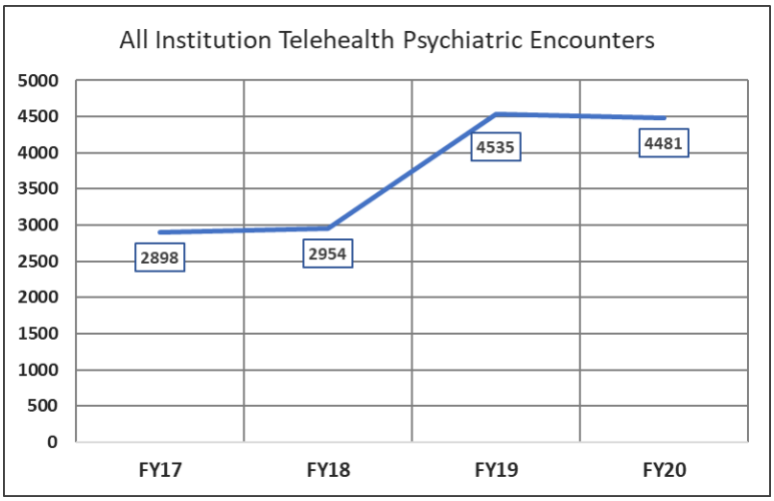
Assessments. When a youth is new arrival at Ron Jackson Intake, he/she will have multiple health assessments. Below is the timeline for intake assessments and annually thereafter.

- **Health Screening.** This comprehensive screening of overall health status and health history is conducted for all youth by a Nurse prior to dorm assignment or movement and is conducted again for all youth upon arrival to a new facility and annually.
- **Admission Interview.** This includes a medical File Review, youth interview, and parent/guardian contact for all youth conducted by the UTMB Nurse Coordinator for Health Care within three working days of admission for youth with special medical needs. It is reported for all youth within three working days of arrival at each new facility for youth with special medical needs and within seven working days for all other youth.
- **Health Examination/ Health Appraisal.** A comprehensive medical evaluation is conducted for all youth by a physician, nurse practitioner, or physician's assistant within 14 days of admission, unless a documented exam has been completed within the past 90 days. It is redone annually or upon need identified by provider.
- **Dental Examination**. Dental Examination and Preventive Care is conducted for all youth by a dentist or dental hygienist within 14 days of admission unless a documented evaluation has been completed within past 90 days. It is repeated at least annually or as determined by dentist.
- **Psychiatric Evaluation**. Clinical Interview and Record Review is conducted for all youth identified as (1) having an MLOS of 12 months or more, (2) on psychotropic medication at admission and/or within 60 days prior to admission, (3) is committed/ recommitted with a determinate sentence, (4) is recommitted or parole revoked and out of TJJD custody 90 or more days, or (5) referred by psychology staff for evaluation. This review is conducted by a psychiatrist or psychiatric nurse practitioner within 21 days of admission, unless there is a documented evaluation completed within the past 90 days. It is repeated as determined by psychiatrist (not to exceed 60 days for youth prescribed medication), or within 30 days of subsequent referrals.

Medication Distribution. Youth prescriptions are processed through UTMB – CMC Central Pharmacy and medications are sent to the institutions. Facilities have established medication administration times, up to 4 times a day. Medications are dispensed to youth by nursing staff either on the dorms or via secure pill dispensing windows.

Telemedicine. Telemedicine is utilized primarily by our psychiatric providers to promote easier access for our youth, optimizing more regular follow-ups and continuity of care as well as allowing for any urgent visits needed and or requested.





Limited Housing Report. Routinely, UTMB submits an extensive spreadsheet for TJJD medical services, leadership, and operational review of youth at all institutions who are in quarantine that includes: day the youth was placed in quarantine, day anticipated to leave quarantine, and date of COVID testing.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Medical and Psychiatric	***-***	***-***	***-***	***$ 9,681,869***	***$ 9,237,934***	***$ 10,259,864***
B.1.6. Health Care	-	-	-	$ 8,964,086	$ 8,698,157	$ 9,330,590
Federal Funds	-	-	-	$ 2,873,895	$ 1,112,431	
General Revenue Fund	-	-	-	$ 6,090,192	$ 7,585,726	$ 9,330,590
B.1.7. Psychiatric Care	-	-	-	$ 717,782	$ 539,778	$ 929,274
General Revenue Fund	-	-	-	$ 717,782	$ 539,778	$ 929,274

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Youth in TJJD HWHs see community-based providers for all their health care needs. Youth are enrolled in Medicaid as soon as they arrive at the HWH and the providers then bill Medicaid for their services. In the event a youth requires health services before their Medicaid is active, TJJD and UTMB have collaborated that providers may submit their claims through UTMB at Medicare rates, who in turn pay the provider, then TJJD reimburses UTMB. Occasionally, a provider is reluctant to utilize the UTMB reimbursement process and in those instances the fee for medical services is paid directly by TJJD at a best negotiated rate.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Youth living at TJJD halfway houses do not receive healthcare services from UTMB Medical Services. There is no duplication of efforts due to the nature of the services rendered by these community providers.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The TJJD medical director provides trauma-informed educational services through presentations and trainings, and state agency trauma-informed implementation development through Cross-System Trauma-Informed Care HHSC workgroup to state agencies and related Texans. Additionally, TJJD Medical Services collaborates with other state agency medical directors to optimize state-funded healthcare services for youth.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

TJJD contracts with the University of Texas Medical Branch – Correctional Management Care to provide medical services to youth in TJJD secure facilities.

- **the amount of those expenditures in fiscal year 2020;**

$9,680,976.73

- **the number of contracts accounting for those expenditures;**

1

- **the method used to procure contracts;**

Interagency contract with the University of Texas Medical Branch.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0001077 – maximum contract amount of $21,066,792.00 with the University of Texas Medical Branch at Galveston to provide medical services to TJJD youth.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office

- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Healthcare provided will optimize in its effectiveness for our youth as healthcare providers become more trauma-informed and utilize implementation principles consistent with interpersonal neurobiology and secure attachment patterns. These practices would also increase healthcare provider job fulfillment and decrease turnover and employee burnout.

Sections N-P: N/A

Tattoo Removal Program

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Tattoo Removal Program

Location/Division: Giddings State School / Medical Services

- ***Contact Name:*** Amber Gabler
- ***Statutory Citation for Program:***

  Texas Family Code - Fam § 54.0491. Gang-Related Conduct

  Texas Medical Board Rule Sec. 193.11

Section 193.17. Nonsurgical Medical Cosmetic Procedures
118.2 §193.11. Use of Lasers

Title 25 Health Services
Part 1 Department of State Health Services
Chapter 289 Radiation Control
Subchapter G Registration Regulations
Rule §289.301 Registration and Radiation Safety Requirements for Lasers and Intense-Pulsed-Light Devices
https://Www.dshs.texas.gov/radiation/pdffiles/appsregpdf/rc301-4.pdf

B. What is the objective of this program or function? Describe the major activities performed under this program.

The program eliminates tattoos that remind a youth of a traumatic past, with many of our youth having been gang-related and sex-trafficked. Youth voluntarily participate in the removal of visible, sex-trafficked, gang-related, and offensive tattoos.

For many youths, getting tattoos began at an early age, with many being low quality. By removing tattoos, we help to increase youths' self-esteem and help to eliminate cultural misperceptions of the individual based upon the tattoos. The Tattoo Removal Program strives to remove the markings of past mistakes so our youth can secure employment and education without further judgment, thus positively integrating back into the community.

Court ordered programs may require youth to attend treatment for drugs, sexual behavior, and capital offenders, but once youth release to the free world and tattoos cover their face, neck, arms and hands, those programs will not secure them employment, but the Tattoo Removal Program increases those chances, thus potentially reducing recidivism rates. The Tattoo Removal Program offers youth the opportunity to change their appearance, and thus change their life.

Keeping with the precedence of the Texas Model, youth are positively impacted through the program by receiving care, being given a voice, and experiencing healthy touch. We allow the youth to have a voice in the tattoos to be removed or those that remain, especially if there is an emotional attachment to a family name such as a child, parent, or grandparent. Follow-up care for youth who leave TJJD prior to completion of tattoo removal is also sought for the youth at either reduced cost or free of charge from commercial tattoo businesses.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

The Tattoo Removal Program has served 484 youth since its inception in 2015 and conducts an average of 576 to 786 treatments a year, depending on the number of youth served and the

number of treatments needed per youth for full removal. If these youth sought to have their tattoos removed in the community after reentry, the average cost of tattoo removal service would be $200 to $500 per session.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The Tattoo Removal Program was developed in 2015 and began services in January 2016. The program has succeeded strictly on voluntary participation by the youth. In 2016, we began the program using a single laser machine to treat youth across the agency. Youth were transported to our main clinic in Giddings. As the number of participants grew, we purchased a second laser machine and installed it at our Gainesville facility. With our facilities many miles apart and the continued increase of youth voluntarily requesting tattoo removal, the agency recognized the difficulty of transporting youth to the Giddings clinic. In addition, we had youth from our halfway houses requesting treatment for tattoo removal. Therefore, the program was re-organized to better serve our youth, while keeping the safety and security of the youth, staff, and the community as a priority. In doing so, we purchased a portable laser machine to eliminate the need for youth transport. The laser technician travels with the equipment to each of the 5 main facilities, numerous halfway houses and contract care facilities that have TJJD youth in their care. The reorganization has been instrumental in the increase of youth requesting treatment while eliminating the overtime hours the agency was paying for staff to transport youth from our facilities across the state.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Tattoos naturally fade over time because the body's immune system recognizes that tattoo ink is a foreign substance and tries to remove ink particles. Laser tattoo removal speeds up the natural process by breaking up tattoo ink into smaller prices that flush away more easily.

When tattoo removal laser light is applied to the skin, it heats up and shatters the ink that it reaches first within the skin. In other words, the shallowest layers of ink are removed before the deepest layers.

It takes multiple treatments to penetrate through the varying depths of ink in a tattoo, on average 5 – 8 treatments.

At TJJD, we use Q-switched laser systems to deliver short laser pulses that only last for nanoseconds, so there is no risk of damage to the skin.

Program Process:

1. Youth at TJJD submit a CCF-310 (Participation Request) to the laser technician explaining why they want their tattoos removed and a description of each tattoo to be treated.
2. The laser technician then requests an HLS-210 (Health History Review) from medical services to ensure there will be no contraindication from medication or medical diagnosis as the laser is applied to the skin.
3. Youth that are under the age of 18 must have parental/guardian consent on the LS-006 (Consent Form) which is obtained by the youth's case manager. Youth that are 18 will sign their own consent form.
4. Once all forms are completed, the laser technician schedules the youth for treatment at their designated facility. At this time, an email is sent to the facility infirmary of youth to be treated, so they are aware of the need for aftercare.
5. At the appointment, the technician reviews with the youth, the Participation Request, Health History, and Consent forms.
6. Next, the locations of each tattoo to be treated are evaluated, photographed, and documented on the CCF-311 (Treatment Plan).
7. The process of removing the ink is explained to the youth, as well as how many approximate treatments may be necessary for complete removal. Youth are informed if they release to parole and have not completed tattoo removal, the laser technician and their parole officer will locate community resources in their area to assist in completing the removal process.
8. Each tattoo site is cleaned with an alcohol pad to prep the area for treatment.
9. Youth are provided two sets of protective glasses, one for tattoos located in places other than the face, and a metal pair to place on the eyes for tattoos on the neck and face.
10. The laser technician initiates the removal process with a single pulse test spot to ensure the machine is set to the appropriate fluence to shatter the ink.
11. After all tattoo sites have been treated, the laser technician applies a clear, waterproof bandage that remains intact for up to three days. Youth are seen by infirmary staff once per day for three days. Notation of blistering or bandage replacement is documented by the infirmary in the youth's medical file and the Tattoo Removal Program medical file kept by the laser technician.
12. Youth are then scheduled for follow-up treatment, allowing between 6 and 8 weeks (about 2 months) between treatments.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The first Astanza Duality Laser Machine was purchased through the GIT Ready Grant of 2014. This machine has been traded for current equipment, including a Cryo cold air machine which

helps reduce discomfort during the tattoo removal process. The remaining laser machines have been purchased outright by TJJD.

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Tattoo Removal Program	***1.0***	***1.0***	***1.0***	***$ 50,750***	***$ 50,750***	***$ 50,750***
B.1.10 Residential System Support	-	-	1.0	$ -	$ -	$ 50,750
General Revenue Fund	-	-	1.0	$ -	$ -	$ 50,750
B.2.2. Health Care Oversight	1.0	1.0	-	$ 50,750	$ 50,750	$ -
General Revenue Fund	1.0	1.0	-	$ 50,750	$ 50,750	$ -

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Youth are informed, if they release to parole and have not completed tattoo removal, the laser technician and their parole officer will locate community resources in their area to assist in completing the removal process.

The community resources consist of tattoo removal clinics that agree to offer removal services to our youth, either for free or for a reduced rate.

The overall process between the TJJD program and the services offered in the community are similar, with the exception that TJJD offers mobile tattoo removal services. The main difference between the TJJD program and other tattoo removal clinics is funding. The Tattoo Removal Program operates on a limited budget and limited staff, while free-world clinics charge a fixed price per tattoo, per session.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TJJD is the only Texas agency that offers tattoo removal services for youth in our care. When youth are released on parole our program connects them with community services to continue the tattoo removal process, often for free or a discounted rate.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The laser equipment is registered through the Texas Department of State Health Services (DSHS) and the Texas Department of Licensing and Regulation (TDLR), in compliance with their requirements. Laser technician certification and operations of the Tattoo Removal Program follow the guidelines of the Texas Medical Board.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**

- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Funding is our greatest challenge. The lack of funding inhibits the program from purchasing the most current technology to remove tattoos of all colors. Our current equipment treats tattoos that are black, red, orange, or yellow. Pigments of blue, purple, and green show few results from the current laser equipment and we see a lot of these colors in the tattoos of our youth.

Additionally, staffing is an issue. Since 2015, there has been only one staff to ensure the program runs appropriately and continues to meet the needs of the youth. The one staff must also load the laser machine and Cryo machine, each weighing 75-100 pounds, into an SUV 4 times per treatment day. With additional staff, the chance of lift injury is virtually non-existent. Ideally, the program needs 1 to 2 more staff, solely designated to the Tattoo Removal Program. One staff for the purpose of handling the "behind the scenes" tasks and an additional staff to travel for removal treatments. The sole staff currently travels to all facilities that care for TJJD youth, including the halfway houses and contract care facilities, while managing all paperwork, appointment bookings, travel arrangements, contact with parents, communication with the other facilities, loading photos in the youth's file, ordering supplies, maintaining the equipment, and assisting the parole division for released youth to continue treatments while on parole. The widespread locations across the state and the growing number of youths requesting treatment have made it difficult to ensure each youth is provided treatment every 6-8 weeks (about 2 months) per protocol, having only one staff.

At a minimum, the program needs a clerk to handle the office work, which would free up a good amount of time for the current staff to focus solely on travel and providing treatments. If we were provided a second staff and a second portable laser machine, we could treat twice as many youths and stay well within the 6 – 8-week treatment timeline. The program could then reach far more youth and send them back into society with no gang-related, offensive, or visible tattoos and an improved chance of securing employment, thus reducing the chance of recidivism.

Section N-P: N/A

Due Process Hearings and Appeals

A. Provide the following information at the beginning of each program description.
Name of Program or Function: Due Process Hearings and Appeals
Location/Division: Office of General Counsel
Contact Name: Christian von Wupperfeld and William Klein
Statutory Citation for Program: Human Resources Code §§243.051, 244.005, 245.051; Family Code § 54.01; *Morales v. Turman* Settlement Agreement

B. What is the objective of this program or function? Describe the major activities performed under this program.

Due process is the constitutional concept that that the law and legal proceedings must be fair. The type of "process" that is "due" is dependent on what is at stake. The minimum process due in any type of legal proceeding is "notice" and the "opportunity to be heard in an orderly proceeding." The more at stake, the more "process" "due."

The youth committed to TJJD are expected to follow reasonable and appropriate rules of conduct. Discipline of youth is necessary to keep order and to provide a safe and constructive environment for youth, staff, and others. TJJD has administrative hearings for various reasons but most commonly to impose some form of discipline on a youth to address misbehavior. The aim of any disciplinary measure is to impose the least restrictive consequences which are effective in correcting the behavior of the youth and ensuring safety and order. The level of due process in each TJJD hearing is different based on what the purpose of the hearing is. The TJJD Office of General Counsel (OGC) manages all due process hearings for youth, including:

- Level I Hearings—Typically used when considering the revocation of a youth's parole, Level I hearings have the most extensive due process because they are hearings in which a youth's conditional liberty, i.e., parole, is at stake.
- Level II Hearings—Hearings of this type offer the second highest level of due process but much less than in a Level I hearing. They are typically used for disciplinary transfer, placement in the Redirect program, placement in the Phoenix program, suspension of privileges, seizure of contraband money, etc. For a rule violation to be a part of a youth's disciplinary record, it must be proven through at least a Level II Hearing. Only rule violations that are a part of the youth's disciplinary record may be used alone to demonstrate the youth is not eligible for facility release onto parole and may be considered by the Release Review Panel to extend a youth's stay in TJJD.
- Level III Hearings—In high restriction facilities, these hearings are used only to determine if a youth should be admitted or extended in the Regulation and Safety unit. In medium restriction facilities and on parole, these hearings are used to impose minor consequences for rule violations.

- Level IV Hearings—Hearings of this type are used to determine if a youth will be detained in a community detention facility (juvenile or adult) or in a TJJD security unit until a pending Level I or II Hearing can be conducted.

Youth have the right to appeal the outcome of all hearings. An OGC attorney handles all youth appeals and notifies the youth of the result.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

While we maintain statistics of the number of hearings held, and the outcome of the hearing and appeals, we do not measure how much due process youth receive. The function is effective in its ability to address a high volume of incidents each calendar year. In 2019 and 2020, 6,616 and 7,889 rule violations were given Level II hearings respectively. During the first seven months of 2021, this figure was 3,936. If 2021 is extrapolated to the end of the calendar year, the figure would be 6,747.

The total number of Level I hearings for calendar year 2020 was 129.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

N/A

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

See Attachment K: TJJD Due Process Hearings Manual

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Due Process Hearings and Appeals	***12.0***	***12.0***	***12.0***	***$ 481,894***	***$ 481,894***	***$ 481,894***
B.1.3. Facility Supervision and Food Service	10.0	10.0	10.0	$ 383,196	$ 383,196	$ 383,196
General Revenue Fund	10.0	10.0	10.0	$ 383,196	$ 383,196	$ 383,196
F.1.1. Central Administration	2.0	2.0	2.0	$ 98,698	$ 98,698	$ 98,698
General Revenue Fund	2.0	2.0	2.0	$ 98,698	$ 98,698	$ 98,698

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no other programs we are aware of that provide the service we provide.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

When a youth on parole status is considered for revocation of their parole, TJJD may work with outside law enforcement regarding any pending charges against the youth. This often includes having officers or witnesses testify at the youth revocation hearing. Alternatively, TJJD may also defer pursuing revocation of parole status at the request of prosecutors. This typically occurs when a prosecutor has concerns about witnesses.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The law requires that youth be represented by counsel during certain due-process hearings, e.g., parole revocation. This function contracts outside legal counsel to assist with hearings and serve as advocates for youth in those hearings.

- **the amount of those expenditures in fiscal year 2020;**

$47,700.56

- **the number of contracts accounting for those expenditures;**

30

- **the method used to procure contracts;**

Directly awarded without solicitation. The rates are set by TJJD and TJJD will contract with any attorney in good standing who wishes to take cases involving TJJD youth. Work is apportioned based upon geography, i.e., location of the youth and attorney, and counsel's ability to accept the case on short notice.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0001034 – maximum contract amount of $16,155 with Michelle Latray for outside legal counsel.

CON0001012 – maximum contract amount of $10,599.08 with Jerry Ware for outside legal counsel.

CON0001037 – maximum contract amount of $5,700 with Jennifer Deen for outside legal counsel.

CON0001038 – maximum contract amount of $5,090 with Darcy Deno for outside legal counsel.

CON0001014 – maximum contract amount of $5,000.54 with Don Cartwright for outside legal counsel.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

Sections L-P: N/A

Legal Education and Technical Assistance and Record Services

A. Provide the following information at the beginning of each program description.
Name of Program or Function: Legal Education and Technical Assistance
Location/Division: Office of General Counsel
Contact Name: Kaci Singer
Statutory Citation for Program: Human Resources Code §221.005

Name of Program or Function: Record Services (Open Records and Record Retention)
Location/Division: Office of General Counsel
Contact Name: Karol Davidson
Statutory Citation for Program: N/A

B. What is the objective of this program or function? Describe the major activities performed under this program.

Legal Education and Technical Assistance

The agency has a statutory mandate to provide educational training and technical assistance to counties, juvenile boards, and probation departments for the purpose of promoting

compliance with TJJD standards and to assist them in improving the operation of probation, parole, and detention services. TJJD fulfills this mandate, in part, through the operation of a Legal Help Desk, which allows people to contact agency attorneys by phone or email with questions. The attorneys provide information in response to the questions, such as pointing the asker to a statute, explaining a history of the law in question, or interpreting a TJJD standard. The attorney provides legal information, not legal advice, as the askers are not clients. In addition, the agency continues to publish *Texas Juvenile Law*, a treatise book originally authored by the late Robert O. Dawson, which details the history and current state of juvenile law in Texas, including analysis of both statutes and court cases. Attorneys for the agency provide legal training through both in-person training and online webinars, which may be used toward the training hours required for certified officers.

Record Services (Open Records and Record Retention)

The records section is responsible for responding to requests for agency records and information and with ensuring the agency complies with state laws regarding records management.

Records/Information Requests

- Public Information Act requests
- Subpoenas
- Civil discovery requests when TJJD is not a party to the case
- Interagency records requests (State and Federal)
- Other right of access requests

Records Management

- Administer the agency records management program
- Ensure agency compliance with records management laws
- Survey agency records and prepare and submit a records retention schedule to TSLAC
- Records disposition and approval
- Disposition of youth Master files
- Provide training and information to agency staff on records management

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Legal Education and Technical Assistance

We do not measure the effectiveness; this is a resource for external entities.

Record Services (Open Records and Record Retention)

Texas Juvenile Justice Department
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Percentage of Responses completed greater than 10 days			20%	29%	+9%

Table 12 Exhibit 12 Program Statistics and Performance Measures ***See Exhibit 3***

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Legal Education and Technical Assistance

The requirement to provide educational training and technical assistance to counties, juvenile boards, and probation offices to promote compliance with standards and to assist the local authorities in improving the operation of probation, parole, and detention services was included in the Texas Juvenile Probation Commission's initial enabling legislation in 1981. (Human Resources Code §75.043, which became Human Resources Code 141.043 in a 1989 non-substantive revision.) The requirement remained when the agency functions were merged into TJJD (Human Resources Code §221.005.)

The agency historically had multiple attorneys dedicated to this function and to being experts on Texas juvenile law and TJJD standards. Over time, as the number of FTE's for attorneys has been reduced, there are no attorneys solely dedicated to this function. Instead, one attorney is designated as the attorney for county matters and serves this role along with other roles. Additionally, due to funding constraints, on-site trainings are limited to locations where no travel costs, save for use of an agency vehicle, are involved unless the entity putting on the training is a non-juvenile probation department, as agencies are statutorily prohibited from having travel reimbursed by entities the agency regulates.

Record Services (Open Records and Record Retention)

Through agency transitions, TJJD has continually operated a records program that performs the agency functions for responding to requests for agency/state records and maintaining a records management program as required by Chapter 552, Texas Government Code and section 441, Subchapter L, Texas Government Code.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Legal Education and Technical Assistance

Legal Help Desk. Questions come in via phone or email and are answered by an attorney.

On-Line Training. Presentations on legal topics are prepared and shared online.

In-Person Training. An attorney presents on legal topics at the JPO Basic Training for new hires. Attorneys are invited by local juvenile probation departments to speak on legal topics, such as juvenile records. Attorneys are invited by organizations to speak (e.g. Juvenile Justices Association of Texas, Texas District and County Clerks Association).

Dawson Book. Attorneys edit the book every 4-6 years to include law changes, case law updates, and attorney general opinions. The book is self-published through an online website that allows people to order it for themselves if they wish to have a hard copy. A digital version of the book is made available on TJJD's website at no cost.

Record Services (Records Requests and Record Management)

Records Requests

Receipt of Requests. The agency receives requests for records via mail, email, or through personal delivery. Records sent via email are required to be submitted to the designated open records email address. Within two (2) business days of submission of a request, the request is entered into the records request tracking system and an electronic file for the request is created. An acknowledgment letter is sent to the requestor to the contact information provided by the requestor. The acknowledgment letter will provide the tracking number for the request and the date the request is considered submitted.

Processing Request. TJJD is required to provide access to public information during regular office hours. This access includes viewing or inspecting, and copying the records. A requestor can inspect the information requested, TJJD can provide a copy of the information, or the requestor can bring a copying device to copy the records.

After a request is received and reviewed, a memo is sent to the proper administrator or facility superintendent and the liaison for the administrator believed to possess or have access to the documents or information that is responsive to the request. The memo details the information that is requested, requests information needed for additional clarification, asks the administrator to provide an estimate of time it will take to complete the request, and provides

the due date for the request. Requests are typically required to be provided to the records section within five (5) business days of the date of the memo.

The responsive information is submitted to the records section for review of whether the information can be released or whether the agency will assert an exception for releasing the information as provided for in the PIA. Agency staff submitting the responsive information to the records section should include details on whether there may be an exception to releasing the information. TJJD staff should submit the responsive information to open.records@ttjd.texas.gov.

If there is responsive information to the request, the records section will:

- Send the responsive information to the requestor via the method provided in the request;
- Send the responsive information with confidential or privileged information redacted and include the reason for withholding the redacted information (applicable exception); or
- Submit a request to the attorney general's office for a determination of whether the information can be withheld as provided in the PIA.

If a requestor wants to inspect information, rather than receive copies, the department or facility that has the information will schedule a time for the requestor to inspect the records. If there is no responsive information, a letter is sent to the requestor indicating there is no responsive information.

TJJD is required to provide members of the public access to public information within ten (10) business days of the request or request. The ten (10) business day requirement begins on the date the request is received from the requestor or the date in which all clarifications have been completed. If a requestor fails to respond to a request for clarification TJJD is not required to provide responsive information that needed clarification. If the responsive information cannot be provided within ten (10) business days, TJJD must certify the fact to the requestor and provide a date and time when the records will be available. The records request is closed in the Records Tracking System after TJJD provides the responsive information to the requestor. TJJD charges for the cost of records as allowed by the Public Information Act and Texas Attorney General administrative rules.

Subpoenas, Interagency Requests, Rights of Access Requests

All subpoenas, interagency requests, or right of access requests are logged, tracked, and processed using the same procedures for public information requests. Subpoenas for youth records are sent to the case manager for the youth who is the subject of the subpoena to put in the youth's master file. For youth who are discharged, the subpoena is uploaded or sent to Neubus to include in the file. Interagency requests include requests from the Texas legislature or other Texas state agencies with a right to receive confidential youth records and other information. Right of access requests include requests from youth or a youth's parent, monitoring entities such as Disability Rights Texas, and individuals or entities who represent a youth or are authorized to receive information pursuant to a court order.

AG Opinions

The TJJD attorney working with the records section prepares and submits requests for opinions to the attorney general for a determination of whether requested information may be withheld. An initial request for an opinion must be submitted within 10 business days of submission of the request. The documents and a brief explaining the reasons TJJD is asking to withhold the information must be submitted within 15 business days of submission of the request. If a clarification is needed on a request, the 10-day and 15-day time periods for submitting a request for an opinion begin on the date the requestor provides clarification of the information.

Submission of Monthly Reports to the Office of the Attorney General

The Records Management Specialist compiles and submits a monthly report to the Office of the Attorney General via the OAG website. The report includes the number of requests processed and associated costs for responding to requests. The report is generated through the Records Request Tracking System. A metrics report with information concerning the date a request is received, category for the request, type of request, staff person who filled the request, date received, date due, date records are sent, and completion/closure date can be generated through the Records Request Tracking System.

Records Management

Masterfile Processing. The Masterfile is a record of the official documents concerning youth committed to TJJD. The Masterfile consists of five sub-files, casework, education, security, DFPS and RRP. The records section is responsible for maintaining a list of documents that are required to be included in the Masterfile and for processing the Masterfile for disposition after a youth is discharged from TJJD. Facility staff purges each sub-file and forwards the remaining documents to the records section at North Loop for permanent retention. The education and security sub-files are created at intake and move with the youth to secured facilities only. The DFPS sub-file is only created if the juvenile is being monitored by DFPS. The RRP sub-file is created at Central Office when a juvenile is up for review. The RRP sub-file is maintained at Central Office.

The records management specialist runs a yearly report listing the youth who have been discharged seven years previously. The list is sent to the corresponding facilities or programs with the direction to purge records that can be destroyed and submit records that must be maintained for disposition to the record department. Once files have been purged, the records liaison for the facility or program, sends the files to the record warehouse for processing. There are records kept for further retention are sent to Neubus to be scanned into the electronic system.

Retention Schedule. TJJD's records retention schedule identifies and describes the agency's records and the lengths of time that each type of record must be retained. The records department is responsible for maintaining the agency retention schedule to TSLAC and processing recertifications and amendments to the schedule. For agency records that do not have a current retention series, agency records liaisons work with the Records Management Officer and/or Records Management Specialist to create a new retention series.

Sealed Records. When a court orders a youth's records sealed, TJJD is required to seal all records relating to the youth and send verification to the issuing court that the records have been sealed. Facility and program staff are required to send all records for the youth to central office for sealing. Only the custodian of records is authorized to access records that have been sealed.

Records Disposition. All agency records have a retention series that describes what the records are and the disposition requirements for the records. When the records have met their retention period, agency staff complete a request for authorization to destroy records to the records department. The records management officer or the records coordinator reviews the request to determine whether the records are eligible for destruction. Facts taken into consideration are whether there are any legal holds for litigation or claims, open records requests, or administrative proceedings pending that involve the records. If there are no reasons to retain the information and the retention period for the records has expired, the records are approved for destruction. The requesting staff person, destroys the records as approved and submits verification of the destruction of the records to the records department.

Litigation Holds. The records department tracks all requests for holds on agency records and reviews the information when requests for destruction are submitted.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Legal Education and Technical Assistance and Records Services	***8.0***	***10.0***	***9.4***	***$ 976,229***	***$ 696,149***	***$ 1,058,109***
E.1.1. Training and Certification	1.6	1.6	2.0	$ 172,090	$ 174,169	$ 149,773
General Revenue Fund	1.6	1.6	2.0	$ 172,090	$ 174,169	$ 149,773
F.1.1. Central Administration	6.4	8.4	7.4	$ 804,139	$ 521,980	$ 908,336
General Revenue Fund	6.4	8.4	7.4	$ 804,139	$ 521,980	$ 908,336

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no other programs we are aware of that provide the services we provide.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.
N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Legal Education and Technical Assistance
N/A

Record Services (Open Records and Record Management)
Texas State Library and Archives – Maintaining the agency retention schedule, records required to be submitted to the State Archives, technical assistance with records management requirements.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The records department contracts with Neubus for long-term storage of youth records in an electronic document management system. The system is compliant with all federal and state laws and regulations for securely maintaining both criminal justice information and medical information.

Additionally, the records department has a contract with the Texas State Library storage services is for the storage of TJJD records.

- **the amount of those expenditures in fiscal year 2020;**

$78,248.96. There was also a one-time expense of $29,226 using other Office of General Counsel funds for a Neubus security upgrade to a CJIS and HIPPA compliant system.

- **the number of contracts accounting for those expenditures;**

2

- **the method used to procure contracts;**

These contracts were procured through a purchase order with a DIR-contracted vendor and an interagency contract with the Texas State Library.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0001110 – maximum contract amount of $85,000 with Neubus, Inc. for long-term electronic storage of youth records.

CON0001102 – maximum contract amount of $2,000 with the Texas State Library for records storage services.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

Sections L-P: N/A

Discipline of Certified Officers

A. Provide the following information at the beginning of each program description.
Name of Program or Function: Discipline of Certified Juvenile Probation Officers, Juvenile Supervision Officers, and Community Activities Officers
Location/Division: Office of General Counsel
Contact Name: Kaci Singer
Statutory Citation for Program: Human Resources Code § 222.053

B. What is the objective of this program or function? Describe the major activities performed under this program.

The agency is statutorily required to certify juvenile probation officers, juvenile supervision officers, and community activities officers who work in the juvenile probation departments and juvenile facilities that the agency regulates (not the ones the agency operates or contracts with). The agency is authorized to impose discipline on these certifications in the form of written reprimand, suspension, or revocation. A suspension may be an active suspension or a probated one (or a combination of the two). Discipline may be imposed if a certified officer has been found to have abused, neglected, or exploited a juvenile or to have violated the Code of Ethics adopted by the Texas Juvenile Justice Board. A person recommended to receive discipline in the form of suspension (active or probated) or revocation has the opportunity to request a hearing before the State Office of Administrative Hearings (SOAH). The Texas Juvenile Justice Board is responsible for imposing the discipline in an open Board meeting. Their decision may be appealed.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

We do not measure the effectiveness. We are required to appropriately act on certifications in order to protect children in the care of local probation departments and facilities.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The discipline of certified officers was a function of the prior Texas Juvenile Probation Commission, as the state's oversight agency for juvenile probation and local juvenile justice facilities. It was adopted into law in 1987 in former Section 75.0423, Human Resources Code. In 1989, the statute was re-designated as Section 141.064 and in 2011 as Section 222.053.

In the 2009 Sunset review, the Sunset Advisory Commission identified ways in which TJPC's certification process did not comport with model standards for occupational licensing and recommended that changes be made to make it comport.

The law changes were made in response to the recommendations:

1. The agency was given statutory authorization to require continuing education for certification renewal.
2. The agency was required to provide quarterly reports to its governing board on the final resolution of abuse, neglect, and exploitation complaints from local juvenile probation departments and facilities.
3. Certified officer disciplinary hearings were transferred from the agency to the State Office of Administrative Hearings;
4. The agency was given statutory authorization for the use of probated suspension as a disciplinary option for certified officers.
5. The agency was given statutory authorization of the temporary suspension of an officer's certification in instances where continued employment posed a risk of harm to children.
6. Statutes were clarified to provide that certified officers have the right to appeal agency actions to district court under the substantial evidence standard.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Attorneys in the Office of General Counsel are responsible for the discipline process as it is a legal process. Referrals to the disciplinary attorneys come from the Office of Inspector General's department that conducts abuse, neglect, and exploitation for juvenile probation departments and local facilities regulated by TJJD as well as from the departments and facilities themselves. When the Office of Inspector General's investigation confirms that a person has engaged in abuse, neglect, or exploitation or confirms that some wrongdoing was committed that might violate the Code of Ethics but did not confirm abuse, neglect, or exploitation occurred, the case is forwarded to the disciplinary attorneys. (The exception is when there has been a confirmation of abuse, neglect, or exploitation that the certified officer has appealed and that the appeals attorney has overturned on appeal.) When a local juvenile probation department or facility has determined a certified officer has violated the Code of Ethics in a

manner that is not related to abuse, neglect, or exploitation, the local department or facility is required to refer the matter to the disciplinary attorneys for possible action.

Upon receipt of a referral, the assigned disciplinary attorney reviews the facts of the case and takes into account any present aggravating and mitigating factors before determining a recommended discipline. The attorney emails the chief juvenile probation officer and facility administrator with the attorney's proposed recommendation and gives them the opportunity to provide input, should they desire. The attorney's recommendation may change based on this input. The disciplinary attorneys meet with executive staff and the General Counsel and present the facts of each case and proposals; a determination of the agency's initial disciplinary proposal is made.

The disciplinary attorney develops a petition with the proposed discipline and it is sent to the certified officer to begin the formal process. The person must respond in writing within 20 days or a default may be taken, resulting in the requested discipline being imposed by the Texas Juvenile Justice Board. When the person responds, the disciplinary attorney will work with the person to reach an agreed disposition. Defaults and Agreed Orders are presented to the Texas Juvenile Justice Board for final decision at most board meetings.

When no agreement can be reached, the matter goes before the State Office of Administrative Hearings, and the agency is required to prove the alleged misconduct and explain its proposed discipline. The Administrative Law Judge prepares a Proposal for Decision that includes findings regarding the alleged misconduct and its recommendation for appropriate discipline, if any. After responses by the parties and any changes to the Proposal for Decision as a result, the matter is presented to the Texas Juvenile Justice Board. Except for narrow exceptions, the Board is bound by the Administrative Law Judge's findings of facts. However, if misconduct is proved, the Board is not bound by the Administrative Law Judge's disciplinary recommendation.

Statute provides that a chief on the Texas Juvenile Justice Board must self-recuse in matters involving the discipline of officers from the chief's county. In practice, though not required, all Board members tend to self-recuse when discipline is sought against an officer from the Board member's county.

In serious cases where a person's continued certification poses a risk to the children in the Texas juvenile justice system, the executive director is authorized to convene a panel of three Texas Juvenile Justice Board members who may temporarily suspend the person's certification. This prevents the person from working in a position requiring certification until the discipline process may be completed.

Final outcomes of officer discipline cases are included in both the officer certification database (ICIS) and published on the TJJD website.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For

state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Discipline of Certified Officers	***3.0***	***2.0***	***3.0***	***$ 193,596***	***$ 140,695***	***$ 193,983***
F.1.1. Central Administration	3.0	2.0	3.0	$ 193,596	$ 140,695	$ 193,983
General Revenue Fund	3.0	2.0	3.0	$ 193,596	$ 140,695	$ 193,983

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.
There are no other programs we are aware of that provide the service we provide.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.
N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

As mentioned above, TJJD certifies juvenile probation officers, juvenile supervision officers, and community activities officers that work the juvenile probation departments and juvenile facilities that the agency regulates.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

Per statute, TJJD must provide a set amount of money to SOAH each year based on prior years' use of SOAH resources for TJJD's hearings.

- **the amount of those expenditures in fiscal year 2020;**

$6,300

- **the number of contracts accounting for those expenditures;**

1

- **the method used to procure contracts;**

Interagency Contract with the State Office of Administrative Hearings.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0001094 – maximum contact amount of $6,300 with State Office of Administrative Hearings for assistance with officer discipline hearings.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract

Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Because TJJD certifications are unique among most certifications in that a person will begin working prior to being certified, individuals who commit acts before they are certified that would result in discipline if certified cannot be disciplined. This creates a gap in TJJD's ability to protect children. TJJD has taken actions to minimize this gap in instances in which the probation department terminates the employment of the person by flagging these persons as ineligible for certification in the system and by requiring probation departments and facilities to search for that flag before hiring an individual. However, the fact that TJJD has no statutory mechanism to prevent the certification in the event the person were to remain employed leaves a gap that TJJD cannot unilaterally close. It would be useful to have statutory authorization for a provisional certification that could be revoked or suspended when appropriate.

At the time the officer discipline hearings were moved to SOAH, SOAH was funded by the legislature. That funding mechanism changed some years back, requiring agencies to provide an amount of money each fiscal year to SOAH based on the agency's use of SOAH for a certain term of years looking back. TJJD generally makes infrequent use of SOAH, but the need for SOAH is at the discretion of certified individuals, not TJJD. It is challenging to accurately estimate the necessary payment.

Despite the role of certified officers in the juvenile justice system, Occupations Code Chapter 53 applies to the officers that TJJD certifies. Recent changes mean that TJJD is statutorily required to take certain factors of a criminal history into account before denying or revoking a certification. Given the unique nature of juvenile justice work, it might be more appropriate to make that chapter inapplicable to TJJD's certified officers in the same manner that it is inapplicable to adult law enforcement occupations under Chapter 1701, Occupations Code.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

The regulation is needed because it applies to individuals who work with children in the juvenile justice system, often having unsupervised access to those children.

Certified officers are audited to training and criminal background standards annually as part of the annual monitoring and inspections audit.

When non-compliance is noted, the agency works with the non-compliant entity to gain compliance, whether that be getting a person's certification and training updated or ensuring a person is no longer working in a position requiring certification if the person is ineligible to do so. Sanctions available to the agency include discipline on the individual as well as suspension of funds to the employing entity.

Section P: N/A

Policy Standards Development and Interpretation

A. Provide the following information at the beginning of each program description.
Name of Program or Function: Policy and Standards Development and Interpretation
Location/Division: Office of General Counsel
Contact Name: Kaci Singer
Statutory Citation for Program: Human Resources Code §§203.001, 203.004, 221.002, 221.003, 221.004, 222.003, 242.003, 242.004, 242.008, 242.010, 242.056, 242.101, 243.001, 244.001, 244.0106, 245.001, 245.101, 245.104

B. What is the objective of this program or function? Describe the major activities performed under this program.

The agency has two main responsibilities: 1) to provide services to children committed to the Texas Juvenile Justice Department and 2) to create and enforce standards for local juvenile probation departments and facilities. Both of these major responsibilities require the creation of administrative rules and policies as well as the interpretation of those rules and policies. This responsibility is administered through the Policy Section of the Office of General Counsel.

With regard to administrative rules and policies governing TJJD, the police division assists the division's responsibility for the rules and policies in drafting necessary changes as well as in identifying all rules, policies, and forms impacted by any proposed changes. The division also helps to ensure that changes are consistent with laws and settlement agreements applicable to the agency.

With regard to standards (administrative rules) governing juvenile probation departments and facilities regulated by TJJD, the policy division works with members of the Advisory Council on

Juvenile Services and other TJJD employees from the Probation Services division and the Monitoring and Inspections division on drafting changes to existing standards as well as new standards when required by statute. The policy division helps to ensure drafted standards are monitorable and enforceable, are consistent with statute, and do not conflict with other standards.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

We do not measure the effectiveness. We are required to have rules, standards, and policies.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.
N/A

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Internal Administrative Rules and Policies

Rules and policies are generally controlled by the agency divisions they impact. When a division wants to initiate a policy change, they submit a Policy Proposal form to the policy division. Policy writers work with the necessary employees to draft the requested change, which includes determining if additional policies need to be changed. The policy attorney is also involved in determining if requested changes are consistent with laws that govern the agency. Sometimes workgroups are necessary for policy drafting and sometimes they are not. The process involves multiple discussions and draft exchanges between the policy division and the division requesting the changes to get the best possible version. It then goes through additional review for final editing before it is sent to the appropriate staff for approval. Administrative rules are presented to the Texas Juvenile Justice Board for approval to post in the Texas Register. The Board typically gives conditional approval to adopt the rules after posting as long as no comments are received and no substantive changes are made after posting. Otherwise, the rules go back to the Board for approval to adopt. Policies that do not require board approval receive final approval from the Executive Director.

Standards for Juvenile Probation Departments and Facilities

Revisions to standards for juvenile probation departments and facilities are developed in partnership between the agency and employees of the juvenile probation departments and facilities. When a standard is identified for revision or creation, the Advisory Council on Juvenile Services' Standards Committee identifies people to serve on a workgroup. The agency also identifies its employees to serve on the workgroup. This typically involves the policy division, members of the Probation Services division, and members of the Monitoring and Inspections division. These are typically in-person work groups that methodically move through the standard working together to draft language that is clear, objective, monitorable, and enforceable. The TJJD policy attorney is on the work group and helps to ensure the standards are consistent with relevant statutes. After approval from the workgroup and appropriate agency staff, the standards are presented to the Texas Juvenile Justice Board and follow the same process as internal administrative rules that are presented to the Board.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Policy Standards and Interpretation	***4.0***	***4.0***	***4.0***	***$ 175,643***	***$ 179,603***	***$ 176,223***
F.1.1. Central Administration	4.0	4.0	4.0	$ 175,643	$ 179,603	$ 176,223
General Revenue Fund	4.0	4.0	4.0	$ 175,643	$ 179,603	$ 176,223

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.
There are no other programs we are aware of that provide the service we provide.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.
N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

With regard to standards, the program works with employees of the juvenile probation departments and facilities that the agency regulates. This helps to ensure the standards are implementable and reasonable.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The Office of General Counsel contracts with HHSC for utilization of Westlaw, an online legal research tool.

- **the amount of those expenditures in fiscal year 2020;**

$4,006.08

- **the number of contracts accounting for those expenditures;**

1

- **the method used to procure contracts;**

Interagency contract with the Health and Human Services Commission. As HHSC is a much larger agency, this allows TJJD to pay a significantly lower price for this service.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0001128 – contract without Not to Exceed amount with the Health and Human Services Commission for utilization of Westlaw.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

Sections L-P: N/A

Standards Development, Interpretation, and Technical Assistance

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Standards Development, Interpretation and Technical Assistance

Location/Division: Probation Services Division

Contact Name: Scott Friedman

Statutory Citation(s) for Program:

Texas Human Resources Code, Title 12., Subtitle B., Chapter 221

Sec. 221.002. General Rules Governing Juvenile Boards, Probation Departments, Probation Officers, Program, and Facilities

Sec. 221.004. Standards Relating to Local Probation Departments

Sec. 221.005. Training and Assistance to Local Authorities

Texas Government Code, Title 10., Subtitle A., Chapter 2001, Subchapter A. (Short Title: Administrative Procedures Act)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The primary objective of the standards development, interpretation, and technical assistance function is to ensure there is a comprehensive and coordinated process for the development and ongoing review of the Texas Administrative Code (TAC) rules (i.e., standards) TJJD is required to establish by the Texas Human Resources Code (HRC) relating to county juvenile probation department operations and services. The process ensures established standards are consistently interpreted and communicated across all agency divisions. Major activities include:

- Coordinating with division and other agency staff (primarily the Office of General Counsel, Monitoring and Inspections Division, and Office of Inspector General) to identify concerns with existing standards, and potential need for new standards.
- Coordinating with the Advisory Council on Juvenile Services to address any of Advisory Council's concerns and/or recommendations relating to standards, and presenting all agency identified standards review and revision considerations to the Council for its review and recommendations. This activity is directly related to the HRC Sec. 203.0081 requirement that the Advisory Council assist the TJJD in reviewing and proposing revisions to existing or newly proposed standards affecting juvenile probation departments and analyzing the potential cost of new standards on probation departments;
- Coordinating and facilitating internal and external stakeholder workgroups relating to the review, revision, and implementation of standards;
- Providing analysis of existing and proposed standards' financial and programmatic impact on local-level juvenile justice programs and facilities and assisting with the development and compilation of information or documentation for consideration by TJJD executive management and the Texas Juvenile Justice Board regarding recommendations and determinations related to standards;
- Preparing written staff summaries of applications for temporary waiver and permanent variance from agency standards for TJJD executive management and Board consideration;
- Preparing and cataloging standards interpretation and modification notices and related education/technical assistance bulletins and assisting agency training personnel in developing and presenting standards-related curriculum for juvenile justice system practitioners;
- Analyzing justice system-related state and federal legislation (active and proposed) to assess its potential impact on agency and local justice system policy, practices, and standards and researching national juvenile justice standards, best practices publications, and current trends relating to the development of model juvenile justice systems.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

The probation services division's staff have participated in standards review and revision efforts for TAC Chapters 343 (from 2012-2013 and again from 2015-2017), TAC Chapter 341 (2016-2017), TAC Chapter 344 (2014 to 2017). The division led the more recent effort (2019 to present) to create that agency's first dedicated TAC Chapter for Substance Use Treatment Facilities and Programs (TAC Chapter 353). In addition to these entire chapter review efforts, the division has participated in the ad hoc review and revision of several standards.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

From the inception of TJJD, the agency's Probation Services Division has facilitated the agency's review of existing standards and development and adoption of new standards. In FY 2021, a position within the division was created to organize and lead these efforts, providing more consistent support to standards development, interpretation and technical assistance.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

This function directly impacts Texas' 165 county-level juvenile boards and the probation departments and their professional staff, as well as the eight privately operated juvenile secure pre- and post-adjudication facilities operated under a contract with a local government entity (typically a juvenile board and/or county commissioner courts). To a lesser degree, these departments' oversight juvenile boards are also impacted by some Texas Administrative Code rules, with several of these standards simply being supportive of existing statutory requirements. Finally, because many of these standards have direct service delivery implications, this program's functions impacts juveniles referred to the county juvenile probation departments and their families.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The administration and oversight of this function resides within the probation services division. In the past, tasks supporting this function were assigned to multiple division staff, based on the standards being reviewed or issues arising. The recently created Probation System Policy and Program Specialist position now coordinates this function with support and assistance from other division and agency staff. The program specialist position reports directly to the director of probation services, who in turn reports to the deputy executive director of probation services.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Standards Development, Interpretation and	***1.0***	***1.0***	***1.0***	***$ 87,834***	***$ 87,834***	***$ 87,834***
F.1.1. Central Administration	1.0	1.0	1.0	$ 87,834	$ 87,834	$ 87,834
General Revenue Fund	-	-	-	$ 87,834	$ 87,834	$ 87,834

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

TJJD is not aware of any external entities that either replicate or supplement the core activities specific to standards development, interpretation and technical assistance. There are various other agency divisions involved with the probation services division in developing, interpreting, and providing training and technical assistance guidance on standards regulating the juvenile probation system. These divisions include (listed in order of prevalence/frequency):

- the Monitoring and Inspections Division (typically TAC Chapters 341-343, 351, and 255);
- the Probation Training and Certification Section (TAC Chapter 344);
- the Enterprise Support Team (TAC Chapter 341, Subchapter F. Data Collection);
- the Office of General Counsel (typically standards with overarching legal implications, and TAC Chapters 345, 349 and 352); and
- the Office of Inspector General (Chapters 350, 353, and 358).

While these divisions and division sections provide supportive training and technical assistance guidance regarding standards, outside of the autonomous Office of Inspector General, review of existing standards and recommendations for new standards rest primarily with the probation services division. Additionally, the probation services division takes primary responsibility for communication with local juvenile board and probation departments on standards issues that arise and coordinating discussion of standards with the agency's advisory council and various other probation system stakeholders.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TJJDs primary regulatory responsibilities emanate from Texas Human Resource Code (HRC) Sections 221.002 and 221.004, which collectively require the agency to develop rules relating to juvenile board and probation departments' operations, juvenile offender record collection and reporting, officer education/training and ethics, and many of the core probation service delivery programs (e.g., secure and non-secure residential facilities, Juvenile Justice Alternative Education Programs (JJAEP), substance use programs, etc.).

As a comprehensive agency responsibility, the facilitation of this regulatory function does not rest with a single division within the agency, but is a shared responsibility distributed across several different divisions. In this shared strategy, each division takes a leadership role in

different aspects of agency standards. While other divisions carry the main regulatory functions of incorporating state statutes into agency rules and implementing and ensuring adherence to standards, the probation services division is responsible for ensuring the agency's standards meet the needs of juvenile probation departments and promote best practices in the Texas juvenile justice system.

Technical assistance in many varied forms is both a statutory responsibility (see HRC Sections 221.004 and 221.005) and an organizational hallmark of the agency's relationship with local juvenile boards, juvenile probation departments, and their numerous ancillary local stakeholders (e.g., prosecutors, law enforcement, county commissioners courts, etc.) and is provided by numerous divisions within the agency. The probation system policy and program specialist is tasked with ensuring that standards-related technical assistance provided by agency staff is coordinated and consistent with agency-approved interpretations.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Outside of its various intra-agency coordination and communication strategies, the RITA program's/function's primary stakeholder group is local county juvenile probation departments and, by extension, their governing juvenile boards. This county constituency group is also represented by the Juvenile Justice Advisory Council, the seven regional probation chiefs' and officer associations, and professional organizations such as the Juvenile Justice Association of Texas, Texas Juvenile Detention Association, and Texas Probation Association.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

N/A

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

This function within the probation services division acts as the agency's primary vehicle to facilitate the ongoing review of existing standards and the development of new standards for the TJJD Board's consideration. This function is specific to standards applying to county-level juvenile probation departments, their governing juvenile boards, and private juvenile facilities operated under contract with local governmental entities. While there are several TAC chapters that have direct applicability to the agency's internal functions, programs, facilities, etc., those chapters fall outside the scope of this function.

Sections O and P: N/A

Release Review Panel

A. Provide the following information at the beginning of each program description.
Name of Program or Function: Release Review Panel (RRP)
Location/Division: Office of General Counsel
Contact Name: Lori Harris
Statutory Citation for Program: Human Resources Code §§245.101-105

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Release Review Panel (RRP or Panel) is a three-member panel appointed by the TJJD Executive Director to review youth committed to TJJD with an indeterminate sentence. The RRP determines whether a youth who has completed his/her minimum length of stay (MLOS) but has not otherwise met program-completion criteria should be discharged from TJJD custody, released under supervision, i.e., paroled, or given an extension to their MLOS.

In conducting their review, Panel members look at many things: juvenile history, participation in treatment programs and supervision prior to commitment to TJJD, overall behavior while in TJJD and current participation levels in school, group, and assigned treatment programs. The RRP also looks at a youth's participation in the Positive Behavioral Support System, Reading Improvement Program, if required to enroll, and the Gang Intervention Program. If the youth does not meet participation requirements, the law does not allow the youth to be released.

After the RRP gathers and analyzes the available information, the three-member Panel discusses the youth's progress. If needed, the RRP will call the case manager, the youth, or family members to clarify any information prior to their vote. The decision made by the RRP is by majority vote.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.
By statute, the TJJD Board by rule shall establish a Panel whose function is to review and determine whether a child who has completed the child's minimum length of stay should be

discharged from the custody of the department. While we maintain statistics of the number of extensions granted by the Panel, as required by statute, we do not measure the Panel's effectiveness.

Panel Decisions, FY 2020			
Month	Extend	Release	Discharge
Sept '19	10	25	0
Oct '19	19	24	0
Nov '19	11	16	0
Dec '19	14	12	2
Jan '20	20	20	0
Feb '20	19	14	0
March '20	28	33	0
April '20	29	22	0
May '20	34	14	0
June '20	38	22	0
July '20	26	27	1
Aug '20	37	29	0

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

N/A

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Upon arrival at TJJD, non-sentenced offenders are assessed an initial minimum length of stay (MLOS). The initial MLOS is calculated based on the severity of the committing offense and an

assessment of the danger the youth poses to the community. The initial MLOS can range from nine months for a low-severity committing offense for a youth with a low assessment rating, to 24 months for a high-severity offense for a youth with a high assessment rating. At least 30 calendar days prior to the expiration of a youth's MLOS, the progress review team must determine whether or not the youth meets program completion criteria or is likely to meet such criteria on or before his/her MLOS date. If the progress review team determines the youth does not meet program completion criteria and is not likely to meet program completion criteria on/or before his/her MLOS date, they must submit to the RRP any information relevant to the decision on whether the youth needs additional rehabilitation in a residential placement.

Not later than 30 calendar days after expiration of the youth's MLOS, the RRP must decide whether TJJD will discharge the youth, release the youth, or extend the youth's stay in a residential placement. The Panel may extend the youth's stay only if the Panel determines by majority vote and on the basis of clear and convincing evidence that: (i) the youth needs additional rehabilitation from TJJD; and (ii) a residential placement will provide the most suitable environment for that rehabilitation. The Panel's determination may include assessments of factors including:

(i) the youth's efforts to reduce individual risk factors and increase individual protective factors;

(ii) degree and quality of the youth's participation in available treatment programs;

(iii) behavior during the youth's length of stay; and

(iv) participation in and/or completion of statutorily required or court-ordered treatment programs.

If the Panel extends the length of a youth's stay, the Panel must (i) specify the additional period of time that the youth must remain in residential placements; and (ii) provide a written report explaining the reason for the extension to the youth, parent/ guardian, and any designated advocate. The report must be provided within 10 calendar days after the date of the Panel decision. Conversely, if the Panel determines that a youth's length of stay should not be extended, TJJD must release or discharge the youth within 15 calendar days after the date of the Panel's decision. The Panel may be requested to reconsider both extension and release decisions.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Release Review Panel	***6.9***	***7.1***	***6.9***	***$ 437,937***	***$ 437,806***	***$ 434,811***
B.1.10 Residential System Support	6.9	7.1	6.9	$ 437,937	$ 437,806	$ 434,811
General Revenue Fund	6.9	7.1	6.9	$ 437,937	$ 437,806	$ 434,811

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no other programs we are aware of that provide the service we provide.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

If the youth is under investigation or being considered for prosecution for an alleged offense, the Panel will work with the investigating/prosecuting entity, typically TJJD's Office of Inspector General (OIG), and/or the Special Prosecution Unit, to get an understanding of the pending matter and its status. This information helps inform the Panel's decision to release or extend the youth being reviewed. If the youth has other pending charges, the Panel may also contact the District Clerk for that county.

The TJJD OIG is a statutorily created independent law enforcement agency at TJJD that is responsible for conducting criminal, abuse, neglect, and exploitation investigations and enforcing state laws on property owned or operated by or under the jurisdiction of TJJD. Similarly, the Texas Legislature established the Special Prosecution Unit (SPU) Juvenile Division in Senate Bill 653. The SPU assists District and County Attorney offices in prosecuting criminal investigations conducted by the TJJD OIG.

Sections K-P: N/A

Department of Sentenced Offender Dispositions

A. Provide the following information at the beginning of each program description.
Name of Program or Function: Department of Sentenced Offender Disposition Team (DSO)
Location/Division: Office of General Counsel
Contact Name: Tami Coy
Statutory Citation for Program: The Texas Youth Commission, TJJD's predecessor, established the Department of Sentenced Offender Disposition in July 1999

Section 244.014, Human Resources Code
Section 244.015, Human Resources Code
Section 245.051, Human Resources Code
Section 245.151, Human Resources Code
Section 245.152, Human Resources Code
Section 54.11, Family Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

Determinate Sentencing is a blended sentencing system for the most serious offenses that provides for a youth to start in the juvenile system and receive a juvenile court transfer, as early as age 16, into the adult system to complete his or her sentence. The Department of Sentenced Offender (DSO) Disposition Team represents TJJD at transfer/release hearings for youth with a determinate sentence. They also process and review youth packets ensuring that TJJD policy and criteria have been met, and coordinate youth movement between TJJD and the TDCJ Institutional and Parole Divisions. Additionally, the DSO Team aids families of offenders, victims of offenders, TJJD personnel and court personnel in understanding juvenile law and TJJD policies related to sentenced offenders.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

While the DSO Team ensures TJJD complies with the statutory requirements related to sentenced offenders, it does not measure the Team's effectiveness.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Juveniles adjudicated for certain serious, violent offenses may receive a determinate sentence of up to 30 years. The Legislature cautiously selected only those Penal Code offenses against persons that would constitute capital or first-degree felony offenses. As the law originally was written, the first portion of the sentence was to be served in a secure facility managed by what was then the Texas Youth Commission (TJJD was formed in 2011, replacing TYC and merging with Texas Juvenile Probation Commission). Prior to the youth's 18th birthday, a hearing would be held before the committing court to determine what would happen next. There were three options: (1) Release the youth on parole and continue under TYC's custody until age 21; (2) Discharge the youth from TYC's jurisdiction; or (3) Transfer the youth to the Institutional Division of the Texas Department of Criminal Justice (TDCJ) for the balance of the sentence.

In 1995, the legislature added 11 offenses or categories of offenses eligible for a determinate sentence. Other amendments also specified that sentences could now range from a maximum

of 10 years for third-degree felonies to a maximum of 40 years (for capital and first-degree felonies). Court hearings were eliminated for determinate sentenced offenders unless TYC authorities asked for: transfer of a youth to prison (between age 16 and 21); or release on parole before completion of the minimum length of confinement (which is ten years for a capital felony, three years for a first-degree felony, two years for a second-degree felony, and one year for a third-degree felony). In 2001, two other offenses were added to those eligible for a determinate sentence. In 2007, the law was changed again, requiring that sentenced offenders must be discharged from TYC supervision by their 19th birthday. If they have not completed their sentence prior to their 19th birthday or have not been transferred to TDCJ by their 19th birthday, they are transferred to adult parole supervision for the remainder of their sentence.

To ensure that these cases receive the oversight and attention required, TYC established the Department of Sentenced Offender Disposition in July 1999. The DSO Team continues to represent the agency at transfer hearings, approves release proceedings, and coordinates youth movement between the juvenile system and the TDCJ.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

State law requires a minimum period of confinement in a residential placement. The minimum period of confinement, which is set in Texas law, is based upon the severity of the offense. A youth with a determinate commitment is given an opportunity to participate in treatment in TJJD, but if the youth fails to progress in treatment or continues his or her delinquent behavior while in custody, he or she may be returned to court and ordered transferred to adult prison. This can happen any time after a youth turns 16, but before his or her 19th birthday. If a determinate commitment youth is successful in TJJD treatment and has completed his or her minimum period of confinement, he or she may be allowed to transfer to TJJD parole or adult parole, depending on the youth's age at the time of parole, rather than to prison. Only a judge, not TJJD, can send a youth to prison.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Department of Sentenced Offender Dispositions	***3.0***	***3.0***	***3.0***	***$ 195,907***	***$ 197,761***	***$ 196,680***
F.1.1. Central Administration	3.0	3.0	3.0	$ 195,907	$ 197,761	$ 196,680
General Revenue Fund	3.0	3.0	3.0	$ 195,907	$ 197,761	$ 196,680

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

N/A

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

As mentioned above, TJJD works in coordination with committing courts to satisfy all statutory requirements.

Sections K-P: N/A

Reentry Program

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Reentry Program

Location/Division: State Programs

- ***Contact Name: Todd Novak***
- ***Statutory Citation for Program:***

  Chapter 245, Texas Human Resources Code

  Section 59.009, Texas Family Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

Centralized Placement Unit (CPU)

This unit:

- Researches, investigates, verifies, and summarizes all information collected during the intake of youth committed to the agency and uses this information for placement planning, and determining necessary program restriction levels;

- Determines and coordinates the most appropriate placement of such youth in a TJJD-operated or contracted facility, and coordinates subsequent movements with staff across agency divisions during the commitment;
- Monitors agency population trends and advises senior leadership regarding programmatic and operational needs related to these trends to proactively manage the secure population so that youth who should no longer be in secure placement are stepped down to less restrictive levels of service; and
- Acts as an "air traffic control system" to ensure that every youth is where they should be and no youth stays at TJJD any longer than they need to be.

Halfway House Programming

This programming:

- Implements programming toward becoming an integrated part of a fully trauma-informed system and the embodiment of "The Texas Model";
- Provides rehabilitative services to low and moderate risk youth committed to TJJD as a direct assignment; however, the majority of youth are served as a transitional assignment after they have completed their stay in a secure facility;
- Provides care for youth's basic needs, such as food, clothing, shelter, safety, medical care, legal rights, parenting, education, recreation, and spiritual needs;
- Provides housing for youth that are experiencing homelessness or are at risk of becoming homeless;
- Prepares youth to live independently; and
- Connects youth with community resources such as mentors, trade schools, college, employment opportunities, and special needs such as LGBTQ support.

Youth Services Contracts Program

This program:

- Solicits and develops contract care options to meet the changing needs of the agency and provides treatment options for youth in smaller settings;
- Monitors operational compliance, treatment deliverables, and the case management services provided to such youth at contracted facilities; and
- Manages movement and contracts more effectively to provide options to meet youth's needs outside of TJJD's secure facilities.

Reentry System and Parole Operations

These operations:

- Provide trauma-informed reentry services for our most vulnerable youth;
- Advance public safety through rehabilitation;

- Provide after-care and reentry planning that begins early to better ensure successful transition back to the community;
- Provide supports, supervision, and resources to youth on parole in the community through contracted and state-operated parole services;
- Establish and oversee program goals and objectives relating to an innovative, multifaceted and integrated reentry system;
- Coordinate the work of multiple divisions and external organizations involved in reentry functions to ensure seamless and successful transitions for youth;
- Aspire to become an integrated part of a fully trauma-informed system; and
- Track and analyze performance measures and positive youth outcomes.

Reentry and parole services delivers The University of Cincinnati's Effective Practices in Community Supervision (EPICS) model, which "combines foundational correctional intervention research, coupled with recent findings in community supervision. Using this model, officers follow a structured approach to client sessions to apply the principles of effective intervention and core correctional practices specifically to community supervision practices." Evidenced-based cognitive behavioral therapies such a, the behavior chain, cost benefit analysis, problem solving, and structured skills building are used to address youth's individual criminogenic needs and are derived based on risk. This is the perfect complement to The Texas Model because trust and authoritative modeling is foundational. TJJD maintains a robust sustainability effort, which includes trainer of trainers and routine booster sessions with officers. In addition, officer/youth trust is measured by the Dual Role Inventory (DRI), which is used as a pre- and post-test measure to examine if the client-officer relationship has changed due to the EPICS model.

Victim services & sex offender registration technical support

This support:

- Affords victims of juvenile crime their rights under the law and recognizes their losses;
- Provides victims of juvenile crime, upon request, accurate and timely information in accordance with agency policy;
- Assists victims by acting as a referral source to available services;
- Ensures that TJJD personnel are trained in victim sensitivity issues and rights; and
- Develops youth awareness of how their delinquent behavior victimizes others.

In addition, the Administrator of Victim Service's works closely with the verified victims of juvenile crime as well as the courts to ensure that victims are afforded all of the rights that they are allowed by law. This includes timely notification of all proceedings in which these victims are allowed to have input as well as information related to other resources and benefits that they may eligible to receive.

Similarly, the Sex Offender Registration Administrator works closely with TJJD facility staff, courts, and law enforcement in Texas as well as other states to ensure that court-ordered sex offender registration obligations are enforced lawfully and equitably per Texas statute.

Whether this includes the enforcement of standard Juvenile Sex Offender reporting requirements for youth who are being released from our facilities for any number of reasons, or ensuring that proper notification is provided to all required entities if sex offender registration obligations have been waived/deferred so that youth are not subjected to an unlawful registration obligation. This makes our mission not only a matter of public safety but also a matter of juvenile rights. Additionally, we work closely with DPS as well as former Juvenile Registrants, and law enforcement to provide the information required to ensure that sex offender records are removed from the Texas Sex Offender Registry in a timely manner.

Administration of the Parrie Haynes and John C. Wende Trust Funds

These trusts provide education funding for orphaned youth beyond their stay in the Texas Juvenile Justice Department.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Centralized Placement Unit. Following the risk-needs-responsivity model, the placement department began bimonthly screenings of identified youth in institutional settings to ensure ongoing monitoring of the appropriateness of individual youth placement. The goal of this initiative was to ensure assigned placements were best suited to meet the needs and risk level of identified youth based upon their current progress in treatment and programming. The transitions of these appropriate and eligible youth to community-based settings allowed them the opportunity to receive ongoing treatment and increased monitoring, supervision, and support while in the community to better prepare these youth for their eventual return to home locations on parole. These efforts further decreased the potential of youth becoming institutionalized from remaining in a secure setting when their risk level and needs no longer required this. These screenings and other efforts resulted in the movement of approximately 320 youth from secure to nonsecure facility locations between July 1, 2020, to July 1, 2021.

In 2019, efforts were made to increase efficiencies regarding the orientation and assessment process that all youth receive following their initial commitment to TJJD. These efforts resulted in decreasing the time period for the assessment process from approximately 28 days to 21 days, thereby allowing for quicker youth movement from the orientation unit to their permanent placement assignment. This change allowed youth the opportunity to begin their individualized treatment programming at a quicker rate upon their arrival at their long-term placement.

Halfway House Programming. During FY 2020, 366 of 386 halfway house students (95 percent) who reported data received Medicaid. Additionally, of the 434 youth who stayed in a halfway house, 108 (25 percent) received their high school diploma or GED, and 65 (15 percent) completed their preparation for adult living or independent living programs.

Youth Services Contracts Program. During FY 2020, 114 of 203 youth (56.2%) successfully completed their program and stepped down from their program or were released to the community. Additionally, 275 treatment programs in contract care were completed by these 203 youth.

Reentry System and Parole Operations. During 2020, TJJD asked youth participating in reentry and parole activities whether these services are constructive. The response was overwhelmingly positive, with 72 percent of responses stating that their activities were constructive. This percentage consisted of 609 of 845 responses. Additionally, during FY 2020, 395 youth out of 947, or 42 percent, were successfully discharged from parole.

Victim Services & Sex Offender Registration Technical Support. The sex offender registration technical support team designed and delivered Sex Offender Registration Compliance training to all TJJD staff who are involved in the sex offender registration process.

Staff also identified and initiated removal from the Texas Sex Offender Registry 47 individuals whose duty to register for juvenile sex offenses had expired. Additionally, staff provided services to 56 victims of juvenile crime.

Administration of the Parrie Haynes and John C. Wende Trust Funds. There was a 39 percent increase in recipients from these funds from FY 2019 to FY 2020. One recipient graduated from a master's degree program, another from a vocational-technical program in cosmetology, and 23 are enrolled in undergraduate programs. Tuition rates were lowered due to the COVID-19 pandemic. All colleges and universities gave recipients, on average, a $1,500 reduction in tuition because of the CARES Act.

Texas Juvenile Justice Department - Parrie Haynes and John C. Wende Trust Funds
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	FY 2020 Actual Performance
Number of youth served (Parrie Haynes)	11
Tuition, Fees, and Books Expenditures (Parrie Haynes)	$30,253.19
Rent and Living Allowance Expenditures (Parrie Haynes)	$40,187.19
Number of youth served (John C. Wende)	14
Tuition, Fees, and Books Expenditures (John C. Wende)	$15,480.80
Rent and Living Allowance Expenditures (John C. Wende)	$48,803.46

Table 12 Exhibit 12 Program Statistics and Performance Measures ***See Exhibit 3***

See the following performance measures in Exhibit 2:

- Average Daily Population: Contract Programs
- Average Daily Population: Halfway House Programs
- Reincarceration Rate: Within One Year
- Reincarceration Rate: Within Three Years
- Average Daily Population: Parole
- Average Daily Population: Contract Parole
- Average Daily Population: Aftercare Services

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

N/A

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The program is administered in accordance with the following rules in Chapter 380 of the General Administrative Policy Manual:

380.8539 Home Placement

380.8581 Supervision Levels in Parole Home Placement

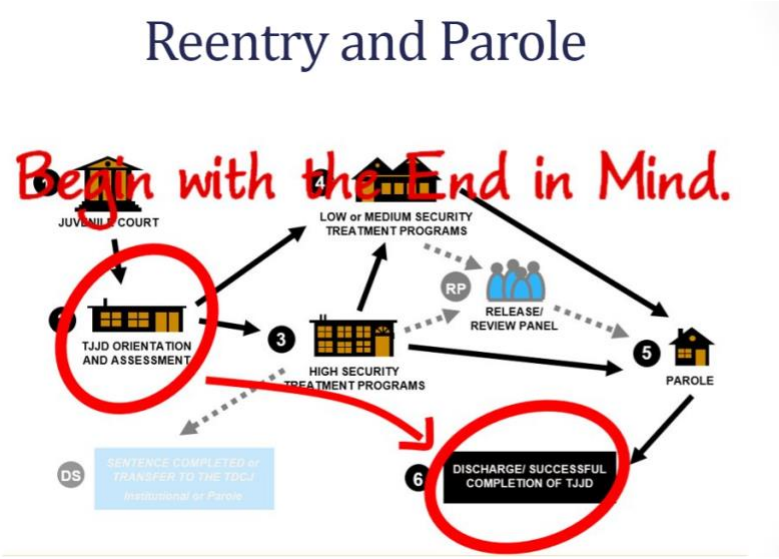
380.8583 Financial Support for Reentry

380.8595 Parole Completion and Discharge

380.9190 Suicide Prevention for Parole

380.9504 Rules and Consequences for Youth on Parole

380.9551 Level I Hearing Procedure



G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Contract Care	***5.4***	***4.9***	***5.0***	***5,725,952***	***4,292,987***	***7,028,092***
B.1.9. Contract Residential Placements	5.4	4.9	5.0	5,725,952	$ 4,292,987	$ 7,028,092
Federal Funds	-	-	-	$ 74,601	$ 22,855	$ -
General Revenue Fund	5.4	4.9	5.0	$ 5,651,352	$ 4,270,131	$ 7,028,092
HWH Operations	***119.1***	***119.5***	***127.3***	***$ 7,450,428***	***$ 7,022,709***	***$ 6,475,399***
B.1.5. Halfway House Operations	119.1	119.5	127.3	$ 7,450,428	$ 7,022,709	$ 6,475,399
Federal Funds	59.7	18.6	-	$ 2,590,511	$ 791,270	$ 996,226
General Revenue Fund	59.4	100.8	127.3	$ 4,859,917	$ 6,231,440	$ 5,479,173
Intake and Assessment	***30.3***	***28.1***	***30.4***	***$ 1,873,688***	***$ 1,795,523***	***$ 1,373,915***
B.1.1. Assessment, Orientation, Placement	30.3	28.1	30.4	$ 1,873,688	$ 1,795,523	$ 1,373,915
Federal Funds	9.5	3.4	-	$ 404,153	$ 144,445	
General Revenue Fund	20.8	24.7	30.4	$ 1,469,535	$ 1,651,078	$ 1,373,915
Parole and Re-entry	***51.6***	***51.1***	***51.3***	***$ 3,245,712***	***$ 3,034,120***	***$ 3,546,791***
C.1.1. Parole Direct Supervision	37.8	37.5	38.0	$ 2,275,457	$ 2,138,591	$ 2,443,263
Federal Funds	21.7	7.3	-	$ 924,109	$ 308,750	$ -
General Revenue Fund	16.1	30.2	38.0	$ 1,351,348	$ 1,829,841	$ 2,443,263
C.1.2. Parole Programs and Services	13.8	13.6	13.3	$ 970,255	$ 895,529	$ 1,103,528
Federal Funds	1.0	0.3	-	$ 40,660	$ 13,553	$ -
General Revenue Fund	12.8	13.3	13.3	$ 929,595	$ 881,976	$ 1,103,528

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

N/A

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

- CLC – CLC, Inc. Tarrant County Juvenile Second Chance Act (SCA) Youth Offender Program Project
- Lubbock County JP – Mail and Parking Agreement
- Tyler TDCJ Parking Agreement
- TDCJ (TCOOMMI) Agreement
- Depart of Vital Statics (ID agreement)

- University of Texas at San Antonio (school of social work interns at Ayres HWH)

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The contracted expenditures through this program provide high and medium secure contract residential placements, contract parole services, specialized aftercare for youth in the community and in halfway houses, lease halfway houses, and lease district offices for regional parole staff. The general purpose of contracted aftercare services is to ensure youth on parole receive continuity of care. Traditionally services have centered on behavioral health, substance use, and sex-offender aftercare treatment. These contacted services create an opportunity for youth to maintain sobriety and address childhood traumatic events through evidence-based interventions. Addressing aftercare needs of young people has the potential to improve individual health and reentry outcomes. The benefits also extend beyond the individual to the communities in which returning young people reside.

- **the amount of those expenditures in fiscal year 2020;**

Total reentry/parole services expenditures: $552,026.63

Total contract care placement expenditure: $3,969,776.49

TJJD-operated halfway house leases: $665,168

- **the number of contracts accounting for those expenditures;**

Reentry/parole services expenditures: 47 contracts

Contract care placement expenditure: 9 contracts

TJJD-operated Halfway House leases: 6 contracts

- **the method used to procure contracts;**

These contracts were procured through the following methods, depending on what was being procured:

- Texas Facility Commission lease
- Interlocal contract
- Directly awarded without solicitation
- Request for Proposal
- Invitation for Bid
- Interagency contract

- **top five contracts by dollar amount, including contractor and purpose;**

Reentry/Parole contracts:

CON0000264 – maximum contract amount of $639,205.40 with Patterson Group Enterprises, LLC for the Fort Worth District Office lease.

CON0000265 – maximum contract amount of $584,656.96 with Interra-Habitat Point West, LLC and PCRIF Point West Holdings, LLC (new owner of property as of 10/1/2019) for the Houston District Office lease.

CON0000797 – maximum contract amount of $261,200 with Jefferson County for parole supervision of youth.

CON0000796 – maximum contract amount of $235,000 with Taylor County Justice of the Peace for parole supervision of youth.

CON0000266 – maximum contract amount of $241,290 with Bexar County for the San Antonio District Office lease.

Facility contracts:

CON0000310 – maximum contract amount of $11,900,000 with Rite of Passage, Inc. for contract residential placement at The Oaks facility. The daily rate of this contract is $189.20/day.

CON0000309 – maximum contract amount of $10,200,000 with Cornerstone Programs Corp. for contract residential placement at Garza County Regional Juvenile Center / Cornerstone Program. The daily rate for this contract is $179.00/day.

CON0000505 – maximum contract amount of $5,300,000 with Rite of Passage, Inc. for contract residential placement. The daily rate of this contract is $170.10/day.

CON0000301 – maximum contract amount of $3,800,000 with Associated Marine Institutes for contract residential placement at AMIKids facility. The daily rate for this contract is $153/day.

CON0000348 – maximum contract amount of $2,759,400 Pegasus School, Inc. for contract residential placement. The daily rate for this contract is $199.00/day.

TJJD-operated Halfway House leases:
CON0000269 – maximum contract amount of $10,968,361.44 with Lena Pope Home, Inc. for lease of McFadden Ranch Halfway House (no longer in operation).

CON0000271 – maximum contract amount of $4,172,160 with Bill Burns for lease of Tamayo Halfway House.

CON0000270 – maximum contract amount of $3,172,344.60 with BKI Investments LP for lease of Schaffer Halfway House.

CON0000267 – maximum contract amount of $2,906,088 with South New Braunfels 47 LTD for lease of Ayres Halfway House.

CON0000272 – maximum contract amount of $1,261,599.28 with WO Davis Realty LP for lease of Willoughby Halfway House.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

The biggest issue that is currently being addressed is the amendment process when adding counties. TJJD's contact's department practice standard requires an amendment is routed through CAPPS when adding counties. This created a huge backlog in 2020 (new contract request got slowed, and amendments got stuck in the contract department). TJJD is currently evaluating a regional approach with aftercare contracts. A provider will be identified by region and able to work within that region with some limitations. Additionally, during the recent renewal period, many contractors had different contract numbers for the same period or contracts where placed on the renewal list when they didn't require a renewal.

Sections L-P: N/A

Youth Rights

A. Provide the following information at the beginning of each program description.
Name of Program or Function: Youth Rights
Location/Division: Office of General Counsel
Contact Name: Lori Harris
Statutory Citation for Program:
Human Resources Code, Section 203.010 – Complaints **§203.010, HRC;**
Human Resources Code, Section 203.014 - Toll-Free Number §203.014, HRC;
Family Code §261.401;
Family Code §261.409;
Family Code §61.103;
Human Resources Code, Section 242.101 – Zero Tolerance Policy §242.101;
Prison Rape Elimination Act of 2003 (42 USC 15601 et seq.)
28 CFR Part 115;
Texas Religious Freedom Restoration Act (Texas Civil Practice and Remedies Code Chapter 110);
Religious Land Use and Institutionalized Persons Act (42 USC §2000cc et seq.);

Placement of residents in housing, bed, program, education, and work assignments.
28 CFR §115.342; and
Morales v. Turman Settlement Agreement Sections (V)(B) and (V)(J)

B. What is the objective of this program or function? Describe the major activities performed under this program.

The following 14 basic rights are guaranteed to youth by law and/or TJJD policy:

1) Right to Equal Treatment;

2) Right of Free Speech and Expression;

3) Right of Religious Freedom;

4) Right to Personal Possessions;

5) Right to Receive Visitors;

6) Right of Access to Mail and Telephone;

7) Right to Earnings and Monetary Gifts;

8) Right to Protection from Physical and Psychological Harm;

9) Right to Medical and Dental Care;

10) Right of Access to Attorneys;

11) Right to be Informed;

12) Right to Accuracy and Fairness in Decision Making;

13) Right to Confidentiality of Records; and

14) Right to Express Grievances and Appeal Decisions

Youth, parents/guardians of youth, and youth advocates have a right to file grievances concerning the care, treatment, services, or conditions provided for youth under the jurisdiction of TJJD. TJJD resolves grievances in a prompt, fair, and thorough manner; however, grievances alleging criminal violations or abuse, neglect, and exploitation are referred to law enforcement for investigation and disposition. Also, TJJD recognizes that informal discussions between staff and youth are a key element in resolving issues or concerns at the earliest stage and contribute to a positive facility culture. TJJD makes staff available to meet with youth whenever possible, limited only by consideration for facility order and the safety of youth and staff.

The Youth Rights Department, a division under the Office of General Counsel, consists of five Youth Rights Specialists and three Youth Rights Clerks, who are located at TJJD's five secure facilities. The role of the Youth Rights Department is to oversee the grievance process at TJJD's secure facilities, halfway houses, contract care facilities housing TJJD youth, and parole.

Generally, there is no limitation on the number or subject matter of grievances a person is permitted to file. However, appeals of decisions made in TJJD due process hearings or by the Release Review Panel (RRP) are not addressed through the grievance system.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Texas Juvenile Justice Department – Youth Rights
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	Total
Total Grievances Filed	5275
Total Grievances Filed and Resolved Timely	4585
Total Grievances Filed and Resolved Late	689
Grievance Overdue Without Appeal	1
Number of First Appeal	371
Number of Second Appeal	82
Number of Direct Appeal to Executive Director	0
First Appeal Overdue	0
Second Appeal Overdue	0
Direct Appeal to Executive Director Overdue	0
Total Grievances Overdue	1
Grievance Lost/Destroyed/Not Used	26
Grievance Voided	544

Table 12 Exhibit 12 Program Statistics and Performance Measures ***See Exhibit 3***

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

N/A

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.
N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Each residential facility and parole office provide a time, place, and manner in which youth, parents/guardians, or youth advocates may file grievances. Youth are informed of the system for filing and resolving grievances upon arrival at each placement. Notices containing information on the grievance system are posted in English and Spanish in visible areas throughout residential facilities and parole offices. Parents/guardians are provided information on the grievance resolution system and local contact information upon a child's admission to TJJD and each subsequent placement. A staff member is available to help in writing and filing grievances to individuals with disabilities who request accommodations in order to access the youth grievance system. Persons with limited English proficiency may file grievances in languages other than English. The identity of a person filing a grievance is not shared with staff members other than those necessary to resolve the grievance. Youth files do not contain any reference to the filing of grievances. TJJD provides confirmation of receipt, including a tracking number, to grievants having the legal right to access confidential youth information. To the extent possible, grievances remain confidential.

Youth assigned to residential facilities may submit a written request for a conference with any staff member assigned to his/her facility as an informal means of addressing issues or concerns. Conferences with youth are scheduled at the earliest opportunity that does not jeopardize youth or staff safety, facility order, or an ongoing investigation. Youth are notified in cases where the request cannot be honored promptly. A youth may elect to file a grievance if he/she is dissatisfied with the result of the staff conference or if the issue(s) raised in connection with the conference request cannot be resolved by his/her selected staff member. However, in no case is a youth required to submit a request for conference as a preliminary step prior to submitting a grievance.

Methods for Filing a Grievance

Incident Reporting Center. Any person may submit a grievance to the TJJD Incident Reporting Center (IRC) by telephone, email, fax, or postal service. See TJJD's website for contact information. Subject to limitations on time, place, and manner, a youth in a residential placement is allowed confidential telephone access to contact the IRC.

In-Person to TJJD Staff. Any person who is unable or unwilling to submit a grievance in writing may verbally communicate a grievance to TJJD staff.

Youth Grievance Forms. All youth under TJJD jurisdiction must have access to pre-numbered grievance forms. In residential facilities, a youth is selected in each living unit or area to distribute grievance forms. Alternatively, secure drop boxes are provided in easily accessible locations for youth to submit completed grievance forms. Access to the drop boxes is restricted to staff members designated by the executive director or designee. A youth is provided with a copy of each grievance he/she submits. Once a youth submits a grievance, it may not be withdrawn

Grievances are promptly collected, reviewed, and assigned for response. Grievances are screened to identify issues which require expedited resolution in order to avoid substantial loss or harm if delayed. Each grievance is assigned to a staff member who is not directly involved in

the grievance and has the authority to implement an appropriate corrective measure or has knowledge or access to provide clarifying information. Grievances involving healthcare issues must be assigned to a person with appropriate clinical expertise and credentials. The assigned staff member must provide a written response to the grievant within 10 workdays after submission of the grievance.

A grievant may file an appeal if he/she is dissatisfied with the response. Except for healthcare related grievances, TJJD designates a staff member to provide a written response to the appeal. Appeals of responses to grievances related to health care are submitted as direct appeals to the executive director or designee. For all other grievances, a grievant may submit an appeal to the executive director or designee if dissatisfied with the appeal response. A grievant may submit a direct appeal to the executive director or designee if no written response is received within 15 workdays after submitting a grievance or an appeal of a grievance response. An appeal to the executive director or designee exhausts all administrative remedies on the issue(s) raised in the grievance.

Retaliation or interference by staff concerning the filing or resolution of grievances is not tolerated and is grounds for disciplinary action up to and including termination of employment.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Youth Rights	***9.1***	***8.9***	***8.6***	***$ 390,971***	***$ 368,960***	***$ 365,921***
B.1.2. Facility Operations and Overhead	9.1	8.9	8.6	$ 390,971	$ 368,960	$ 365,921
General Revenue Fund	9.1	8.9	8.6	$ 390,971	$ 368,960	$ 365,921

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

We are not aware of any other programs that provide the service we provide.

Sections I-P: N/A

Community Mental Health Program

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Community Mental Health Program
Location/Division: Regionalization and Diversion/Probation Services
Contact Name: Susan Palacios
Statutory Citation for Program: Health and Safety Code Chapter 533. Powers and Duties of Department of State Health Services; Texas Government Code Chapter 531.055.

Memorandum of Understanding on Services for Persons Needing Multiagency Services; Human Resources Code, Chapter 203. Regionalization Plan; Health and Safety Code Chapter 614.018. Continuity of Care for Juveniles with Mental Impairments; Human Resources Code 223.001

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Community Mental Health Program's primary objective is to ensure juvenile justice-involved youth receive the most responsive and appropriate services possible to meet their unique mental health needs. To meet this objective, the program has evolved, placing building effective and reciprocal relationships with other agencies that serve youth at the forefront of its work, while simultaneously working to support the local probation departments and other members of the TJJD team to meet the every-increasing, complex mental health needs of the youth we serve.

Providing local department support. Probation departments receive easily accessible individual case consultation from the Community Mental Health Program to determine appropriate community or residential services and assistance to find non-secure or secure placement options for youth with complex needs who offer unique challenges.

Special Needs Diversionary Program. The Community Mental Health Program administrator coordinates the Special Needs Diversionary Program (SNDP), which was created in 2001 to provide mental health treatment and specialized supervision in order to rehabilitate juvenile offenders and keep them as shallow in the juvenile justice system as possible. The program is administered in a collaborative model by the Texas Juvenile Justice Department (TJJD) and the Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI).

Initiating and participating in interagency collaboration. To effectively meet the needs of youth, the Community Mental Health Program makes intentional efforts in building relationships with other state agencies including, but not limited to, HHSC, DFPS, and TDCJ. These relationships allow appropriate systems to engage when needed to meet the needs of children and their families. Participating in regular meetings with these agencies helps break down historical silos that have been barriers to implementing systemic changes that directly affect our youth and their families.

Supporting regional diversion efforts. The Community Mental Health Program supports the six regional county program administrators as they continue to support the field by reviewing all regional diversion applications in which the youth has a history of significant mental illness, a history of trauma, or suicidal/self-abusive behaviors. The program also consistently provides mental health expertise to all projects and endeavors of the regional diversion team to ensure the mental health needs of youth are met while addressing criminogenic need.

TJJD probation and stateside services collaboration. The Community Mental Health Program consistently communicates with individuals in TJJD State Services to ensure the needs of the youth who transition from probation to a secure facility and parole services are met. In addition, the Community Mental Health Program joins forces with TJJD Stateside for trainings

for professionals and members of the community. The Community Mental Health Program also provides weekly information, education, and resources on various mental health disorders and treatment strategies to all TJJD employees.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

The Community Mental Health Program Administrator provides weekly mental health resources to probation departments, TJJD personnel, HHSC personnel, and JJAEPs to help bring awareness and greater knowledge about mental health issues our youth may have. The program also assists with the review of applications for diversion of youth. Of the applications submitted for diversion in FY 2020, 11 percent were for youth with significant mental health needs.

This program assists local juvenile probation departments in finding resources for youth with more specialized needs. The scope of these needs identified at the time of referral from FY 2016 to FY 2020 show that on average:

- 31 percent of juveniles presented with a suspected or confirmed substance abuse need; and
- 40 percent of juveniles had mental health needs.

Probation departments use a common screening instrument for all juveniles (MAYSI) that indicate active concerns at the time of referral. Results of this instrument from FY 2016 to FY 2020 showed that on average:

- 9 percent of juveniles had a warning for alcohol or drug use;
- 14 percent of juveniles had a warning for anger and irritability;
- 11 percent of juveniles had a warning for depression and anxiety;
- 16 percent of juveniles had a warning for suicidal ideation;
- 13 percent of male juveniles had a warning for thought disturbance; and
- 63 percent of juveniles had a warning for traumatic experiences.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

In the 84th Legislative session SB 1630 directed TJJD to “create a new division of the department responsible for administering the regionalization plan and monitoring program quality and accountability” and this division must “include sufficient mechanisms” to divert youth from commitment to TJJD. The Regionalization department is comprised of Regional County Program Administrators for the seven probation regions in Texas with expertise in juvenile justice, evidence-based programming, and program implementation. What was missing

from these "sufficient mechanisms" mentioned in SB 1630 for diversion of youth is a focus on the treatment aspect, which is core to rehabilitation resulting in reduced recidivism. The establishment of the community mental health specialist in 2016 closed a gap in expertise to round out the intention of SB 1630, bringing a resource directly to the state's 165 juvenile probation departments to triage complex individual cases and identify gaps in services. This resulted in the cross-collaboration with other juvenile service state agencies to further the mission of case continuity and coordination for each individual referred to the system.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Enhance communication between probation departments and the state. This program increases cross-collaboration with other state agencies, including, but not limited to, the Texas Health and Human Services Commission and the Department of Family and Protective Services, to strengthen case coordination and communication. These efforts have included frequent meetings with various members of departments within HHSC and DFPS to brainstorm ways to enhance the current systems to meet the complex mental health needs of our dual-status youth and youth with complex mental health needs. Various members of local probation departments are included in those meetings when appropriate. In addition, the community mental health program administrator serves as a liaison to link local probation departments with various state agencies equipped to assist with mental health needs as they arise. These conversations have initiated various system reviews and modifications by HHSC to better respond to youth needs. This can be particularly helpful in efforts to expedite admission for youth needing psychiatric placement or admission under a Chapter 55 commitment. TJJD has joined forces with HHSC to provide assistance to probation departments regarding case staffing, complex mental health needs, trauma-responsive practices, and risk, needs and responsivity-based interventions. These additional supports enhance regionalization's mission to divert individual youth from commitment to TJJD and keep youth closer to home.

Assist in regional diversion efforts. The Community Mental Health Program administrators reviews applications for diversion and provides consultation to the assigned regional county program administrator when a juvenile has a history of or active psychosis, suicide attempts requiring hospitalization in the previous two years, current or recent history (in the past six months) of suicidal ideation, significant mental illness requiring psychiatric hospitalization in the last two years, IDD diagnosis, or a history of significant trauma. The consultation includes initial vetting of potential placements for youth and the locating of services or resources for youth who are difficult to place. Efforts to heighten the regional model include assisting with development of a handbook to outline services provided by different facilities, creating

resources for commercially sexually exploited youth, and providing evidence-based tools for community supervision of youth.

Support Local Probation Departments. The Community Mental Health Program supports local probation departments by consulting and collaborating on youth with complex mental health needs; activating inter-agency case collaboration for youth who are served by multiple agencies; assisting in locating appropriate placements for youth with complex mental health needs; building bridges between systems that are able to meet the needs of the youth and the probation departments; and providing weekly information, education, and resources on various mental health disorders and treatment strategies.

Continued Engagement with TJJD State Services Division. As an integral part of regionalization team, the community mental health program administrator supports and understands the language and culture of both local juvenile probation departments and TJJD State Services Division. Regionalization is inherently equipped in building a bridge between these two entities, which strengthens continuity of care, improves quality communication, and fulfills the underlying goal of the 82nd Legislature's SB 653, "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."

Provide Training on Best Practices. Training is an essential role of TJJD, and as part of regionalization department, the community mental health program collaborates with the Juvenile Justice Training Academy to provide training that is responsive to the needs of probation departments. The program has participated in the development of training curriculums and worked with juvenile probation departments and juvenile justice professional organizations to provide webinars and in-person trainings.

Assist in Research-Based Program Development. The Community Mental Health Program specialist, as part of the regionalization team, is available upon request to conduct customized department-specific technical assistance trainings (e.g., data entry training, data analysis, case-management best practices, and program performance).

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Community Mental Health Programs	***1.0***	***1.0***	***1.0***	***$ 1,937,633***	***$ 1,849,134***	***$ 1,895,175***
A.1.3. Community Programs	1.0	1.0	1.0	$ 1,937,633	$ 1,849,134	$ 1,895,175
General Revenue Fund	1.0	1.0	1.0	$ 1,937,633	$ 1,849,134	$ 1,895,175

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

No agency outside of TJJD provides identical services or functions to the youth of Texas. The Community Mental Health Program works with several state agencies to collaborate and enhance the services to address mental health need and criminogenic need of referred youth and ensure the protection of local communities. The Community Mental Health Program is unique in its work connecting local probation departments with youth serving state agencies and facilities. This program works with the chief juvenile probation officers, mental health coordinators, contracted providers, and juvenile probation officers to support mental health and other specialized treatment needs of juveniles referred to the 165 probation departments providing juvenile justice services to all 254 counties in Texas. The Community Mental Health Program does not duplicate services to youth, but is in a position of linking and building upon current systems to better serve youth to enhance case collaboration.

In addition to local probation departments, personnel from the TJJD, and members of the public, the Community Mental Health Program serves on multiple youth-serving committees and has routine collaborative meetings with the following:

- Office of the Governor (OOG) Child Sex Trafficking Team
- Health and Human Services Commission (HHSC)
- Department of Family Services (DFPS)
- Texas Supreme Court Children's Commission
- Texas Institute for Excellence in Mental Health
- Texas Department of Criminal Justice (TDCJ)
- Texas Judicial Commission of Mental Health
- Local child serving agencies – LMHA, LIDDA

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Community Mental Health Program has regular and ongoing communication with other youth-serving agencies to improve systems and avoid duplication of services. The program administrator remains aware of current trends in mental health services administered throughout the state by serving on multiple committees with various state agency representatives, including, but not limited to:

- Child and Youth Behavioral Health Subcommittee;
- Texas Judicial Commission on Mental Health;
- Community Resource Coordination Committee/Subcommittee;

- Adolescent Health Workgroup;
- Texas Family Voice Network; and
- Suicide Prevention Committee.

In addition, the program routinely reviews MOU's with other youth-serving agencies to ensure they are updated, appropriate, relevant, and responsive to the ever-increasing needs of youth.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

As a part of the regionalization team, the Community Mental Health Program works with the 165 juvenile probation departments that cover 254 counties in Texas to facilitate a one-system approach to juvenile justice. In addition to probation departments and TJJD Stateside Services Division, the Community Mental Health Program regularly collaborates with:

- HHSC/IDD and Behavioral Health Services: Consistent collaboration on individual cases and regular meetings to review, address, and enhance systems; assist with trainings/ presentations; and review current youth serving systems in an effort to enhance those systems to better meet need.
- HHSC/YES Waiver: Consistent collaboration on individual cases and regular meetings to review, address, and enhance systems.
- HHSC/Office of Coordinating Council: Consistent collaboration on individual cases and regular meetings to review, address, and enhance systems. Primarily working to efficiently expedite movement of children needing psychiatric hospitalization or youth pending Chapter 55 commitments.
- HHSC/Office of Mental Health Coordination/CRCG: Initiate and attend regular meetings to review, address, and enhance systems; collaborate on statewide summits to increase collaboration with youth serving agencies on a local level; and collaborate with TxSOC to better integrate their mission regarding voices of lived experience into the work of TJJD.
- Office of the Governor (OOG) Child Sex Trafficking Team: Assist in developing and creating resources for Commercially Sexually Exploited Youth (CSEY).
- Texas Judicial Commission of Mental Health (JCMH): Serve on the Texas Juvenile Mental Health and Intellectual and Developmental Disabilities Law Bench Book committee, present on inter-agency collaboration at their annual conference, and serve on the JCMH collaborative council.
- Texas Department of Family and Protective Services (DFPS): Engage in consistent collaboration on individual cases and regular meetings to review, address, and enhance systems and assist in communication with local probation departments.
- Texas Family Voice Network: Collaborate to ensure family voice is heard and valued within TJJD and local probation departments.
- Texas Institute of Excellence in Mental Health: Regularly collaborate on outreach projects.

- Texas Department of Criminal Justice (TDCJ): Initiate and attend regular meetings to address ongoing concerns regarding the TCOOMMI program, collaborate regarding Texas Commission on Law Enforcement (TCOLE) system and ways to integrate that framework in the BHSO system to better meet youth needs.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

The grants this program administers and collaborates to implement are awarded through the state aid formula and discretionary state aid grant processes coordinated by the county grants team. In FY 2020, the Legislature allocated $14,178,353 million in general revenue funds for mental health services to the probation field through state aid formula funding. TJJD provided an additional $2,495,175 in general revenue funds for discretionary state aid grants of $1,895,175 for the Special Needs Diversionary Program and $600,000 for other mental health programs targeted to support probation system mental health treatment initiatives.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

As a part of the regionalization department, the Community Mental Health Program works with the 165 juvenile probation departments that cover 254 counties in Texas to facilitate a one-system approach to juvenile justice. With additional funding, the program could be expanded to meet the ever-increasing demand for services devoted to mental health for youth. At this time, the program consists of one community mental health program administrator. An additional position could increase and enhance trainings and collaboration with other state agencies, provide support to probation departments, and help with the implementation of community mental health initiatives.

A continued barrier is the law that does not allow for children in secure settings to have their Medicaid reinstated if the need arises for mental health services. Although progress is being made in this area by the recent passage of HB 1664 in the 87th legislative session that requires HHSC to reinstate Medicaid eligibility for children hospitalized in in-patient medical facilities, the new law does not apply to facilities for mental health or psychiatric services. This continues

to leave a gap for children needing mental health treatment, including psychiatric hospitalization, while in a detention facility. This also has the potential to cut youth off from some of their most trusted and helpful services at a time they need those services most. Youth with established relationships with mental health professionals are not able to access those professionals when they are at their most vulnerable, because of the current laws prohibiting the LMHAs from billing Medicaid for services received in secure settings.

Texas Government Code 531.005 directs nine state agencies to enter into a memorandum of understanding that develops a community-based approach to provide better coordination of services for people with complex multi-agency needs. The MOU requires each state agency to ensure participation in the process at the local level through its representatives across the state. There is a reported lack of engagement by some agencies, resulting in approximately 30 percent of all local Community Resource Coordination Groups (CRCG) led by juvenile probation representatives and several local CRCGs with no representation from some agencies. With the state agencies directly involved in the care of youth not occupying their seat at the table, fewer resources are available for youth and their families in CRCG meetings. More oversight by state agencies to ensure their local representatives are present for CRCG meetings could increase services options for youth and better outcomes for Texas families.

Two significant initiatives for the juvenile justice system in Texas are currently funded or coordinated by the Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI), a division of the Texas Department of Criminal Justice. The primary role and focus for TCOOMMI is coordinating probation and parole services for the adult system, which dilutes the focus on juvenile system needs and results in approaches that are less than optimal for juvenile services. While the adult system may have been best situated to coordinate these functions when they were first created in law, significant juvenile justice reform over the years and our increased knowledge of the role adolescent brain development plays in juvenile criminal behavior make it critical that the agency immersed in juvenile justice research takes the lead in coordinating programs for juveniles. To enhance positive outcomes from the juvenile justice system, we recommend that coordination of and funding for the juvenile justice initiatives described below be transferred to TJJD.

Texas Health and Safety Code 614.018, Continuity of Care for Juveniles with Mental Impairments, requires the Texas Juvenile Justice Department, Department of Public Safety, Department of State Health Services, Department of Aging and Disability Services, Department of Family and Protective Services, Texas Education Agency, and local juvenile probation departments to adopt a memorandum of understanding establishing their respective responsibilities to institute a continuity of care and service program for juveniles with mental impairments in the juvenile justice system. The statute directs TCOOMMI to coordinate and monitor the development and implementation of the memorandum of understanding. The resulting MOU was developed and is supposed to be renewed every two years. The most recent renewal was completed in 2015, and the last attempts to renew in 2017 were not successful.

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 keep them

as shallow as possible in the juvenile justice system. The program is administered by TJJD and TCOOMMI, with juvenile probation officers from local probation departments funded through TJJD grants and professional mental health staff from the local mental health authorities funded through a TCOOMMI contract. Since TCOOMMI funds the mental health services at the LMHA, probation departments' ability to have input on the level and types of services provided to youth in the program is limited and juveniles are required to be moved to the caseloads of staff funded through the program when probation begins, then moved off those caseloads when probation ends. This decreases continuity of care, results in re-traumatization of youth as they are required to adjust to new treatment providers, and places probation departments and the LMHA at the mercy of staffing levels set by TCOOMMI to provide critical mental health services. Finally, the availability of this program is limited to 12 of the 40 local mental health authorities with a TCOOMMI contract in Texas, meaning that most of the juvenile justice system is unable to access specialized mental health services. A program such as this could also be useful to youth returning home from TJJD facilities on parole status, but it is currently unavailable to them. When TJJD has proposed additional mental health funding, TCOOMMI has expressed concern that we are attempting to duplicate services. The current SNDP program is not sufficient to meet our entire juvenile justice system needs for mental health services, and it proves a barrier to the agency obtaining the additional services needed.

Sections N-P: N/A

Federal Programs for Probation

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Federal Programs

Location/Division: Probation Services

Contact Name: Lynn Jackson

Statutory Citation for Program: Social Security Act, 42 United States Code §670. Foster Care Maintenance Payments Program; Social Security Act, 42 United States Code §622. State Plans for Child Welfare Services; General Appropriations Act, Article V Rider 7. Appropriation and Tracking of Title IV-E Receipts; General Appropriations Act, Article V Rider 8. Federal Foster Care Claims; Texas Government Code, Chapter 531.02418. Medicaid and Child Health Plan Program Eligibility Determination for Certain Individuals; and 203.006, Human Resources Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Federal Programs department in the Probation Services division coordinates and administers two of the federally funded programs or services youth in the juvenile justice system use most frequently and acts as a liaison for probation departments and TJJD with the Texas agencies having primary responsibility for administering those programs or services.

Title IV-E Foster Care is a program that provides reimbursement of federal funds for eligible placements, services, and administrative costs associated with providing interventions to youth meeting program eligibility criteria. Federal Programs collaborates with the Department of Family and Protective Services (DFPS) and federal partners in the implementation and oversight of the program, coordinates justice system policies and program monitoring, and provides training and technical assistance to justice system personnel implementing the program at juvenile probation departments and in TJJD.

Medicaid benefits are accessed by many youth in the juvenile justice system when they are in community and non-secure facility settings, but must be prohibited if a youth is moved to a secure residential setting. Federal programs coordinate and troubleshoot the system TJJD and the Health and Human Services Commission (HHSC) use to suspend and reinstate Medicaid eligibility as youth move into and out of secure facilities and collaborates with HHSC staff to facilitate the community partners program at juvenile justice locations, allowing for continuity of Medicaid access and reducing duplication of services.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Texas Juvenile Justice Department
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	FY 2020 Actual Performance
Youth entered in Juvenile Medicaid Tracker system	1824
Title IV-E funds received	$1,763,029
Youth certified as Title IV-E eligible	89

Table 12 Exhibit 12 Program Statistics and Performance Measures ***See Exhibit 3***

See the performance measure, "# County Juvenile Probation Depts Utilizing Federal Title IV-E Dollars" and "Number of Juveniles Receiving Title IV-E Services" in Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The ability of the juvenile justice system to participate in Title IV-E has significantly reduced over the years. Federal funds supporting probation departments, for instance, have decreased from 10 percent of total probation system funds in FY 2006 to 1 percent in FY 2019. Two factors, both determined at the federal level, have driven this downward trend. Historically, many probation departments participated in claiming administrative costs for youth deemed to be reasonable candidates for child welfare removal from the home. Over the years, federal monitors have tightened the eligibility criteria for this category and made the process so difficult that it costs more to administer the program than was recouped in reimbursement dollars, prompting many departments to cease participation. To participate in the Title IV-E program, family income must meet the federal Aid to Families with Dependent Children (AFDC)

Needs Standard Income tests. The income levels in those tests haven't been updated since the late 1990s, so very few families meet that criteria.

In 2018, President Trump signed into law the Family First Prevention Services Act, which significantly changed the criteria for participation in the Title IV-E program. Texas chose to exercise an option to delay implementation of the law until October 1, 2021, and the 87th Legislature passed several amendments to Texas law to incorporate the new federal requirements for Title IV-E. As the new program is implemented, funds will be diverted away from support of out-of-home placements and toward community-based supports designed to keep families intact. It is not yet clear how the new program will impact juvenile justice programs' ability to participate, which may result in fewer federal dollars recouped to support juvenile justice services. It has already resulted in lower participation in the current program as departments shift their resources to prepare for implementation of the new program.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Title IV-E program participants must meet standard eligibility criteria and be certified by DFPS as eligible before any reimbursement for placement or administrative cost may be claimed. Varying numbers of probation departments participate in the program each year, and TJJD has always had some youth certified as eligible. However, the participation rate has decreased steadily each year as fewer youth meet eligibility criteria.

Medicaid is a jointly funded state-federal health care program, established in Texas in 1967 and administered by the Health and Human Services Commission. Medicaid is an entitlement program, which means that the federal government does not, and a state cannot, limit the number of eligible people who can enroll, and Medicaid must pay for any services covered under the program. Medicaid serves primarily low-income families, non-disabled children, related caretakers of dependent children, pregnant women, and people with disabilities.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Title IV-E program is administered through a cooperative with DFPS and in accordance with federal Social Security Act requirements. TJJD and DFPS enter into an interagency contract together that sets the required elements of the program TJJD administers to participate in the Title IV-E program that DFPS is designated to lead for the state. The Title IV-E program requirements created and maintained by TJJD are incorporated by reference into the contract and guide the daily practice of the program. TJJD employs two federal programs administrators and funds half of a position employed through DFPS to administer the program. *See Attachment L: Title IV-E Federal Foster Care Reimbursement Program Requirements.*

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Federal Programs	***1.4***	***0.9***	***2.0***	***$ 824,373***	***$ 883,525***	***$ 2,735,730***
A.1.9. Probation System Support	1.4	0.9	2.0	$ 824,373	$ 883,525	$ 2,735,730
Federal Funds	0.7	0.4	1.0	$ 821,104	$ 881,205	$ 2,733,330
General Revenue Fund	0.7	0.5	1.0	$ 3,270	$ 2,320	$ 2,400

Title IV-E is funded with federal Title IV-E funds passed through from DFPS to TJJD. In FY 2020, TJJD received $1,763,029 in Title IV-E funding, with $753,249 disbursed to probation departments and $1,009,780 in TJJD funds for youth services and program administrative costs.

Medicaid services salaries and operational expenses are supported by TJJD general revenue appropriations budgeted to the probation services division.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

DFPS is the lead agency for Title IV-E, administering the program for Texas. They also use the program to provide placements and services for children in their system, but they do not provide those services to youth in the juvenile justice system. HHSC is the lead agency for Medicaid benefits, administering that program for Texas. Federal Programs does not actively apply for or administer Medicaid benefits but simply coordinates with HHSC to communicate the status of youth entering secure placements and facilitate access to benefits for youth returning home from such placements.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TJJD maintains a contract with DFPS that outlines the details of the program implemented by the juvenile justice system and each party's responsibilities in the program. The agency maintains a memorandum of understanding with HHSC that outlines the responsibilities of each agency regarding Medicaid benefits communication and continuity in the juvenile justice system.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The Federal Programs department works with the 165 juvenile probation departments that cover 254 counties in Texas, TJJD state services personnel, and DFPS and HHSC to administer the Title IV-E and Medicaid benefits programs.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

Federal Programs coordinates the Title IV-E program, which reimburses federal funds to probation departments and TJJD for cost of placement for eligible youth, administrative activities to coordinate services for those youth, and administration of the Title IV-E program.

Sections M-P: N/A

Interstate Compact for Juveniles

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Interstate Compact for Juveniles

Location/Division: Probation Services Division, Austin

Contact Name: Daryl Liedecke

Statutory Citation for Program: ICJ statute: Texas Family Code, Title 3, Chapter 60

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Interstate Compact for Juveniles (ICJ) provides for the cooperative supervision of juveniles on parole and probation who seek to reside in a state different from the state in which they were adjudicated and have their parole and probation supervised. ICJ also regulates the travel of juveniles on probation and parole who seek to visit or vacation in a state different from the state in which they were adjudicated. ICJ also oversees the return or extradition of juveniles who have absconded from parole and probation, escaped from a facility, or non-delinquent juveniles who have run away from their parent or guardian and ensures they are returned to their home or demanding states while protecting their rights for due process during extradition.

The ICJ provides for the promulgation of rules that govern the regular business and procedures of the ICJ. By statute, these rules have force and effect of law and must be followed as such.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

ICJ statistics are calculated based on information entered by the ICJ office staff into the ICJ screen in TJJD's M204 system, which covers all ICJ supervision cases. Extradition and Airport supervision cases are tracked using a web-based data entry and case management system developed by TJJD and found on the TJJD intranet system. Performance measures include:

- ICJ Supervision Cases Opened: a measure of new ICJ supervision cases opened during the fiscal year, including incoming and outgoing cases
- ICJ Supervision Cases Closed: a measure of the open ICJ supervision cases that were closed during the fiscal year. This is included because not only is closing an ICJ supervision case a separate step, over the course of the year these cases required other actions on the part of the ICJ office prior to closure. This also includes incoming and outgoing ICJ cases.
- ICJ Extradition Cases Returned: includes all extradition cases handled by the ICJ office during the fiscal year, both incoming and outgoing.
- ICJ Airport Supervision Provided: includes all airport supervisions provided at Texas airports during the fiscal year.

Interstate Compact for Juveniles
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	FY 2020 Actual Performance
ICJ Supervision Cases Opened	702
ICJ Supervision Cases Closed	895
ICJ Extradition Cases Returned	170
ICJ Airport Supervision Provided	18

Table 12 Exhibit 12 Program Statistics and Performance Measures ***See Exhibit 3***

Also reference "Juveniles Served Through Interstate Compact" in Exhibit 3.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The ICJ was first created in the 1960s to assist in the return of juvenile runaways. From there, the scope expanded to include the transfer of supervision for adjudicated juveniles to acknowledge the reality of juvenile/family movement but continue to protect communities by supervising and keeping track of these juveniles when they relocate to a state different from the one they were adjudicated in.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Texas ICJ office has three staff members. The deputy compact administrator leads the ICJ office, represents Texas to the ICJ National Office and other states, has voting rights over ICJ matters brought before the ICJ body, and oversees all cases of ICJ parole transfers and visits, as well as all extradition matters under the ICJ. Two probation coordinators manage the large volume of probation transfer and travel cases. All staff handle both incoming and outgoing ICJ cases.

For all requests for transfer of supervision and travel from Texas to another state, the juvenile probation department or appropriate TJJD staff member submits the documentation to the ICJ office. Upon verification of accuracy and completeness, the Texas ICJ office submits to the appropriate receiving state ICJ office. When other states have juveniles visiting or moving to Texas, the ICJ office receives the documents and forwards them to the appropriate juvenile probation department or TJJD parole office where the juvenile resides or seeks to reside. For transfers of supervision, the ICJ rules require a home evaluation be completed within 45 days of receipt of the request from a sending state. The Texas ICJ office ensures that all home evaluations are received either from the appropriate Texas entity or from the other state within that time frame. The ICJ office also communicates to help clarify or resolve any issues that may arise during the completion of the home evaluation process.

Once supervision is established, ICJ rules require that progress reports be sent every 90 days, or more frequently if violations of supervision occur. The ICJ office monitors all supervision cases to ensure that reports are sent per the rules. When violations of supervision occur, the ICJ office works with both the other state and the appropriate Texas to resolve the violation, including and up to the juvenile being returned to the home state for significant violations of supervision. The ICJ office ensures that all ICJ cases are closed as appropriate, such as when a supervision term has ended or a juvenile has left the state of supervision or has received new violations that remove him or her from the community due to adjudication or conviction. The ICJ office ensures the notifications are sent to proper entities and the ICJ case is closed.

Extradition is handled by the ICJ office upon notification that a juvenile has been located. The Texas ICJ office works with the holding state or Texas jurisdiction to ensure that the youth receives due process rights for extradition met under the ICJ law and rules and works with the guardian or entity that has jurisdiction over the juvenile to get them returned to the appropriate jurisdiction. The Texas ICJ office has funds to assist Texas parents, and occasionally juvenile probation departments, in purchasing airline tickets to return the juvenile to Texas. Youth flying back to their home or demanding state is the most common means of returning a

juvenile under the ICJ. The Texas ICJ office also arranges transportation when a TJJD parolee needs to be returned to Texas from another state.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
ICJ	***-***	***-***	***-***	***$ 220,135***	***$ 228,708***	***$ 231,512***
E.1.3. Interstate Agreement	-	-	-	$ 220,135	$ 228,708	$ 231,512
General Revenue Fund	-	-	-	$ 220,135	$ 228,708	$ 231,512

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

This is the sole office in Texas set up to oversee and administer the ICJ for Texas. Each state has its own ICJ office to complete the same functions within their state.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Texas juvenile probation departments submit requests for ICJ supervision or travel when adjudicated juveniles under their jurisdiction seek to travel or relocate to another state. TJJD staff, including facility caseworkers and parole officers, also submit requests for relocation and travel to ICJ. When juveniles from another state seek to reside or travel in Texas, the Texas ICJ office receives the documents from the sending state and sends them to the applicable probation department or TJJD parole office to begin incoming procedures for ICJ supervision in Texas.

Extraditions and returns are handled with Texas JPDs, TJJD staff, Texas DFPS (for youth in DFPS custody) and any law enforcement agencies that might be involved in the apprehension or detention of a juvenile.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The Texas ICJ office has one contract with Ability Solutions, Inc., which is based in Dallas, to provide airport supervision at the Dallas-Fort Worth International Airport for unescorted juveniles travelling to their home or demanding state via ICJ return procedures. The ICJ rule 7-107 requires that states provide airport supervision to juveniles who have a layover or change of planes at airports as they are returned via ICJ. This is to provide safety to the juvenile and the public and ensure these juveniles can safely navigate their change of planes and provide extra assistance in case of flight delays, etc. As the DFW airport is a major hub for some of the larger airlines, it was necessary to find an agency willing to provide that assistance. Airport police and the neighboring probation departments were unable to provide the assistance, and a request for bids was sent via state bid request guidelines.

- **the amount of those expenditures in fiscal year 2020;**

$1350

- **the number of contracts accounting for those expenditures;**

1

- **the method used to procure contracts;**

Request for Proposal

- **top five contracts by dollar amount, including contractor and purpose;**

CON0000978 – maximum contract amount of $12,500 with Ability Solutions, Inc. for airport supervision of unescorted juveniles

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

The ICJ office contacts the provider directly as requests come in, to verify availability and provide all needed details for the provider. The provider confirms completion with the ICJ office and bills on a monthly basis for all supervisions provided. As each youth for which airport supervision is provided is received by a responsible party upon arrival in their home/demanding state, the Texas ICJ office would be advised if any youth failed to travel through DFW without staff knowledge.

- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The State of Texas' patchwork of laws regarding 17-year-olds causes numerous problems for handling ICJ cases. As the criminal age of majority is 17, many juveniles who are detained just on juvenile warrants for abscond or escape from their home state are taken to county jail as opposed to juvenile detention, even if there are no separate charges filed against them in Texas. The county jails are not experienced in handling juvenile extradition and often refuse to cooperate with all the procedures for juvenile extradition that the ICJ requires. This office has also seen an increase in difficulty of working with 17-year-old runaways and getting them returned to Texas, as our law does not necessarily require that 17-year-old runaways are returned home, even though they are not technically adults under Texas law. Making a consistent decision to handle 17-year-old individuals uniformly as either adults or juveniles would assist this matter greatly.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The ICJ is assisted and overseen by the ICJ National Office, established by the ICJ statute, which provides oversight of compliance and assistance and training to the states. The ICJ rules are reviewed and voted on by all ICJ member states every two years at the ICJ Annual Meeting. Once approved, new rules take effect and may alter the processes and procedures for ICJ cases, based on those changes.

Sections O and P: N/A

Juvenile Justice Alternative Education Program

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Juvenile Justice Alternative Education Program

Location/Division: Probation Services

Contact Name: Alawan Thomas, M. Ed.

Statutory Citation for Program: Education Code: Chapter 37. Discipline; Law and Order; General Appropriations Act, Article V. Juvenile Justice Department; Human Resource Code: Chapter 221.002(a)(5): requirement to develop minimum standards for JJAEPs

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Juvenile Justice Alternative Education Program (JJAEP) is to provide oversight for TJJD-approved juvenile justice alternative education programs and to facilitate the provision of educational services for expelled and non-expelled/court-ordered youth. The JJAEP is designed to provide an educational setting for students who have been expelled from public school to ensure they receive educational services they would not otherwise be able to

experience and utilize to support their return to their home campuses. Without JJAEPs, these students could be expelled with no educational services. Major activities of the JJAEP division include:

- **Standards and Policy development and Program Monitoring.** The JJAEP team develops, implements, and reviews policy and standards for the operation of JJAEPs, including conducting formalized monitoring of applicable standards for the operation JJAEPs.
- **Reimbursement Funding.** JJAEP funds are provided via an interagency contract that transfers funds from the Texas Education Agency, Foundation School Fund No. 193. JJAEP staff verify the accuracy of JJAEP requests for payment with the number of student attendance days and recommend the amount to be paid.
- **Data Collection, Analysis and Reporting.** JJAEP staff coordinate data collection reflecting JJAEP activity, including attendance records and student-specific statistical data, conduct data audits to ensure accuracy of data, and submit required performance reporting to agency staff, the Legislative Budget Board and outside stakeholders.
- **Liaison.** Staff coordinate interagency activities with state and local agencies in matters concerning JJAEP plans and services.
- **Training and Technical Assistance.** Topics provided during JJAEP training support the requirement to provide training for any probation department with an education program as seen in Chapter 221, Sec. 221.005(a)(1) and Section 221.005(b)(2), Human Resource Code.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

TJJD publishes a JJAEP Performance Accountability Report once each biennium. The most recent report was published on May 1, 2019 and encompassed the 2018-2019 school year. *See Attachment M: JJAEP Performance Assessment Report for School Year 2018-2019.*

Texas Juvenile Justice Department: JJAEP
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Distribute Funds to JJAEPs for eligible attendance days as required by contract.	$6.25 million	$6,070,000 disbursed and 180,000 to TEA towards the 5% required funding reduction	100%
Monthly Reports to LBB	12	12	100%
Compliance Monitoring Visits	15	15	100%
Discretionary Students Entering a JJAEP		896	

Non-Expelled Students Entering a JJAEP		311	
Discretionary and Non-Expelled Student Attendance Days		47,395	
JJAEP training sessions		14	

Table 12 Exhibit 12 Program Statistics and Performance Measures **See Exhibit 3*

See "Number of Mandatory Students Entering JJAEPs" and "Mandatory Student Attendance Days in JJAEP During the Regular School Year" in Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Chapter 37 of the Education Code authorizes and details requirements for JJAEPs in statute. As the Texas Penal Code or Chapter 37 of the Education Code is updated, the eligible list of offenses, or considerations for eligibility for expulsion and placement in JJAEPs are updated to align with legislative changes. Additionally, some legislation exempts particular counties from requirements to open a JJAEP. The sections of Chapter 37, Education Code legislative changes impacting JJAEPs are listed here:

Sec. 37.007. EXPULSION FOR SERIOUS OFFENSES.

Added by Acts 1995, 74th Leg., Ch. 260, Sec. 1, eff. May 30, 1995.

2005 Added to section 37.007(g), Education Code, notification to educators regarding probation department reporting of misconduct by students.

Added the deadly conduct offense to section 37.007, Education Code.

2009 Added to section 37.007, Education Code, Subsection (k) an exemption for school sponsored events involving firearms.

2011 Changed 37.007 (c) by removing persistent misbehavior from the reasons for which a student maybe expelled from a DAEP to the JJAEP, required documentation of behavioral interventions, and defined serious misbehavior.

Added the offense of breach of computer security under Section 33.02, Penal Code.

2015 Added to Section 37.007(a), Education Code an offense: engages in conduct that contains the elements of the offense of unlawfully carrying weapons under Section 46.02, Penal Code, or elements of an offense relating to prohibited weapons under Section 46.05, Penal Code.

2017 Weapons section of Chapter 46, Penal Code, changed rules about knives to location restricted knives, with different consequences for different circumstances in public schools.

Sec. 37.0081. EXPULSION AND PLACEMENT OF CERTAIN STUDENTS IN ALTERNATIVE SETTINGS.

Added by Acts 2003, 78th Leg., Ch. 1055, Sec. 12, eff. June 20, 2003.

2007 Added to Section 37.0081, Education Code, a condition for placement in JJAEPs for off campus offenses: arrested, charged, referred, received probation or deferred adjudication for a felony offense under Title 5, Penal Code, may result in expulsion until charges are dismissed or reduced to a misdemeanor offense, expulsion can continue up to the completion of high school in JJAEPs if in a JJAEP county or in DAEP; placement paid for by sending school district.

2011 Added to section 37.0081(a), Education Code, an offense of aggravated robbery to the list for which a student may be expelled to the JJAEP.

Sec. 37.011. JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM.

Added by Acts 1995, 74th Leg., Ch. 260, Sec. 1, eff. May 30, 1995.

2011 Added to Section 37.011, Education Code, an additional exemption for Ellis County Probation Department from opening a JJAEP.

Removed 'persistent' from 37.007(c), Education Code definition, defined serious misbehavior, and requires that conditions for admittance to JJAEP for 37.007(c) serious misbehavior is addressed in the memorandum of understanding developed by the probation department. Section 37.007(b) and (f) but who are not eligible for admission into the juvenile justice alternative education program in accordance with the memorandum of understanding required under section 37.007(l).

Added to Section 37.011, Education Code exemptions for certain counties from having a JJAEP even with a population over 125,000 and lists requirements for meeting student educational needs in a county whose population is considered to be less than 125,000.

2015 Updated name of agency in Sections 37.011(a), (a-1), (f), (g), and (h), Education Code to Texas Juvenile Justice Department.

2017 Added reference to Chapter 39A, Education Code whenever Chapter 39 is mentioned in Chapter 37, Education Code.

2019 Updated the school finance chapter references to refer to Chapter 31 or 48 in Section 37.007(a), (d), or (e), Education Code.

Added to Section 37.011(b), Education Code, that expulsion for felony terroristic threat requires placement in a JJAEP.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

This team works with the JJAEP program representatives of thirty juvenile probation departments, which includes the JJAEP coordinators, Chief Juvenile Probation Officers, JJAEP staff, probation county compliance staff, and fiscal staff working with a probation department's JJAEP. These programs are classified based on Chapter 37, Education Code requirements:

- Mandatory JJAEPs required in 25 probation departments that had a population of 125,000 as of the 2000 census.
- Mandatory JJAEPs initiated by probation departments with a population exceeding 125,000 after the 2000 census.
- Discretionary JJAEPs provided in five probation departments with populations less than 125,000.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Standards and Policy development and Program Monitoring. TJJD Texas Administrative Code, Chapter 348, defines standards for JJAEP operations in compliance with statute. The JJAEP team actively participated in the most recent comprehensive review and update of these standards in 2018. They complete formal program monitoring of each JJAEP program once each biennium. They also provide ongoing consultation and technical assistance to provide support to JJAEPs in the daily implementation of policy and standard requirements.

Reimbursement Funding. JJAEP staff collect information about attendance days and conduct an audit of the data to calculate recommended reimbursements to mandatory JJAEPs. They report this information to the county grants team, which provides a second level review of the information and includes the correct reimbursement amounts in their monthly recommendation of all grant disbursements to TJJDs finance department. JJAEP staff also conduct on-site fiscal monitoring during their biennial standards monitoring to ensure that accurate payments have been made for appropriate JJAEP students. For discretionary programs that receive a specific grant amount, fiscal oversight is completed through the state aid monitoring process, and programmatic monitoring is completed by JJAEP staff. Finally, JJAEP staff determine if funding is available to reimburse for eligible summer school days.

Data Collection, Analysis, and Reporting. TJJD maintains a system of monthly data collection related to JJAEP activity, including statistical reports for students entering and exiting JJAEP and student attendance days and student-specific information collected through the agency's electronic case extract process. JJAEP staff conduct data audits to ensure the accuracy of data submitted throughout the school year and provide information to the agency and outside stakeholders as requested. They compile required monthly reports and quarterly performance

measures provided to the LBB. With the cooperation and input from the 30 JJAEPs, they also create the JJAEP Performance Accountability Report submitted once each biennium to the LBB.

Liaison. The JJAEP staff represents TJJD on the Texas School Safety Board as required by statute, and participates in the Texas Education Agency's (TEA) Project Aware Advisory and United Services for All Children Committees. They also coordinate educational approaches with the TEA Discipline Support division and The University of Texas - Texas Institute for Excellence in Mental Health. At the local government level, JJAEP staff provide ongoing oversight and technical assistance to those counties with JJAEPs and with those counties that may have questions about JJAEPs.

Training and Technical Assistance. Training on education and juvenile justice-related subjects are offered to the staff of the agency, probation field personnel and educators. Training topics include compliance, legal and programmatic requirements, and issues. To deliver training, JJAEP staff conduct annual JJAEP conferences to provide support for JJAEPs and telephone and video meetings to support JJAEPs, as needed.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
JJAEP	***-***	***-***	***-***	***$ 6,070,000***	***$ 5,805,000***	***$ 5,937,500***
A.1.6. Juvenile Justice Alternative Edu.	-	-	-	$ 6,070,000	$ 5,805,000	$ 5,937,500
Other State Funds				$ 6,070,000	$ 5,805,000	$ 5,937,500

Juvenile Justice Alternative Education Programs funding represents 4 percent of TJJD's funding provided to juvenile probation departments. JJAEPs are funded through money appropriated to Texas Education Agency and directed to TJJD by rider in the general appropriations act. The total appropriation in FY 2020 was $6.25 million, with $6 million allocated to mandatory JJAEPs as reimbursement funds and $250,000 to discretionary programs that are competitively bid grants, as described in riders 13, 14, 15, and 25 of the general appropriations act. JJAEP department personnel and operational expenses are supported by the approximately $1.2 million in TJJD general revenue appropriations budgeted to the probation services division.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Even though there are other monitoring or auditing divisions within the agency, there is no duplication of services as the functional areas they monitor are distinctly different from JJAEPs, which are organized and provided by probation departments in accordance with statute and general appropriation act riders. TJJD JJAEP staff provide all oversight for eligible JJAEPs in probation departments as required by 37 TAC 348.

The Texas Education Agency (TEA,) is responsible for oversight of discipline alternative programs (DAEPs) as required by Chapter 37 of the Education Code and provided by school districts. These programs are similar in scope, as a student has to violate the student code of conduct and receive consequences in a DAEP conference that may include assignment to a DAEP at or away from the home campus. These behaviors may include behaviors that are not identified as penal code offenses and do not merit removal to a JJAEP.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Texas Education Agency (TEA) is the state agency responsible for the administration of primary and secondary public education. TEA has a rider that provides pass through funding for JJAEPs to TJJD, and a rider to allow data sharing. TEA has TJJD perform all oversight (i.e., standards, monitoring and funding) to probation department JJAEPs. TJJD JJAEP staff coordinate and consult with the TEA staff at TEA regarding policy issues, special education and other federally required services, textbooks and supplemental materials, and accurate school district reporting. TJJD JJAEP staff have worked collaboratively with TEA and other education associations to provide training to JJAEP staff and school district personnel through school safety conferences at Education Service Center Region 13 and the Texas Alternative Education Association. JJAEP staff also provide training through the TJJD Training Academy by providing statewide annual training events for JJAEP staff as well as all probation counties who have education programs. Topics include special education, social emotional learning, mental health issues, behavior management, trauma informed care, and resilience. JJAEP staff provide technical assistance throughout the year for JJAEP staff, meet with juvenile boards and JJAEP advisory councils that support various JJAEPs as requested, and work with individual JJAEPs as needed.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

JJAEP staff participate in interagency activities with state and local agencies in matters concerning the coordination of plans and services. The JJAEP staff represents TJJD on the Texas School Safety Board as required by statute, and participates in the Texas Education Agency's (TEA) Project Aware Advisory Committee and United Services for All Children Committee, coordinates with the TEA Discipline Support division, and The University of Texas - Texas Institute for Excellence in Mental Health. At the local government level, JJAEP staff provide ongoing oversight and technical assistance to 30 counties with JJAEPs and with those counties that may have questions about JJAEPs.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**

- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

Juvenile Justice Alternative Education Programs funding represents 4 percent of TJJD's funding provided to juvenile probation departments. Mandatory JJAEPs are reimbursed $86-$96 per day for each school attendance day, and discretionary JJAEPs receive annual allocations of $50,000 to operate their programs. These funds are from TEA and passed through to departments by TJJD.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

JJAEPs currently have two significant barriers to optimal performance, dealing with required attendance accounting and offenses resulting in expulsion to JJAEPs. The first barrier was created when JJAEPs first began, at a time when all school districts reported minimum school year instruction requirements in attendance days. The Education Code was later amended to require regular school districts to account for minutes of instruction rather than attendance days, but the JJAEP section of the code was not similarly amended. JJAEPs are still required to account for 180 days of instruction, while the local school districts they partner with may meet their instructional minute requirements in as few as 171 days and match the JJAEP calendar to the school district calendar. This results in the loss of reimbursable days and less funding for services provided by JJAEP and a need for waivers for most programs to meet TEA attendance requirements. TJJD has requested that TEA propose a change in Education Code 37.011 to convert to the minutes of instruction requirement, with no resolution to date.

The barrier related to offenses resulting in expulsion to JJAEPs began when HB 1935 passed during the 2017 legislative session. The bill made the possession of knives restricted, depending on circumstances, in certain locations. According to the Texas Association of School Boards, this can result in consequences that are inconsistent in different school district situations. In the first situation, possession of a location-restricted knife results in a required (mandatory) expulsion with a class C misdemeanor for minors, yet all other mandatory expulsions have a felony level consequence. In the second situation, possession of a location-restricted knife in prohibited locations like schools results in a schools having the discretion to expel or not for a felony level offense.

Usually, mandatory offenses include felony levels, are reimbursable by TJJD, and include result in supervision by the probation department, while misdemeanor offenses do not. Because of these circumstances, a student may have a mandatory expulsion without probation supervision or a felony offense, which is typically reimbursed by TJJD. Section 37.007(c), Education Code, includes two statements in the definition of serious misbehavior: (1) deliberate violent behavior

that poses a direct threat to the health or safety of others; and (2) extortion, meaning the gaining of money or other property by force or threat. It would be helpful to require corresponding penal code offenses so a school district is required to file and demonstrate the penal code elements when utilizing these descriptions for expulsion.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

General Appropriations Act Riders 13, 14, 15 and 25 impact JJAEPs. *See Section V Funding of this report, beginning on page 55 .*

Sections O and P: N/A

Regionalization and Diversion

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Regionalization and Diversion

Location/Division: Probation Services

Contact Name: Ashley Kintzer

Statutory Citation for Program: Sections 203.017 and 2232.001(d)-(f), Texas Human Resources Code.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Regionalization and Diversion Department's basic function is to divert youth from TTJD and develop programs and services that best meet the needs of local juvenile probation departments. Strengthening a one-system approach, regionalization has evolved and expanded, adding probation supports to the Texas juvenile justice system for the first time since the 2011 merger of the Texas Youth Commission (TYC) and Texas Juvenile Probation Commission (TJPC). Regionalization has successfully developed strong collaborative relationships between TJJD, other youth-serving agencies, and local juvenile probation departments. This partnering has fostered enhanced cooperation across the juvenile justice spectrum.

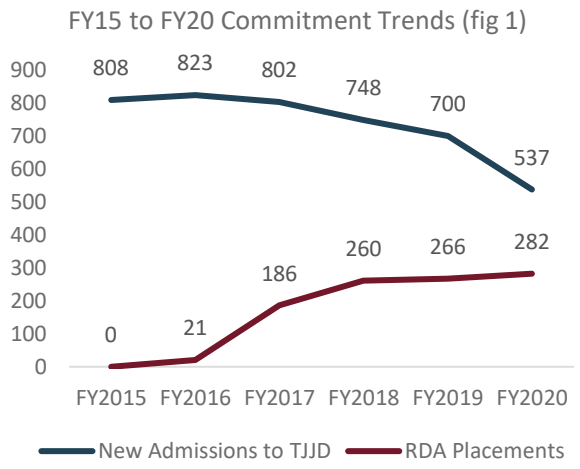
The work of the regionalization department transcends traditional youth-serving agencies. The department engages new partners to increase resources to meet the complex needs of youth to better equip the juvenile justice system to respond to current and emergent referral trends. These supports will be critical in helping the juvenile justice system successfully address the rising felony trend. Continued support of the regionalization concept is necessary to maintain the reduction of commitments to TJJD and strengthen the overall juvenile probation field to create better outcomes for youth throughout Texas.

The regionalization department is trained to support and understand both the local juvenile probation departments and TJJD State Services division. Building a bridge between these two entities has strengthened the continuity of communication to ensure the underlying mission to achieve a one-system approach to justice juvenile in the state of Texas.

TJJD created a regionalization department to:

- approve applications and related protocols to administer a regional service model;
- provide training on best practices for local probation departments;
- assist in research-based program development;
- monitor grant contract and program measures;
- analyze department data to provide clear guidance to local probation departments on outcome measures;
- report on performance of specific programs and placements to assist in implementing best practices and maximize the impact of state funds;
- aid probation departments regarding case staffing, complex mental health needs, trauma responsive practices, and risk, needs and responsivity-based interventions;
- cross-collaborate with other state agencies, including but not limited to the Texas Health and Human Services Commission and the Department of Family and Protective Services, to strengthen case coordination and communication; and
- enhance communication between the local juvenile justice programs and the state.

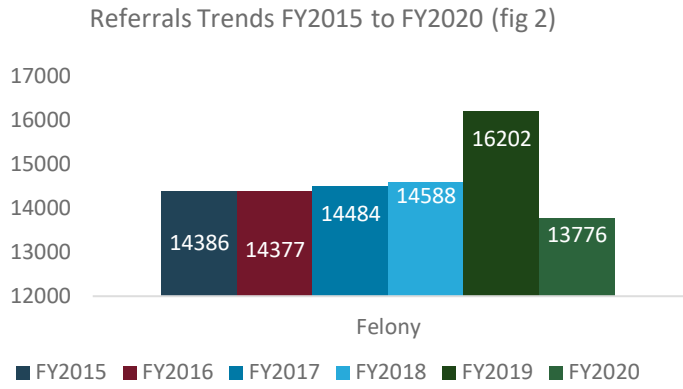
C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.



TJJD created the regionalization department in 2016 to put SB 1630 into practice. Since 2016, the number of youth committed to TJJD has declined by 15 percent prior to COVID 19 (see Figure 1). In FY 2019 only 1.5 percent of all dispositions resulted in a commitment to TJJD and dropped to 1.44 percent in FY 2020. The efforts of the regionalization department coupled with cooperation and investment from the field have assisted toward this decline. Following national trends, the number of youth admitted into post-adjudication facilities in Texas continues to decline despite felony referrals making up 30 percent of all referrals in FY 2019 and 34 percent in FY 2020.

To support our county partners in addressing this increase, the regionalization department focuses efforts for expansion of front-end services and enhancement of existing residential placement capacity within Texas.

TJJD began providing opportunities to 165 juvenile probation departments through Regional Diversion Alternatives (RDA) in June 2016. This funding is intended to provide alternatives to commitment to TJJD. There was a 220 percent increase in the participation by the juvenile probation departments between fiscal years 2016 and 2020.



Regional Alternative Diversion Juvenile Probation Department Participation

Fiscal Year	Number of Departments
2016	29
2017	73
2018	96
2019	95
2020	93

Table 12 Exhibit 12 Program Statistics and Performance Measures ***See Exhibit 3***

See "Number of Regional Diversions" in Exhibit 2.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

In 2015, the 84th Legislature passed SB 1630, requiring TJJD to finalize a Regionalization Plan by August 31, 2016, that would keep more adjudicated youth within their home regions, by accessing available local post-adjudication facility capacity. The regionalization plan was required to include sufficient mechanisms to divert 30 juveniles from TJJD commitment in fiscal year 2016 and 150 youth in fiscal year 2017. SB 1630 also required TJJD to establish a new division to administer the regionalization plan and monitor program quality and accountability. Current regional associations, lines of communication and collaboration, and programmatic resources existed to facilitate this initiative; however, significant planning efforts utilizing the regional association started immediately after the bill was passed.

In August 2015, a Regionalization Task Force was established as a mechanism to consult with juvenile probation departments and other stakeholders in the development of the plan. The task force includes representatives from the seven Texas juvenile probation chiefs' associations, the Juvenile Justice Association of Texas and the Texas Probation Association, members of the Advisory Council on Juvenile Services, a juvenile prosecutor, a juvenile court judge, a representative of a coalition of youth advocacy groups, and a representative from the provider community. Additionally, internal TJJD subject matter experts support the task force.

The Regionalization Task Force, staff of the regionalization department, and others within TJJD together established the regionalization program details outlined in this plan, including:

- defining the target population and eligibility requirements;
- identifying and profiling regions to utilize for regionalization;
- establishing funding protocols for individual diversions and start-up funding establishment for expanding programing;
- assessing current and future regionalization capacity, in terms of available resources and identifiable needs; and
- outlining a simple diversion process for implementation by the counties.

See Attachment N: Regionalization Plan – 2016.

In 2016, TJJD created four new positions to support the regionalization department: three regional county program administrators assigned to support and carry out the mission of the division and one regional planner to assist in monitoring contracts, tracking and processing regionalization diversion applications, and providing general support services for the division. Since 2016, the regionalization department has grown, now consisting of five regional county program administrators, one community mental health specialist, and one manager of regionalization and county grants.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Approve applications and related protocols to administer the regional model.

- Divert individual youth from the TTJD by administering the regional diversion alternatives (RDA) grant:
  - reviewing individual applications submitted by juvenile probation departments;
  - approving applications that align with the summary requirements of the RDA grant; and
  - working with probation departments to help them find resources for hard-to-place youth.
- Continued heightening of the regional model by:
  - developing and creating the Facility Handbook;

  - developing and creating resources for commercially sexually exploited youth (CSEY); and
  - enhancing the juvenile justice field's physical resources, 20 additional post-adjudication beds funded, and evidence-based tools to enhance the community supervision of youth placed.

Provide training on best practices. Training is an essential role of TJJD, and the regionalization department collaborates with the Juvenile Justice Training Academy to ensure the training is responsive to the needs of the field. The regionalization department conducts model training throughout the state to assist departments with the development of programs. The department has participated in the development of training curriculums and worked with juvenile probation departments and juvenile justice professional organizations to provide webinars and in-person trainings. Department staff are available to conduct customized department-specific technical assistance trainings (e.g., data entry training, data analysis, case-management best practices, and program performance).

Assist in research-based program development. The regionalization department includes five regional county program administrators and a community mental health specialist who upon request are available to conduct customized department-specific technical assistance trainings (e.g., data entry training, data analysis, case-management best practices, and program performance).

Monitor contract and program measures. The regionalization department is responsible for the fiscal and programmatic monitoring of awarded grants and ensuring that output measures are achieved annually.

Analyze department data to provide guidance and maximize the impact of state funds. The regionalization department includes five regional county program administrators and a community mental health specialist who provide direct support to the seven juvenile probation regions throughout Texas and monitors trends in statewide and county-specific referral and commitment data. This regular review enables the division to anticipate needs of the field.

Support best practices in juvenile justice. The regionalization department aids probation departments with individual case resources, complex mental health needs, trauma responsive practices, and risk, needs and responsivity-based interventions. The Community Mental Health Program within the regionalization department supports local probation departments by:

- providing weekly information, education, and resources on various mental health disorders and treatment strategies;
- providing case consultation and collaboration for youth with complex mental health needs;
- activating inter-agency case collaboration with youth who are served by multiple agencies;
- assisting in locating appropriate placements for youth with complex mental health needs;
- bridges between systems that are able to meet the needs of the youth and the department; and

- providing weekly information, education, and resources on various mental health disorders and treatment strategies.

Enhance communication between the counties and the state. Strengthening a one-system approach, regionalization has evolved and expanded, adding probation supports to the Texas juvenile justice system for the first time since the 2011 merger of the Texas Youth Commission (TYC) and Texas Juvenile Probation Commission (TJPC). These additional supports enhance regionalization's mission to divert individual youth from commitment to TJJD and keep youth closer to home. Because the regionalization department supports and understands both the language and culture of both the local juvenile probation departments and TJJD state services division, regionalization is inherently equipped to build a bridge between these two entities. This bridge strengthens the continuity of care, improves quality communication, and ensures the underlying mission of 82nd Legislature's SB 653, which "creat[es] 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."

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Regionalization and Diversion	***-***	***-***	***-***	***$ 14,402,990***	***$ 10,792,982***	***$ 10,792,982***
A.1.8. Regional Diversion Alternatives	-	-	-	$ 14,402,990	$ 10,792,982	$ 10,792,982
General Revenue Fund	-	-	-	$ 14,402,990	$ 10,792,982	$ 10,792,982

Department salaries and operational expenses are supported by the approximately $1.2 million in TJJD general revenue appropriations budgeted to the probation services division.

The regional diversion alternatives grant is funded from TJJDs appropriation strategy A.1.8, Regional Diversion Alternatives and state services division cost savings generated by reduced commitments to TJJD. Since its first full of implementation, in FY 2017, $7 million to $10 million per year has been dedicated to this grant.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

No agency outside of TJJD provides identical services or functions to the youth of Texas. The regionalization department works with several state agencies to collaborate and enhance the services to address criminogenic need of referred youth and ensure the protection of local communities.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The regionalization department regularly engages other youth-serving agencies to ensure that services available to our target population is communicated directly with the local juvenile justice servicing agencies. Other state agencies that we engage include:

- Office of the Governor (OOG) Child Sex Trafficking Team (CSTT) to facilitate the utilization of tools and programs for youth identified at risk of sex trafficking within the juvenile justice system of Texas;
- Health and Human Services Commission (HHSC) to collaborate on individual cases and hold regular meetings to review, address and enhance systems, assist with trainings/ presentations, and review current youth serving systems in an effort to enhance those systems to better meet youth need;
- Department of Family Services (DFPS) to engage in consistent collaboration on individual cases, hold regular meetings to review, address and enhance systems, and assist in communication with local probation departments;
- Texas Supreme Court Children's Commission;
- Texas Institute for Excellence in Mental Health;
- Texas Department of Criminal Justice (TDCJ); and
- Texas Judicial Commission of Mental Health.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The regionalization department works with the 165 juvenile probation departments that cover 254 counties in Texas to facilitate a one-system approach to juvenile justice. The Division collaborates with DFPS to coordinate services for dual-status youth. The division consistently partners with HHSC to facilitate responsive programming and individual county supports.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

The regionalization department offers juvenile probation departments opportunities to apply for the Regional Diversion Alternatives (RDA) Program. The RDA Program is a Discretionary

State Aid (DSA) grant created to comply with Section 223.001(c), Human Resources Code. The RDA grant:

- provides resources to juvenile probation departments to obtain rehabilitative services for juveniles, including but not limited to the following programs: intensive, community-based, residential, reentry, and aftercare; and
- is intended to divert appropriate juveniles from commitment to the TJJD.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Statutes relating to the use of a validated risk and needs assessment and legislative funding for such an instrument contain inconsistencies in implementing a fully evidence-based juvenile justice system. Using a risk-needs-responsivity approach to providing interventions is foundational to evidence-based practices because it provides the framework for consistently identifying which interventions are needed and measuring progress toward successful outcomes. The current statutes dealing with the use of validated risk and needs instruments create different expectations for juvenile courts and juvenile probation departments, and a lack of legislative appropriation to support TJJD providing a single platform for such an instrument limits the benefits the juvenile justice system could realize from a more cohesive approach.

Texas Human Resources Code §221.003 requires that "a juvenile probation department must, before the disposition of a child's case and using a validated risk and needs assessment instrument or process provided or approved by the department, complete a risk and needs assessment for each child under the jurisdiction of the juvenile probation department." In addition, §221.003(b)(1) states, "any risk and needs assessment instrument or process that is provided or approved by the department for a juvenile probation department to use under subsection (b) must be a validated instrument or process." No additional funding accompanied the mandate for a validated risk and needs assessment. In FY 2018, TJJD began providing grant funds to help probation departments purchase validated risk and needs assessments statewide, diverting funding to this project that otherwise could have enhanced other agency missions. As of the second quarter in fiscal year 2020, all 165 departments are now utilizing a validated risk and needs assessment tool. While this is a major milestone for the juvenile justice system, having contracts and data platforms individual to each local probation department renders TJJD and the juvenile justice system unable to reap the full benefits of such an instrument and creates barriers to the most robust risk-needs-responsivity approach possible. TJJD must overcome barriers to collect cohesive statewide data, perform program outcome evaluations, and implement incremental justice system improvements.

Another statute related to risk and needs assessments, Texas Family Code §54.04013, Special Commitment to Texas Juvenile Justice Department, lays out that "the court should consider the findings of a validated risk and needs assessment and the findings of any other appropriate professional assessment available to the court." The language is passive using the word "should" when Human Resource Code 221.003 clearly outlines the importance of this tool being validated in accordance with best practices and before the disposition hearing. Intensifying this language to read "the court shall consider the findings of a validated risk and needs

assessment" would inform judicial findings in the same way that HRC §221.003 intends to inform a juvenile probation department in the development of a dispositional recommendation, providing consistency across the juvenile justice system.

Texas Family Code §54.04013, Special Commitment to Texas Juvenile Justice Department, lays out that "the juvenile court may commit a child who is found to have engaged in delinquent conduct that constitutes a felony offense to the Texas Juvenile Justice Department without a determinate sentence if the court makes a special commitment finding that the child has behavioral health or other special needs that cannot be met with the resources available in the community." This finding is contrary to the regionalization plan where a department may apply for individual diversion dollars and be approved, but the court decides to commit the juvenile despite resources being available to meet the child's need.

Sections N-P: N/A

Probation State Aid and Targeted Grants Funding

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Probation State Aid and Targeted Grants Funding

Location/Division: Probation Services

Contact Name: Amy Miller

Statutory Citation for Program:

Chapter 223, Texas Human Resources Code. Sections 221.051, 221.052, 203.008, 221.008, and 223.004, Texas Human Resources Code. Section 783.008, Texas Government Code.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The County Grants team is responsible for developing, administering, and monitoring the state aid and targeted grants TJJD offers to all juvenile probation departments from funds appropriated for general and discretionary state aid to the probation system, regionalization services, prevention and intervention programs, juvenile justice alternative education programs, and the Title IV-E federal program. Department functions include helping to determine grant goals and allocations; managing grant application, review, and awarding functions; administering the grant contract; designing grant programs; managing grant budgets, disbursements, and expenditures; monitoring grant compliance; and reporting grant performance. Major activities performed by this team include:

Grant Awards. TJJD uses an objective and transparent grant award process that complies with required federal and state laws and guidelines applicable to each type of grant.

Contract Administration. The State Aid and Targeted Grants and General Grants Requirements contract of each juvenile probation department is managed through a variety of activities throughout the year to ensure compliance. These activities include reviews of budgets and quarterly expenditure reports, providing consultation on allowable grant expenses and

practices, approving budget adjustment and other grant activity requests, and reviewing local county expenditures and match requirements.

Grant Financial Transaction Administration. Each probation department's grant activity, budget adjustments, and expenditures are reviewed and regular grant disbursements are recommended to the TJJD Finance Division for final payment. The team also documents de-obligations and refunds of grant.

Grant Contract Monitoring. Monitoring of probation departments is completed to review compliance with key state aid and targeted grants contract provisions and confirm there is reasonable evidence that service delivery is consistent with contract requirements.

Independent Audit Review. This team issues annual independent audit requirements and reviews the audit reports for all grant funds submitted by juvenile probation departments in accordance with Generally Accepted Auditing Standards (GAAS), Government Auditing Standards (GAS), and the issued requirements.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

TJJD provides funding to 165 Juvenile Probation Departments, which supports the maintenance of a juvenile probation system that serves all 254 counties in Texas. While each individual department receives differing ratios of state to local funding, Texas provides about 25 percent of juvenile probation funding state-wide. In FY 2020, TJJD allocated just over $159 million in funds through these grants.

TJJD targets discretionary funding toward strategic needs in the juvenile justice system. In FY 2019 and FY 2020, TJJD issued six requests for competitive grant applications to support community-based and residential probation programs and services and awarded 34 grants totaling $4,364,422.

Community Juvenile Justice Appropriations, Riders, and Special Diversion Programs Report. TJJD is required to submit to the Office of the Governor and Legislative Budget Board an annual report providing detailed monitoring, tracking, utilization, and effectiveness information on all funds appropriated in the agency's Goal A, Community Juvenile Justice. The report includes information on the impact of any new initiatives and all programs tracked by TJJD, including prevention and intervention programs; residential placements; enhanced community-based services for serious and chronic felons such as sex offender treatment, intensive supervision, and specialized supervision; community-based services for misdemeanants no longer eligible for commitment to TJJD; Commitment Diversion Initiatives; and Regional Diversion Alternatives. The latest report is from December 2020. *See Attachment O: Community Juvenile Justice Appropriations, Riders and Special Diversion Programs - December 2020.*

Probation State Aid and Targeted Grants
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	FY 2020 Actual Performance
Grant contracts administered	165
Grant independent audits reviewed	108
Grant monitoring completed	33
Grant funds disbursed	$159,962,657
Number of grant disbursements	10,022

Table 12 Exhibit 12 Program Statistics and Performance Measures ***See Exhibit 3***

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The structure and methods of providing grants to local probation departments have shifted through the years with changes in appropriation structure, statute, general appropriations rider requirements, and various audit findings. Key changes that impact current grants include:

- legislative adjustment of appropriation strategies for grant funds in the 83rd legislative session;
- creation of a new appropriation strategy in the 85th legislative session regional diversion alternatives designed to divert juveniles from TJJD commitment and corresponding changes to Human Resources Code 203.017 directing TJJD to create and implement a regional plan and direct state cost savings generated by resulting reductions in TJJD commitment to probation departments beginning in fiscal year 2018;
- amendment of Human Resources Code 223.001 in the 85th legislative session to require that TJJD set aside a portion of state aid for discretionary state aid grants;
- creation of a new funding formula that was implemented in fiscal year 2016 and updated for fiscal year 2022;
- reorganization to bring the grant team together into one department within TJJD's Probation Services division in fiscal year 2018; and
- implementing updated grant monitoring protocols in fiscal year 2018.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

TJJD grants are provided as pass-through funding from the Legislature to the 165 probation departments operating across the state and non-governmental entities that may support services to youth at risk of referral to or already involved in the juvenile probation system. Probation departments operating under the direction of a juvenile board in Texas are eligible to receive grants awarded by formula, competitive application, or reimbursement for eligible services provided by the departments. While TJJD has the authority to award targeted grants through competitive application to non-governmental entities serving the juvenile justice system, the agency currently chooses to award all grant funds directly to probation

departments. Grants may be renewed for additional fiscal years to probation departments meeting grant performance criteria. All probation departments must execute a State Aid and Targeted Grants Contract with TJJD and submit an approved grant budget before receiving funds each fiscal year.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Grant Awards. State aid formula funding is awarded annually upon TJJD board approval of staff funding recommendations. Appropriated funds are entered into the formula calculation spreadsheet and resulting allocations for each of the five categories of SAFF and flexible funds to be budgeted into the five categories by probation departments are presented to the board in the summer before the funded fiscal year for review and approval before being issued to probation departments. Discretionary grant allocation programs are awarded through a competitive selection process, with applications solicited when grant funds are available. These grants are renewable each year, depending on grant performance, for up to six years. Discretionary grant reimbursement programs provide replacement funds for probation department expenditures to provide specifically approved programs or services to approved juveniles.

Contract Administration. The State Aid and Targeted Grants and General Grants Requirements contract is completely reviewed and edited in the fiscal year between each legislative session and finalized by TJJD immediately after each session is completed to implement any changes needed as a result of legislative actions. The final draft of the contract is presented to the TJJD board for approval, with a request to grant the agency executive director authority to execute and amend the contract, as needed, for the next biennium. Fully executed contracts, signed by the chief juvenile probation officer, probation department fiscal officer and juvenile board chair, and TJJDs executive director are required before a probation department receives grant funding. Contracts are in effect for a full biennium and may be amended, as needed.

Grant Financial Transaction Administration. In the summer before each fiscal year, TJJD staff present proposed probation grant allocations to the TJJD board for approval that outline the recommended allocation of state aid formula funds, direct grants, and discretionary state aid grants for each department and the amounts and methods of allocation proposed for any remaining discretionary grant funds and reimbursement grants. Each juvenile probation department has an assigned grant coordinator who is responsible for regularly reviewing and approving that department's grant financial transactions. Probation departments submit their grant budgets after receiving initial grant allocations, and the grant coordinator must approve their budget before the probation department is able to receive a disbursement of grant funds. The grant coordinator monitors grant activity, approves requests for budget adjustments or other grant waivers or amendments allowed by contract, ensures timely expenditure reporting, reconciles expenditure reports with grant budgets, and recommends monthly grant disbursement amounts to the TJJD Finance Division for payment throughout the fiscal year. At

the end of the year, the grant coordinator ensures any allocated funds not expended are de-obligated or refunded back to TJJD.

Grant Contract Monitoring. Probation department grant activity is monitored at regular intervals for compliance with key contract provisions in accordance with procedures set out in probation services division internal procedures. *See Attachments P: Grant Compliance Methodology and Q: Grant Monitoring.* The agency grant manager completes a risk assessment of factors such as amount of funds granted, number of different grant programs, previously identified issues with grants for that department and amount of time elapsed since last annual monitoring at the beginning of each biennium. The schedule for monitoring is determined based on the risk assessment results, with all high-risk departments receiving a full annual monitoring, all medium risk departments receiving a quarterly monitoring, and 25 percent of low risk departments receiving a quarterly monitoring during the biennium. All departments receive a full annual monitoring at least once every 4 years, and departments receiving $750,000 or more per year in grant funds receive a full annual monitoring each biennium. Special monitoring may be completed at the discretion of TJJD.

Independent Audit Review. The State Aid and Targeted Grants Contract requires departments receiving grant funds to undergo an independent audit review unless granted a waiver from the requirement by TJJD. Independent audit waivers may be granted to departments receiving $750,000 or less in funds every other year, depending on the results of TJJDs eligibility assessment that includes factors such as timely submission of contractually required reports, issues identified in the department's most recent independent audit, and results of the department's most recent grant monitoring. The grant contact monitor issues independent audit instructions and reviews submitted audit reports in accordance with probation services division internal procedures *See Attachment R: Independent Financial Audits.* When concerns are noted in the review, the grant monitor communicates with the probation department to gain additional clarifying information or a plan of action to correct the issue noted through changes in procedure and, if necessary, refunds to TJJD.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Department salaries and operational expenses are supported by the approximately $1.2 million in TJJD general revenue appropriations budgeted to the probation services division.

TJJD general revenue appropriations found in Goal A, strategies A.1.1. through A.1.8., of the agency's General Appropriations Act section provide the funding for all TJJD grants except the Title IV-E reimbursement program, which is supported by federal funds.

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
State Aid and Targeted Grants	***-***	***-***	***-***	***$ 135,545,298***	***$ 130,580,286***	***$ 137,168,366***
A.1.1. Prevention and Intervention	-	-	-	$ 2,812,889	$ -	$ 3,012,177
General Revenue Fund	-	-	-	$ 2,812,889	$ -	$ 3,012,177
A.1.2. Basic Probation Supervision	-	-	-	$ 36,444,959	$ 36,814,660	$ 36,651,788
General Revenue Fund	-	-	-	$ 36,444,959	$ 36,814,660	$ 36,651,788
A.1.3. Community Programs	-	-	-	$ 38,985,199	$ 38,101,379	$ 39,051,391
General Revenue Fund	-	-	-	$ 37,835,199	$ 36,951,379	$ 37,901,391
Appropriated Receipts				$ 1,150,000	$ 1,150,000	$ 1,150,000
A.1.4. Pre & Post Adjudication Facilities	-	-	-	$ 24,163,834	$ 23,298,132	$ 24,782,157
General Revenue Fund				$ 24,163,834	$ 23,298,132	$ 24,782,157
A.1.5. Commitment Diversion Initiatives	-	-	-	$ 18,142,795	$ 17,953,318	$ 19,492,500
General Revenue Fund	-	-	-	$ 18,142,795	$ 17,953,318	$ 19,492,500
A.1.7. Mental Health Services Grants	-	-	-	$ 14,995,622	$ 14,412,797	$ 14,178,353
General Revenue Fund	-	-	-	$ 14,995,622	$ 14,412,797	$ 14,178,353

State Aid Formula Funds Grant. This grant provides over 80 percent of TJJD funding to probation departments. Funding derives from the basic probation supervision, community programs, pre and poste adjudication facilities, commitment diversion initiatives, and mental health services strategies. Funding for each department is determined using a funding formula adopted by the TJJD board. *See Attachment S: TJJD Funding Formula Explanation - FY22.* The main determinate factors in the formula are:

- estimated juvenile age population for the funded fiscal year,
- referral history for the previous full three fiscal years,
- a funding rate based on size of the department (with smaller departments receiving slightly more per referral), and
- floor and ceiling levels set to regulate shifts in state funding year over year.

Discretionary State Aid. Discretionary grants comprise about 10 percent of TJJD funding to probation departments. The prevention and intervention, and discretionary juvenile justice alternative education programs are funded through separate appropriation strategies, with the other four programs being funded through a blending of money set aside from the five state aid appropriation strategies, regional diversion alternatives and state cost savings from lowered commitments to TJJD. The six discretionary state aid programs are:

- Regional, Community and Residential Projects,
- Regional Diversion Alternatives,
- Prevention and Intervention Projects,
- Special Needs Diversionary Program,
- Discretionary Juvenile Justice Education Programs, and
- Border Children Justice Projects

Additional Programs.

- Mandatory Juvenile Justice Alternative Education Programs are funded through money appropriated to Texas Education Agency and directed to TJJD by rider in the general appropriations act. The total appropriation in FY2020 was $6.25 million, with $6 million to mandatory JJAEPs as outlined in riders 13, 14, and 15 of the general appropriations act and $250,000 to discretionary programs.
- Title IV-E funds are secured through submitting applications for federal foster care placement reimbursement to DFPS. It is not funding provided by the state, but it is estimated in the annual funding allocation recommendations TJJD provides to its board because TJJD provides the administrative apparatus to review, approve and submit the reimbursement applications. For FY2020, this program reimbursed $0.75 million.
- In FY2020, TJJD was directed by rider in the general appropriations act to set aside $1,000,000 out of its pre and post adjudication facilities appropriation to be expended for the Harris County Leadership Academy. Since then, additional riders have been added that require TJJD to set aside and additional $1,250,000 from its community programs strategy to fund vocational pilot programs in Cameron, Harris, and Hidalgo counties and front-end Multi-Systemic Therapy programs in El Paso and Harris counties.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

While probation departments apply for other grants provided by federal or state agencies, foundations and other organizations, no other program or grant is designed to support the total operation of a probation department like the state aid and targeted grants program. TJJD prevention and intervention grants, targeted toward juvenile delinquency and dropout prevention and intervention, are similar to those provided by the Texas Education Agency, the Texas Military Department, and the Texas Department of Family and Protective Services.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TJJD, TEA, the Military Department and DFPS are directed by Article IX, Section 17.05 of the General Appropriations Act to coordinate delivery of juvenile delinquency and dropout prevention and intervention services in the state of Texas. Each agency receives funds for and implements its own programs targeted toward delinquency and dropout prevention, and the four agencies have formed an interagency workgroup to coordinate these efforts. The workgroup submits the Agency Coordination for Youth Prevention and Intervention report to the Legislative Budget Board each fiscal year detailing their coordination and program outcomes. *See Attachment T: Agency Coordination for Youth Prevention and Intervention - October 2020.*

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

This program works with the 165 juvenile probation departments that serve all 254 counties in the state of Texas. State law requires each department to have a juvenile board. Some of these boards govern multiple counties. Each board, consisting of district and county judges, is responsible for overseeing the operation of the juvenile probation system in that county. This includes designating juvenile judges, appointing the chief juvenile probation officer, and setting the policies and budget for the juvenile probation department. The juvenile probation departments provide prevention, intervention and diversionary services and programs to rehabilitate youth engaging in criminal activity and enhance public safety. TJJD provides regulatory oversight, funding and technical assistance to juvenile boards and partners with them develop and maintain an effective juvenile justice system in Texas. Probation departments served 98.3 percent of the 55,474 juvenile cases disposed in calendar year 2019.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

TJJD offers appropriated state aid funds to Texas juvenile probation departments through two types of state aid grants and three additional programs.

Formula-Determined Grants. TJJD's State Aid Formula Funds (SAFF) Grant comprises about 82 percent of state funding provided to the probation departments and is the only formula-determined grant TJJD awards. They are provided to support the continuation of a community juvenile justice system in Texas. For FY 2020, TJJD distributed $131,382,452 through this grant.

Discretionary State Aid (Competitive Grants). These grants support community-based and residential services and programs for juveniles receiving services from probation departments. They are provided to support specialized and evidence-based intervention programs designed to keep juveniles as shallow in the juvenile justice system as possible. Total allocations for all of these grants in FY2020 was $16,224,071, and these six competitive grants compose about 10 percent of TJJD funding to probation departments.

Additional Grant Programs

- Juvenile Justice Alternative Education Programs (JJAEP) are mandatory for departments that meet criteria provided in Texas Education Code, Chapter 37 and discretionary for five additional departments. They were created to serve the educational needs of juvenile offenders and at-risk youth who are expelled from regular classrooms, campuses, or school district disciplinary alternative education programs (DAEP). The legislative intent was for JJAEPs to provide a quality alternative educational setting for expelled youth that would focus on academic achievement, discipline, and behavior management. This program represents 4 percent of TJJD's funding to juvenile probation departments and was appropriated $6.25 million in FY 2020.
- Title IV-E of the Social Security Act (42 United States Code §670 et seq.) was enacted to establish a program of adoption assistance, strengthen foster care assistance for needy and dependent children, improve programs for child welfare and social services, and provide assistance for needy families. Title IV-E funds are secured through submitting claims for federal foster care placement and administrative cost reimbursement to DFPS for services provided to juveniles in programs adhering to federal requirements. For FY 2020, this program reimbursed $750,000.
- In FY 2020, TJJD was directed by rider in the general appropriations act to set aside $1,000,000 of its pre- and post-adjudication facilities appropriation to be expended for the Harris County Leadership Academy. Since then, additional riders have been added that require TJJD to set aside an additional $1,250,000 from its community programs strategy to fund vocational pilot programs in Cameron, Harris, and Hidalgo counties and front-end Multi-Systemic Therapy programs in El Paso and Harris counties.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Two elements of the TJJDs appropriation structure for juvenile probation departments present challenges to the TJJD grant program fully supporting the probation system needs. The amount of funds appropriated in the basic probation supervision strategy is determined by a formula based on juvenile probation department supervisions. The Legislature has passed juvenile justice reforms in the past decade to prioritize using evidence-based practices to keep youth as shallow in the system as possible and improve long-term outcomes. The majority of probation departments have embraced these practices and worked to divert youth from supervision whenever possible, which results in reductions to their funding in this strategy. Additionally, recent legislative trends have favored requiring probation departments to connect youth to other child-serving entities in their local communities and maintain case management and monitoring before determining whether to take action on the youth's referral to the justice system. As these practices further drive down supervisions, the funds supporting maintenance of a juvenile probation system in Texas will continue to decline. Stable funding is required to maintain the current probation system that serves all 254 counties in Texas. Failure to maintain funding at adequate levels could result in counties opting out of providing juvenile probation services, leaving the state responsible for probation cases in those counties. Altering the formula to use juvenile age population rather than supervisions would ensure that probation departments maintain stable funding from the state when they invest in the prevention and

diversionary programs that keep youth as shallow in the system and possible and provide better outcomes.

State appropriations for juvenile probation funding recognize statewide trends in rehabilitation and treatment needs and corresponding spending patterns that may not hold true for each individual department. There are five appropriation strategies supporting the basic state aid formula funding that compose more than 80 percent of the annual grant allocations TJJD provides to probation departments. In FY 2018 and FY 2019, probation departments refunded 1.35 percent of all basic state aid formula grant funds to TJJD, but not all strategies were refunded at the same level. The commitment diversion and mental health services strategies had refunds almost double the overall level, 2.41 percent and 2.69 percent respectively. The higher refund rate from commitment diversion and mental health funding strategies coupled with the significant expenditures from other appropriation strategies in their spending categories demonstrate the difficulty probation departments have in budgeting within the current funding structure. Dividing funding across too many strategies, each with its own limitations on how the funds may be used, results in departments being unable to utilize all of their state resources to meet the needs of referred youth. Additionally, the current structure fails to capture all the state resources utilized for mental health and commitment diversion services in juvenile probation departments. Organizing funds into fewer appropriation strategies with more diverse allowable expenditures will give probation departments flexibility to fully utilize resources and serve more juveniles at the local level. To that end, we recommended shifting the commitment diversion and mental health appropriation strategies, A.1.5 and A.1.7, into the community programs and pre- and post-adjudication appropriation strategies, and allowing commitment diversion and mental health expenditures from these sources of funding.

Sections N-P: N/A

Facility Safety and Security

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Facility Safety and Security

Location/Division: Facility Safety Subdivision

- ***Contact Name:*** Jim Elliott - - Director/Facility Safety
- ***Statutory Citation for Program:*** Sections 201.002(D), 242.003, 244.005, and 244.006, Texas Human Resources Code.

B. What is the objective of this program or function? Describe the major activities performed under this program.

Facility Safety and Security is responsible for the youth safety management system, the regulation and safety alignment of the TJJD security program, supporting risk management functions, and other operational initiatives supporting safe and secure operations serve to improve safety and define structure and accountability within the Texas Model.

Youth Safety Management System

The Youth Safety Management System integrates operations with case management, mental health, health and safety, facility leadership, risk management, and other critical stakeholders. The system assures a comprehensive and holistic approach toward individual care and rehabilitation of all youth and includes adaptive functions to specialize care to individual youths for particular risks associated with self-injurious behaviors, mitigation of violence to others, sexual misconduct or victimization, and other risks identified.

The Youth Safety Management System is coordinated under the TJJD Facility Safety Subdivision in close collaboration with managing leadership under the Secure Facilities Division through assigned Youth Safety Managers and associated Safety Officers dedicated to each of the five secure facilities.

Each Youth Safety Manager is charged with monitoring high-security correctional youth facility's compliance with TJJD policies and procedures, the Prison Rape Elimination Act (PREA) standards, the agency's case management standards, the Texas Administrative Code rule, various state and federal laws, contract requirements and established reporting requirements. The Youth Safety Manager coordinates the facility's suicide prevention program including management of suicide risk encompassing establishment of goals, objectives, guidelines, procedures, and rules toward holistic safety. The Youth Safety Manager achieves these functions through close coordination with mental health professionals, monitoring and inspection staff, the TJJD PREA coordinator and facility leadership along with other staff as well as youths' individual case managers and other youth.

The Youth Safety Manager works with their associated facility Safety Officer for direct support of program fidelity as well as physical security. In particular, Safety Officers under the supervision of the Youth Safety Managers are responsible for facility-based safety and health program work involving the development of safety policies and procedures, safety training, accident investigation, and collaboration with monitoring and inspection staff along with facility leadership.

The Safety Officer conducts surveys, inspections, and reviews ensuring compliance with safety and risk management standards. Routine safety inspections and associated reporting falls under the direct responsibilities of Safety Officers including compliance with fire safety standards, hazardous material protocols, safety equipment, accident prevention, safety drills, and safety training. The Safety Officer also supports environmental safety through responsibilities involving racial, ethnic and/or gender disparity conditions.

The Youth Safety Management System regularly holds formal meetings with enterprise level leadership including the TJJD PREA Coordinator, Monitoring and Inspection leadership, Construction and Maintenance Division leadership, training Division leadership, Secure Facilities Division leadership, Treatment Division leadership, Case Management Division leadership, and senior executive staff. Beyond a monthly enterprise level meeting, Youth Safety Managers participate in monthly PREA meetings and mandatory monthly meetings devoted to suicide prevention.

Regulation and Safety Alignment of the TJJD Security Program

Regulation and safety alignment of the TJJD security program is established to assure safer facilities through corrective adjustments for holistic safety and security considering the totality of risk and the care trajectory of youths and staff. This programmatic system is built on a culture where safety is foundational to all TJJD operations, with a focus on helping staff and youth to learn regulation and other skills that support their safety, safety of others, and ultimately the safety of the communities. Principally security programming has been integrated to incorporate the advantages of the Texas Model while maintaining all foundational elements of the agency security program through trauma-informed corrections, behavioral regulation, and safety focused security programming.

The security program aligns to agency-wide commitment to appropriate levels of response to preserve a safe environment for youth and staff:

- Level one response entails communication that is centered on positive interaction characterized by playful engagement.
- Level two response, also called structured engagement, initiates focused supervision by staff toward maintenance of a regulated and safe environment.
- Level three response is critically deployed when the balance for regulation requires added focus in supporting youth in taking ownership of their behavioral regulation through calming engagement. This approach applies youth-centered attention to enable the youth's personal investment in regulation.
- Level four response remains available as a failsafe for protective engagement in those instances when youth behavior presents a risk to the youth or others and actions are taken to assure immediate safety for the youth and others when behaviors present immediate risk from physical harm.

Regulation and Safety Managers (RSMs), Regulation and Safety Teams (RSTs), and the Regulation and Safety Units (RSUs) are featured at all secure facilities with specially trained personnel to apply the principles of regulation and safety-focused security programming. RSTs, managed by RSMs, are designated to work throughout the facility and deploy to areas where support is required. Assigned team members are designated to work within the RSUs to support youth regulation while youth are temporarily assigned to the RSUs. Team members assigned within the RSU focus on protective engagement and youth admission with the minimum amount of time required for youth to regulate and return to routine programming. To further support regulation and repairs, each RSU maintains a dedicated space – a regulation and safety zone – to afford youth a safe environment to regulate in an open and less restrictive environment when formal admission into the security program is not required. The RSM and case management security liaison evaluate needs of a given youth to return to routine programing as soon as safety is assured for the youth and others. RSMs also manage Special Tactics and Response (STAR) teams at each facility designed to deploy in prevention of escalation with high-risk events or in response to special emergencies from all hazards.

Risk Management

TJJD is supported by the Risk Management Team (RMT) to prevent harmful events or losses, provide measures in response to harmful events, assist in compliance with applicable standards and rules, and assure general risk management requirements. RMT is centered on identification of known or anticipated risks, avoidance of risk exposure, risk prevention, and the establishment of safety and health programing to address risk from accidents, incidents, or occupational disease.

Risk management falls under the supervision of the Monitoring and Inspection Division where all hazards are actively discerned to minimize adverse impacts. The primary supervision for the RMT falls under the responsibilities of the Agency Risk Manager for planning, implementing, monitoring, and controlling the agency risk management program and the supervision of risk management professionals. The RMT is responsible for acting as the TJJD representatives for health and safety compliance and is responsible for the quality and frequency of associated training.

The RMT also interacts with other government entities such as the State Office of Risk Management, the Railroad Commission of Texas, the Texas Commission on Environmental Quality, the Texas Department of Insurance, State Fire Marshal's Office, and the Texas Department of Licensing and Regulation in matters related to risk management as directed by TJJD executive leadership. In addition to close work with other government entities, the RMT collaborates internally with State Services divisions, Probation Services divisions, and other TJJD divisions. The RMT oversees emergency drills, accident reporting, hazard identification, and hazard incident response in addition to functioning as a primary partner on physical security for plant operations.

Other Safety and Security Functions

Facility safety and security at TJJD has also been advanced with multidisciplinary efforts and through safety and security projects through numerous efforts. Innovations and zero cost solutions along with careful planning and preparation are prominent in many general safety and security functions.

Winter Storm Response. In February 2021, an unprecedented winter emergency spanning the entire state of Texas gravely impacted the safety and security of TJJD. Additionally, ice and snow impacted all TJJD facilities to varying degrees, causing power outages, boil advisories, and supply chain disruptions straining food and medical supplies and challenging agency resources. Despite broad operational disruption, TJJD leadership in conjunction with assigned Secure Facilities personnel, maintenance personnel, and others were able to maintain secure operations and provide essential services throughout the prolonged period of elevated risk. TJJD remained protected from injuries and severe damage while maintaining facility security for a prolonged period throughout the winter event.

Quarantine Response. In response to COVID-19, TJJD leadership established a progressive set of protocols and additions to the standing TJJD Pandemic Response Plan, culminating in a disease risk travel tracking system, a specialized personal protective equipment inventory system, standing up a specialized Quarantine Response Team (QRT), and an integrated

operating structure that established processes and protocols for COVID-19 testing, infection monitoring, and staffing adjustments to keep facilities operating safely and efficiently despite widespread community transmission and infection.

Body-Worn Camera Proactive Monitoring Pilot. Beginning in October 2019 and ending in March 2020, a multidisciplinary team comprised of the Monitoring and Inspection Division and the Facility Safety Subdivision designed and operated a six-month proactive body-worn camera monitoring pilot program to establish clearer quality assurance and control parameters of staff operations. This program used randomized monitoring plans to identify policy and procedural compliance and alignment to Texas Model practices. Over the course of the pilot program, after an initial month of testing and set-up, 812 individual observations were recorded and assessed across all five secure facilities at varying times of day. Findings suggested that proactive body-worn camera monitoring clarified leadership potential to affirm successful staff operation while at the same time afforded an opportunity to identify operational gaps and deficiencies in advance of larger scale operational disruptions or Texas Model misalignment.

Suicide Prevention Assessments. Starting in September 2019 and concluding in December 2019, a multidisciplinary team comprised of the Facility Safety Subdivision, the Monitoring and Inspection Division, Youth Safety Managers, Safety Officers, and the Office of the Independent Ombudsman conducted physical and systems assessments of all secure facilities focusing on suicide prevention through assessments and surveys of physical space and system audits. The team rotated visiting personnel from the multidisciplinary group over the course of three months delivering comprehensive reviews and workflow infrastructure to manage repairs and track all identified deficiencies.

Gang Programming Initiative. Starting in February 2019, an on-going multidisciplinary effort has been advanced to integrate resources associated with gang intelligence, gang training, gang intervention treatment, and quality assurance research employing experts from the TJJD Office of Inspector General, the Training Division, the Treatment Division, and the Research Subdivision under State Services. Efforts in this multidisciplinary collaboration focus on improved use of gang intelligence impacting TJJD safety and security, enhanced gang familiarity training for TJJD staff, greater anti-gang treatment reach to an expanded at-risk youth population, and enhance program quality assurance and control through research-based program monitoring.

Major activities

Redefine safety. Redefine “security” as Regulation and Safety. Focus on physical and emotional safety with a return to regulation emphasizing holistic safety.

Revamp security program teams, STAR teams, and other safety/security teams. Assess teams and analyze functionality. Rebrand team functions to align to integrated and unified operations aligned to the Texas Model of juvenile justice administration.

Push forward innovations. Active participation in multiple efforts focusing on technological advancement and data-based programming (e-bed, visitor management system, radio system,

etc.). Substantial efforts for suicide prevention assessments and operational BWC monitoring pilot program.

Define accountability. Develop, operationalize, and integrate the concepts of accountability, project management and operational prioritizations. Define and endorse the appropriate accountability measures to use with staff and youth.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

As indicated by the safety and security functions listed in section B, the facility safety and security function works to ensure the interoperability of different divisions to ensure the safety and security of the youth, staff, and facilities. The Youth Safety Management System conducts routine meetings that encompasses leadership from various departments to ensure operational efficiency. Additionally, this function conducts regularly recurring PREA meetings to ensure communication, efficiency, and procedural compliance. Recurring communication with case management, treatment, and operations also ensure consistency with implementation of safety measures.

A training module was developed for Regulation and Safety staff to align with the larger trajectory of the implementation of the Texas Model.

The function has also introduced an agency-wide system for tracking youth on suicide alert status and the specific risks and needs of these youth, along with efficiently communicating these factors between divisions.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

The security program defines parameters in the administration and management of a set of operations committed to safety and security for youth and staff. Though the structure and mandates of the security program remain in place, regulation and safety alignment to optimize holistic safety in a way that implements trauma-informed care began in February 2019. These organizational changes to assignments of security program staff centered on response and facilitation of levels of response, focused stewardship of regulating activity, and integration of environmental safety factors that ultimately contribute to both physical safety and felt safety.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other

illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The function is administered through collaborative communication and prioritization of operational and care needs to ensure overall consistency across all facilities. The Director of Facility Safety oversees two employees that ensure operational requirements are met and consistent with agency leadership direction. When another division of the agency is implementing programs that intersect with facility safety, this function ensures the overall fidelity, direction, and uniformity of implementation.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	2020 FTE Expended	2021 FTE Estimated	2022 FTE Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Facility Safety and Security	***21.0***	***21.0***	***21.0***	***$ 1,265,254***	***$ 1,265,254***	***$ 1,265,254***
B.1.10 Residential System Support	3.0	3.0	3.0	$ 301,640	$ 301,640	$ 301,640
General Revenue Fund	3.0	3.0	3.0	$ 301,640	$ 301,640	$ 301,640
B.1.3. Facility Supervision and Food Service	18.0	18.0	18.0	$ 963,614	$ 963,614	$ 963,614
General Revenue Fund	9.3	14.6	18.0	$ 510,715	$ 780,527	$ 963,614
Federal Funds	8.7	3.4	-	$ 452,899	$ 183,087	$ -

Sections H-P: N/A

Juvenile Justice Training Academy for Probation

A. Provide the following information at the beginning of each program description.

Name of Program: Juvenile Justice Training Academy

Location/Division: Austin Central Office/Office of Executive Director

Contact: Chris Ellison, Director of the Juvenile Justice Training Academy

Statutory Citation(s): Sections 221.003, 221.004, 221.005, 221.006, 221.0061 Human Resources Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of this program is three-fold. The Juvenile Justice Training Academy provides ongoing training to the probation community, standardized curriculum for the probation community, and oversees the certification of juvenile probation officers and juvenile supervision officers.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Juvenile Justice Training Academy
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
JSO/JPO Certifications	See Below		3600	3514	98%
County Trainings Provided by TJJD	See Below		80	141.75	177%

Table 12 Exhibit 12 - Program Statistics and Performance Measures ***See Exhibit 3***

Trainings Created or Revised (in full or in part)
9/1/2019 to 8/31/2021

Training Name	Type	Effective Date
A Generational Remix | Maximizing Workplace Connections	Probation	SEP 2019
Become a Supervision Pro - Room Check Procedures	eCourse	MAR 2020
Motivational Interviewing for County Staff	eCourse	MAR 2020
Personalized Case Management | Using Research to Guide Juvenile Supervision	Probation	MAR 2021
Quarantine Response Team	eCourse/State and Probation	MAR 2020
Weapon of Mass Distraction? | Navigating the Digital Landscape	Probation	JUN 2020
When Helping Hurts | The Impact of Emotional Harm on Juvenile Justice Professionals	Probation	DEC 2019

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Over the past year and a half, we have worked on increasing the number of virtual and recorded trainings. This allows counties to save money as well as meet the required 60 hours of training for Juvenile Probation Officers (JPOs) and 80 hours for Juvenile Supervision Officers (JSOs).

We also started a Texas Model Training series for county staff. This ongoing 12-part training discusses the different aspects of the Texas Model and lays the foundation for Texas Model implementation. We have recorded and posted these trainings online so county employees who miss the training are able to watch at a later date. These classes all provide continuing education credits (CEUs) for the JPOs and JSOs.

The curriculum for the mandatory topics and other professional development provided by TJJD to the counties has also been updated. The formatting has shifted from verbatim writing to bullet-pointing key concepts so trainers may teach using facilitation discussion methods with greater ease. Working with subject matter experts, real world scenarios are provided in the form of activities with greater emphasis being placed on practical application of effective strategies through role playing. With the addition of audio/visual expertise to the team, the use

of short video clips for instruction enhancement to augment relevant content has become standard routine. As PowerPoint (PPT) is the most effective visual platform connecting developers with trainers in the field, additional features of the PPT program are constantly being vetted, and if deemed helpful, implemented to further improve both the trainer and end-user experience.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

We review and approve all certifications for both county JPOs and JSOs. All qualifications are laid out in Chapter 344 of the Texas Administrative Code (TAC). All county probation departments and those counties that have juvenile detention facilities are impacted by the certification process. In FY 2020, we reviewed and certified 3,514 JPOs and JSOs.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Curriculum development for mandatory topics and other professional development trainings is spear-headed by a TJJD curriculum developer who specializes in creating effective professional instruction for probation and supervision officers. In collaboration with subject matter experts, such as the manager in TJJD's Probation Services department and regional field training officers (RTOs) in county probation training departments, the curriculum developer reviews, outlines, researches, and write or revises the curriculum so it continues to meet the state requirements for JPO or JSO certification. Upon approval from a technical, or signature, authority, the curriculum is posted for trainers to implement in the field and new test questions which reflect the new or revised curriculum are placed in the certification exam.

Once the curriculum has been developed and posted, trainers implement the curriculum in one of the following ways as shown in the table below:

Methods of Training Delivery

Method	Location	Target Audience
In-person Classroom Trainings	Varies	Counties
Live Virtual Trainings	Online (via Zoom, Teams, GoToMeeting)	Parole, Halfway Houses, and Counties
Pre-Recorded Trainings	Online (via Classmarker, YouTube Link)	State and Counties

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For

state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Training - Probation	***3.0***	***3.0***	***3.0***	***$ 271,918***	***$ 308,531***	***$ 233,087***
E.1.1. Training and Certification	3.0	3.0	3.0	$ 271,918	$ 308,531	$ 233,087
General Revenue Fund	3.0	3.0	3.0	$ 271,918	$ 308,531	$ 233,087

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Many probation departments in various counties throughout Texas provide training to their officers and staff through their own training departments.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Probation departments in various counties throughout Texas do not provide the same trainings as JJTA, as JJTA is the only entity authorized to provide training on the mandatory topics required for all juvenile probation officer and juvenile supervision officer certification as per Texas state statutes.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The certification of JPOs and JSOs is a function of our program directly impacting county juvenile probation departments and those counties that have juvenile detention facilities. The counties connect with our program certification officer if they have questions or any issues with the certification process. After the counties submit a certification application into ICIS, our official certification system, the certification officer reviews the application and either approves or denies the application. If denied, the county receives an explanation of denial and the certification officer works with the county to resolve any errors or issues.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

In collaboration with TJJD, a county work group updated TAC 344 in 2018, including the mandatory training topics required for JPO and JSO certification, making it more effective and applicable. As these reviews of TAC 344 occur periodically, there is ongoing discussion about possibly reviewing the TAC code again in FY 2022. Barriers or challenges which may be impeding the program's performance are often addressed during these TAC code updates.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

According to TAC 344, all JPOs and JSOs must be certified by TJJD. As counties are responsible for tracking all JPO and JSO compliance with education and continuing education requirements and credits, no external audits of county compliance occur at this time by TJJD.

Section P: N/A

For more information on JPO and JSO certification and renewal, and Live Webinar broadcasts, see Attachment U: JJTA Probation Training.

Juvenile Justice Training Academy Training Programs State

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Juvenile Justice Training Academy Training Programs State

Location/Division: Austin Central Office/Office of Executive Director

Contact Name: Chris Ellison, Director of the Juvenile Justice Training Academy

Statutory Citation for Program: Texas Human Resources Code §242.009. Juvenile Correctional Officers; Staffing

B. What is the objective of this program or function? Describe the major activities performed under this program.

The primary purpose of the Juvenile Justice Training Academy (JJTA) is to provide both competency-based and on-the-job trainings to juvenile correctional officers by developing curriculum, instructing staff, and documenting compliance according to Texas government statutes and to provide training on mandatory topics as well as oversight on certification for juvenile probation and juvenile supervision officers in all counties throughout the state of Texas.

As new JCOs must complete a minimum of 300 hours of training within the first year of employment, of which 240 hours must occur before independently commencing duties at the facility (i.e. becoming sole supervised), JJTA provides intensive new hire training to all JCOs employed by the agency as well as other applicable direct care staff.

To ensure tenured JCOs remain in compliance with training requirements set forth by the agency as well as state and federal statues, JJTA conducts annual training as a review of previous concepts and skills learned, an introduction to any new policies or procedures, an opportunity to resolve questions and concerns seen during daily duties, and a chance to refine already learned skills, techniques, and strategies, especially in courses that are essential functions of direct-care staff, such as life safety.

JJTA also provides leadership training for new supervisors and ongoing professional development training for all agency staff, including 7 Habits of Highly Effective Managers, Texas Model training, and training on building resiliency.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Texas Juvenile Justice Department
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Number of Staff Completing New Hire Academy			550	651	118%
Leadership Training			70	99	141%

Table 12 Exhibit 12 Program Statistics and Performance Measures ***See Exhibit 3* Bottom of the page**

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Over the past three years, JJTA has implemented a number of changes to its program.

The curriculum development formatting for both state and county has shifted from verbatim writing to bullet-pointing key concepts so trainers may teach using facilitation discussion methods with greater ease. Working with subject matter experts, activities also incorporate more real-world scenarios participants may encounter and greater emphasis is placed on practical application of effective strategies through role playing. With the addition of audio/visual expertise to the team, the use of short video clips for instruction enhancement and the creation of documentary and/or scenario-style videos enacted by TJJD staff to augment relevant content has become standard routine. As PowerPoint (PPT) is the most effective visual platform connecting developers with trainers in the field, additional features of the PPT program are constantly being vetted, and if deemed helpful, implemented to further improve both the trainer and end-user experience. (See Table D.)

State training implementation has been transformed from a segregated training model to a well-blended, academy-type model for new hires. Instead of receiving all classroom training first, then moving on to all on-the-job training, the academy now combines the two. This new model allows new hires to receive new knowledge and skills during classroom training for the first part of the day, then immediately put into practice this new information by participating in the corresponding on-the-job training for the second part of the day. This model encourages greater information retention and improved skill development as well as exposes JCOs early on to what they may encounter once sole-supervised.

TJJD's management training is currently being reimagined and reconstructed into a successful leadership training academy.

In collaboration with Yale University, JJTA has been in the process of developing an effective leadership training focused on creating meaningful and successful relationships between supervisors and supervisees. By integrating the principles of Yale's Program on Supervision with the principles of TJJD's Texas Model, supervisory participants are able to open up about current problems they face in their new leadership role, learn about the phases and functions of supervision, discuss the challenges of managing from the middle, learn how to establish and maintain boundaries through informed consent, problem-solve real issues they've faced through role playing, and discover valuable self-care strategies.

JJTA has also been in the process of developing the more practical side of the leadership training to ensure supervisors understand the agency's expectations as they fulfill their management duties. As supervisors participate in this training, they learn how to identify and prioritize supervisory tasks, develop objective performance evaluations, execute the disciplinary process, promote a positive dorm culture, demonstrate assigned task procedures, review required documentation, implement time and crisis management strategies, address Use of Force incidents, and utilize required job and timekeeping software.

Training Curriculum Created or Revised (in full or in part) Since New Change Implementation

Training Name	Type	Training Hours	Effective Date
Exploring Youth Behavior	Institution	2.00	MAY 2021
Gang Awareness	Institution	2.00	JAN 2021

Influencing Youth Behavior	Institution	4.00	JUN 2021
IT Security Awareness	eCourse	1.00	OCT 2020 JUL 2021
Personalized Case Management | Using Research to Guide Juvenile Supervision	Probation	4.00	MAR 2021
Youth Rights	Institution	2.00	DEC 2020

Trainings Created or Revised (in full or in part) -- 9/1/2019 to 8/31/2020

Training Name	Type	Effective Date
A Generational Remix | Maximizing Workplace Connections	Probation	SEP 2019
Become a Supervision Pro - Emergency Response	eCourse	MAR 2020
Become a Supervision Pro - Room Check Procedures	eCourse	MAR 2020
Code Blue Procedures	eCourse	MAR 2020
Quarantine Response Team	eCourse	MAR 2020
Weapon of Mass Distraction? | Navigating the Digital Landscape	Probation	JUN 2020
When Helping Hurts | The Impact of Emotional Harm on Juvenile Justice Professionals	Probation	DEC 2019

Table 12c – Trainings Created or Revised (in full or in part) Fiscal Year 2020

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Human Resources Code 242.009 outlines the requirements for TJJD juvenile correctional officers. This includes competency-based training of at least 300 hours within the first year of employment, 240 of which are required before a JCO is qualified for sole supervision. Additionally, under statute, JCOs must be trained on 19 specific areas.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Training is conducted on four levels. We have classroom and on-the-job trainings that happen at each facility and halfway house. We use live virtual trainings to reach parole offices and halfway houses. We also use recorded trainings to allow staff that work overnight shifts to still get the required training without interfering with their normal schedule.

Methods of JJTA Training Delivery

Method	Location	Target Audience
Classroom Training	Institutions	Direct Care Staff
On-the-Job Training	Institutions	Direct Care Staff
Live Virtual Trainings	Online (via Zoom, Teams, GoToMeeting)	Parole Offices Halfway Houses Counties

Pre-Recorded Trainings	Online (via Classmarker, YouTube Link)	Direct Care Staff – Overnight Shift Counties

Curriculum Development Procedures – General Outline

Step	Parties Involved
Receive assignment	JJTA Director and Curriculum Developer (CD)
Begin current curriculum review (if applicable)	CD
Create outline	CD
Schedule and conduct Project Management Team (PMT) meeting	Technical (Signature) Authority (TA), Subject Matter Experts (SMEs), CD
Revise outline and send to TA and SMEs for final approval	CD
Upon outline approval, organize, write/revise lesson plan (LP)	CD
Conduct any additional research needed	CD
Clarify points of confusion and verify updated information	SMEs, CD
Create PPT, participant guide (PG), test/answer key based on lesson plan	CD
Turn in full curriculum package (LP, PPT, PG, Test) for peer review	Other CD
Review and make peer review edits as needed	CD
Turn in full curriculum package (LP, PPT, PG, Test) to CD Supervisor for final review	CD Supervisor
Review and make all required CD supervisory edits	CD
Schedule and conduct Curriculum Review (CR)	TA, SMEs, CD
Make all required changes gathered from CR, if changes extensive, submit to TA and CD supervisor for final review and approval	CD
Obtain signature approval from TA and JJTA director	TA and JJTA director
Send email to trainers indicating curriculum package has posted, with the link, for their review before the T4T and schedule T4T	CD
Conduct T4T with trainers	Trainers and CD
Make any necessary changes from T4T, then receive any necessary final TA approvals	CD
Post to trainers' drive on network	CD
Send email to trainers indicating curriculum package has posted and is ready to train as per the effective date, include the link	CD

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For

state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Training - State	***-***	***-***	***-***	***$ 1,004,271***	***$ 1,030,386***	***$ 1,332,288***
E.1.1. Training and Certification	-	-	-	$ 1,004,271	$ 1,030,386	$ 1,332,288
General Revenue Fund	17.1	18.6	20.0	$ 1,004,271	$ 1,030,386	$ 1,332,288

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Though some probation departments provide similar functions, they do not teach the required Texas Juvenile Justice Facility Curriculum.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The professional development provided by some departments within the agency to their own staff is often specific to their area of expertise or training JJTA that would not provide. JJTA, however, provides trainings that are required for all staff agency-wide, such as Ethics or Prison Rape Elimination Act (PREA), and is the only entity in the state providing the mandatory 300 hours of training for juvenile correctional officers in state facilities as required by Texas state statutes.

Probation departments in various counties throughout Texas do not provide the same trainings as JJTA, as JJTA is the only entity authorized to provide training on the mandatory topics required for all juvenile probation officer and juvenile supervision officer certification as per Texas state statutes.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

N/A

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The contracted expenditures through this program provides staff with the Handle with Care specialized trainings.

- **the amount of those expenditures in fiscal year 2020;**

$1,500

- **the number of contracts accounting for those expenditures;**

1

- **the method used to procure contracts;**

Directly awarded without solicitation.

top five contracts by dollar amount, including contractor and purpose;

CON0000782 – maximum contract amount of $37,000 with Handle with Care Behavioral Management System for specialized training for staff.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

Sections L-P: N/A

Monitoring and Inspections

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Monitoring and Inspections

Location/Division: Monitoring and Inspections

- ***Contact Name:*** Terri Dollar

Statutory Citation for Program:
Sections 51.12, 51.125, and 51.126, Texas Family Code.

Sections 221.002(a)(1), 221.004(a)(3) and (b), 242.053, Texas Human Resources Code.

28 CFR Part 115, Prison Rape Elimination Act (PREA), National Standards

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Monitoring and Inspections Division of the Texas Juvenile Justice Department 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 Division also provides objective evaluation and oversight of state-operated and contracted juvenile correctional facilities and programs to

include residential, both secure and non-secure and non-residential, and state and contract parole.

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 the positively impacts the performance of the juvenile justice facilities and services and the outcome of the youth being served.

County Operations

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 resolving disputes to county programs' standards findings, applications for the temporary waiver of standards and for permanent variances of standards.

As of July 2021, the following number of county-based departments and facilities were eligible for the Monitoring and Inspections Divisions monitoring of TAC rules identified by applicable TAC Chapters:

- 2 county-operated short-term detention facilities (37 TAC Ch. 351)
- 46 county-operated pre-adjudication secure detention facilities (37 TAC Chs. 342, 343, and 344)
- 32 county-operated post-adjudication correctional facilities (37 TAC Chs. 342, 343, and 344)
- 5 county-operated non-secure correctional facilities (37 TAC Ch. 344 and 37 TAC Ch. 355)

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 TJJD 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 TJJD 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.

State Operations

The Monitoring and Inspections Division conducts comprehensive reviews of state-operated and contracted juvenile correctional facilities and programs to include both secure and non-secure residential. Within a comprehensive review, the Division 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 Division at state-operated and contracted juvenile correctional facilities and programs include the following: priority-focused reviews, body-worn camera and facility camera reviews, 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 reviews, and Texas Model assessments.

As of July 2021, the following number of state-operated and contracted facilities are monitored for agency policy and procedures or contract compliance by the Monitoring and Inspections Divisions:

- 5 Secure Institutions
- 5 Halfway Houses
- 8 Contract Residential Programs

Non-Residential Monitoring

Probation. In FY 2017, the Standards Subcommittee of the Advisory Committee revised and developed standards for the TAC Chapters 341 and 344, which will affect all 165 county juvenile probation departments. These standards were adopted by the Texas Juvenile Justice Department Board effective February 1, 2018. A senior probation specialist position was created within Monitoring and Inspections to specifically conduct the monitoring of county probation departments. The Probation Specialist is knowledgeable and experienced in the field of juvenile probation operations and worked jointly with the Advisory and Standards groups in conjunction with county probation chiefs and staff to develop monitoring processes as well as provide training and technical assistance to monitored entities. Probation monitoring was initiated in FY 2020; however, due to the COVID-19 Pandemic, the Monitoring and Inspections Division suspended the monitoring of the Chapter 341- General Standards for Juvenile Probation Departments on March 13, 2020. As the state re-opened, Chapter 341 monitoring resumed in the form of desk reviews. The Monitoring and Inspections Division's TAC rule (county) monitoring is reported, distributed, and retained within an internal software application called 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.

TJJD Parole. Monitoring and Inspections Division provides objective evaluation and oversight of state and county contract operated juvenile parole operations. The monitoring standards are based upon TJJD policies, procedures, and case management standards to include specific

requirements stated in the parole services contracts with each of the counties. An assigned senior parole specialist leads the annual monitoring of ten TJJD state-operated parole programs and five contract parole counties operated by the respective, local juvenile probation departments.

The parole lead provides technical assistance to parole staff, both state and county, and routinely meets with TJJD parole leadership to identify and assist with systemic findings regarding parole operations and services.

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) and the State Fire Marshal's Office (SFMO). The Texas Juvenile Justice Department (TJJD) is committed to a successful safety and health program. To minimize harm and the cost of risk, TJJD:

1. attempts to routinely identify significant known perils and risks the agency may be exposed to;
2. avoids unnecessary or unreasonable exposures to the extent practicable;
3. takes all reasonable, practical steps to prevent harmful events and losses;
4. establishes a comprehensive employee safety and health program to address agency exposures to employee accidents, injuries, and occupational diseases;
5. provides sufficient resources to support the program including:
    a. employing an agency risk manager and designating appropriate staff to support him/her;
    b. ensuring specific, measurable goals are monitored to reduce the frequency and severity of employee accidents, injuries, and occupational diseases;
    c. providing training opportunities to safety officers; and
    d. ensuring the incorporation of safety concepts and practices into all agency operations;
6. establishes an agency culture that encourages employees to fully participate in the safety program, including:
    a. supporting active participation in program activities by all staff; and
    b. encouraging discussions of safety and health topics at staff meetings.

Designated, trained Monitoring and Inspections Risk Management identify, analyze and communicate efficient and effective risk management operations with the following goals:

1. minimize harm to the agency's physical, human, fiscal, and environmental resources;
2. minimize the total cost of risk to the agency;
3. provide a safe environment for youth and staff; and

4. protect the public.

The 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.

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 safety officers and maintenance departments, as well as to county programs in reference to life safety and physical plant issues.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

See the following key performance measures in Exhibit 2:

- Number of Local Facility Inspections Conducted
- Number of Annual Comprehensive Monitoring Reviews

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

N/A

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

County Facility and Program Administrators, Managers, Quality Assurance Officers, Staff and Youth

County Juvenile Boards

Juvenile Probation Departments

Juvenile Justice Professionals

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Please note that all monitoring and inspections are completed utilizing a series of monitoring tools that include reviewer guidelines and compliance methodology. *See Attachment 11: TJJD Texas Administrative Code for more detail.*

Forms of Inspection:

- Scheduled annual on-site inspections and desk reviews
- Unannounced on-site visits when warranted

Process of Inspection:

- Formalized desk review of certain documents (e.g., policy/procedures, program plans) before on-site inspection
- On-site inspection, including direct observations (e.g., facility tours, observing programs/procedures), document reviews, and staff and resident interviews
- Findings discussed with facility/department each day and, at end of visit, formal "exit summary" completed and facility/department provided with a draft finding report
- After managerial review, TJJD issues formal, comprehensive report
- Department/facility must respond to each non-compliance; can concur and correct the violation, challenge the citation, or request variance from the relevant standard(s)
- Report is formally "closed" when all violations appropriately disposed
- "Closed" report represents TJJD determination facility is "suitable" per Family Code Sections 51.12, 51.125, or 51.126

Monitoring and Inspections Division's TAC rule (county) monitoring is reported, distributed, and retained within COMETS, which 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

Annually, a request is made to counties to formally register all public and private juvenile secure pre-adjudication, secure post-adjudication, short-term detention, and non-secure correctional facilities operating in Texas. An online application is made available with a request for complete the application and provide a valid certification order by January 31st. Additionally, per the requirements of the Texas Family Code, any and all secure pre-adjudication detention facilities, secure post-adjudication correctional facilities, and nonsecure correctional facilities

submitting an initial facility registry application are required to submit the following documentation:

1. Written suitability/unsuitability certification document executed by each judge of the juvenile court and a majority of the members of the juvenile board. The certification document shall minimally identify the number and type (i.e., secure pre-adjudication and/or secure post-adjudication) of resident beds located within the facility;
2. Current governmental inspector certification regarding the facility's compliance local fire codes;
3. Current governmental inspector certification regarding the facility's compliance with local building codes;
4. A written summary regarding the availability of health and mental health services provided to facility residents; and
5. A written summary regarding the availability of educational services provided to facility residents.

The Monitoring and Inspections Division is (with the technical assistance and support to be provided by the agency's IT Division) the responsible for maintaining the Facility Registry application and maintenance process.

State Operations

State-Operated Facilities (Institutions and Halfway House)

Standards Monitored:

- Applicable agency policy and procedures

Standard Content: May Including but not limited to standards relating to:

- Physical Plant and Life-Safety
- Staff Training
- Staffing and Supervision
- Case Management and Treatment Services
- Youth Rights
- Youth Discipline
- Youth Grievance Process
- Restraints
- Suicide Alert
- Incident Reporting
- Prison Rape Elimination Act

- Youth Services and Activities
- Texas Model Implementation

Forms of Inspection:

- Priority Focused Reviews
- Scheduled on-site inspections and desk reviews
- Unannounced on-site visits
- Documentation Reviews
- Body Worn Camera/Overhead Camera Reviews
- On-site Follow Up

Process of Inspection for State Operated Facilities (Institutions and Halfway Houses): Please note that the inspection process is based on the inspection/monitoring type as determined through planning and monitoring tool development.

Contract Care Residential Facilities

Standards Monitored: Contract Requirements

Standard Content: Including but not limited to standards relating to:

- Physical Plant and Life-Safety
- Staff Training
- Staffing and Supervision
- Rehabilitative Treatment Services
- Youth Rights and Privileges
- Youth Grievance Process
- Safety and Security Practices
- Prison Rape Elimination Act
- Youth Services and Activities
- Daily Living Services
- Education

Contract Residential Facility Forms of Inspection:

- Scheduled annual on-site monitoring and desk reviews
- Unannounced on-site visits when warranted

Contract Residential Facility Process of Inspection:

- Formalized desk review of documentation
- Youth and staff interviews
- Findings discussed with Contract Provider each day and, at end of visit, formal "exit summary" completed and department provided with a draft finding report
- After managerial review, TJJD issues formal, comprehensive report
- Contract Provider must respond to each non-compliance; can concur and correct the violation or challenge the citation.
- Report is formally "closed" when responses are finalized.

Non-Residential Operations

Probation

Standards Monitored:

- Title 37, Part 11, Texas Administrative Code:
- Chapter 341 – Juvenile Probation Department General Standards

Standard Content: Chapter 341 – Juvenile Probation Department General Standards including but not limited to standards relating to:

- Chief Administrative Officer Responsibilities
- Policies and Procedures
- Residential Placement
- Requirements for Juvenile Probation Officers
- Supervising and Transporting Juveniles
- Case Management
- Mental Health Screening
- Data Collection
- Restraints

Forms of Inspection:

- Scheduled on-site monitoring and/or desk reviews

Process of Inspection:

- Formalized desk review of documentation and JCMS.
- Staff interviews
- Findings discussed with facility/department each day and, at end of visit, formal "exit summary" completed and facility/department provided with a draft finding report

- After managerial review, TJJD issues formal, comprehensive report
- Department/facility must respond to each non-compliance; can concur and correct the violation, challenge the citation, or request variance from the relevant standard(s)
- Report is formally "closed" when all violations appropriately disposed

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.

Parole

Standards Monitored:

Applicable agency policy and procedures or contract

Monitoring Content: Including but not limited to standards relating to:

- Youth Records
- Training
- Education
- Contacts and Supervision
- Interstate Compact
- Home Placement Assessment
- Case Management
- Electronic Monitoring
- Youth Grievance
- Intake and Orientation
- Incident Reporting
- Due Process

Forms of Inspection:

- Scheduled on-site monitoring and/or desk reviews

Process of Inspection:

- Formalized desk review of documentation
- Youth, parent, parole officer and parole supervisors' interviews

- Findings discussed with facility/department each day and, at end of visit, formal "exit summary" completed and department provided with a draft finding report
- After managerial review, TJJD issues formal, comprehensive report
- Department must respond to each non-compliance; can concur and correct the violation or challenge the citation.
- Report is formally "closed" when responses are finalized.

Risk Management

Standards Monitored: Applicable agency policy and procedures, NFPA, OSHA, IFC

Monitoring Content: Including but not limited to standards relating to:

- Accident Reviews
- Chemical Control – Hazardous Storage
- Emergency-Disaster-Student Unrest Plan
- Fire Drills and Code Blue Drills
- Fire Safety
- Key Control
- Preventive Maintenance
- Tool Control
- Vehicle Safety
- Training Records
- Fire Watch and Fire Reports
- Furnishings and Decorations
- Life Safety

Forms of Inspection:

- Scheduled on-site inspections
- Unannounced on-site inspections
- Camera Reviews

Process of Inspection:

- Facility Tour
- Equipment Testing
- Review of documentation
- Findings discussed with facility management at end of visit "exit summary"

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
M&I	**23.5**	**22.7**	**24.3**	**$ 1,586,062**	**$ 1,376,196**	**$ 1,714,267**
Monitoring and Inspections	***23.5***	***22.7***	***24.3***	***$ 1,586,062***	***$ 1,376,196***	***$ 1,714,267***
E.1.2. Monitoring and Inspections	23.5	22.7	24.3	$ 1,586,062	$ 1,376,196	$ 1,714,267
Federal Funds	-	-	-	$ 1,056	$ -	$ -
General Revenue Fund	23.5	22.7	24.3	$ 1,585,006	$ 1,376,196	$ 1,714,267

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

Although there are other monitoring and auditing division within the agency, the inspections, reviews, and monitoring conducted by the Monitoring and Inspections Division is not duplicated by any other intra-agency divisions or external entities. Monitoring and Inspections Division supports the agency's legislative mandate to 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. Additionally, the division monitors contract residential facilities and parole services to ensure contract compliance, and provides comprehensive and/or priority focused reviews under the direction of agency leadership of our state operated facilities and programs.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

County Facility and Program Administrators, Managers, Quality Assurance Officers, Staff and Youth

County Juvenile Boards

Juvenile Probation Departments

Juvenile Justice Professionals

State Office of Risk Management (SORM)

State Fire Marshal's Office (SFMO)

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

This program's function does not include any grant functions.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

To date, the Monitoring and Inspections Division has not identified any significant systemic or statutory barriers or challenges that impede the program area's performance and goals.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

None

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

37 TAC Chapters 341, 343, 351, and 355. *See subsection F of this Program above, Attachment 1: Enabling statute and rules, and Attachment 11: TJJD Texas Administrative Code for more detail.*

The Chapter 341 regulations provide minimum standards for the operation of juvenile probation departments, including the responsibilities of the chief juvenile probation officer, residential placements, requirements for juvenile probation officers, supervising juveniles, case

management, mental health services, security provisions, and data collection. These regulations are necessary to ensure uniformity in operations at a minimum-standard level for probation departments across the state. While county departments vary greatly in resource allocation, services, and youth demographics, these standards are necessary to ensure the operation of the departments follow the same process.

The other three chapters apply to the following facilities in Texas operated by or under contract with a county juvenile board: secure juvenile pre-adjudication detention facilities and post-adjudication correctional facilities (Ch. 343), short-term detention facilities (Ch. 351), and non-secure correctional facilities (Ch. 355). These regulations are necessary to set out the minimum standards for population classification, levels of supervision, life safety fixtures, program areas, maintenance, security operations, meals and nutrition for the youth, physical and behavioral health services, visitation, program and educational hours, and youth rights.

TJJD staff perform scheduled annual on-site inspections and desk reviews of these facilities and necessary documentation. Staff also perform unannounced on-site visits when circumstances warrant them. Findings are discussed with the facility and the department during out-briefings the day of the inspection. A formal exit summary and draft final report are provided to the facility and department. The departments must respond to each non-compliance finding, concur and correct the violation, challenge the citation, or request a variance from the relevant standards. The reports are formally closed when all violations are appropriately disposed. TJJD may suspend or revoke a facility's registration if issues of non-compliance are not corrected. TJJD may also suspend or revoke an officer's certification if violations are found to violate the code of ethics.

Regulated entities may file a public complaint through TJJD's public complaint process. Often, the agency's goal is to help juvenile probation departments gain compliance. To this end, the process becomes collaborative, and the department can reach out to TJJD staff to assist them in this endeavor. Regulated persons, such as juvenile probation officers, juvenile supervision officers, and community activity officers, may challenge formal disciplinary actions through the administrative process, including defending themselves in a SOAH proceeding against TJJD's actions.

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. Please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional, etc. If necessary to understand the data, please include a brief description of the methodology supporting each measure.

Exhibit 13: Information on Complaints Against Regulated Persons or Entities Fiscal Years 2019 and 2020

	Fiscal Year 2019	Fiscal Year 2020
Total number of regulated persons (juvenile probation officers, juvenile supervision officers, community activity officers)	-	6,137

Total number of approved juvenile officer certification applications	3,768	3,514
Total number of regulated entities (county facilities)	92	85
Total number of regulated entities (juvenile probation departments)	164	164
Total number of entities inspected (county facilities)	92	47
Total number of entities inspected (juvenile probation departments)	4	3
Complaints resulting in disciplinary action (juvenile officer revocations)	76	66

Table 13 Exhibit 13 Information on Complaints Against Persons or Entities

Prison Rape Elimination Act, Monitoring and Inspections

A. Provide the following information at the beginning of each program description.

Name of Program or Function: PREA

Location/Division: In effect at all 10 current TJJD facilities and halfway houses

- ***Contact Name:*** Carla Bennett-Wells
- ***Statutory Citation for Program:***

28 Code of Federal Regulations (CFR) Part 115, Prison Rape Elimination Act (PREA), National Standards

242.101, Human Resources Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the program as outlined in the General Administrative Policy (GAP) 380.9337, 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. It also addresses TJJD's obligations under federal Prison Rape Elimination Act (PREA) standards for preventing, detecting, and responding to sexual abuse and sexual harassment.

Pursuant to the requirements of the PREA Standards, TJJD employs a PREA Coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with PREA standards in all TJJD-operated facilities and halfway houses. TJJD also has a designated PREA compliance manager with sufficient time and authority to coordinate efforts to comply with the PREA standards at each TJJD facility and halfway house.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

TJJD policies have never been cited as insufficient by a PREA auditor. The only criterion which has resulted in TJJD not meeting full compliance with National PREA standards is the requirement for youth to staff ratios to be 1:8 during waking hours. See "Achieving Balance between Supervision and Population" in Section IX Major Issues for more information.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Since July 2014, TJJD has sought to comply with the PREA audit 3-year cycle regulated by the Department of Justice. In doing so, all TJJD facilities and halfway houses have received at least one PREA audits in accordance with the DOJ auditing cycle. However, due to the exigent circumstance of the COVID-19 pandemic, all four of the TJJD PREA audits initially scheduled for fiscal year 2020 for McFadden Ranch, Edna Tamayo House, Ron Jackson State Juvenile Correctional Complex, and Evins Regional Juvenile Center were postponed. Three of these audits were conducted during fiscal year 2021 and two of the facilities, Edna Tamayo House and McFadden Ranch, were re-certified for PREA Compliance. One of the audited facilities, Ron Jackson Correctional Complex, failed to comply with PREA standard 115.313 requiring a 1:8 staff to youth ratio during waking hours and was therefore unable to achieve full compliance for the PREA audit. The PREA audit for Evins Regional Juvenile Center was conducted in August 2021.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The agency's PREA Coordinator is responsible for developing and implementing adequate procedures and processes in an effort to facilitate agency compliance with the PREA standards. The PREA Coordinator also provides agency oversight and guidance regarding adherence with implemented policies and procedures for compliance with the PREA standards. The PREA Coordinator provides specific training, coaching and oversight to the PREA Compliance Managers at each facility and halfway house to assist them in their role of guiding their respective facility or halfway house towards compliance with agency policies and procedures and with the PREA standards.

PREA standards require that facilities be audited at least once every three years, with at least one third of all facilities within a particular agency being audited every year. The PREA coordinator coordinates efforts for the agency's compliance with the 3-year audit cycle regulated by the DOJ and works with the PREA Compliance Manager and facility leadership at each institution and halfway house to prepare and ultimately pass a PREA audit.

Each TJJD secure institution and halfway house is scheduled for an audit every three years in accordance with the DOJ audit cycle. There are three phases to every PREA audit, the Pre-Audit Phase, On-Site Review and the Post Audit or Corrective Action Phase. During the Pre-Audit Phase, the DOJ certified PREA Auditor reviews relative documentation provided in support of

compliance for each one of the roughly 50 juvenile standards. The review usually consists of a sampling of documentation from the 12 months prior to the date of the On-Site Review but documentation from the previous 3 years or since the facility's last PREA audit should be readily available for review on-site as needed. The On-site portion of the audit usually focuses on a detailed tour of every aspect of the physical structure of the facility, staff and youth interviews, and any documentation review that may be outstanding. If there are no deficiencies noted for a particular facility, the Post Audit Phase will commence with the facility receiving a PREA Final Report within 30-45 days after the PREA auditor's departure from the facility. In the event that there are noted deficiencies, the facility will receive a PREA Audit Interim Report outlining all deficiencies by standard, and the facility will enter into the Corrective Action Period as part of the Post Audit phase. During this phase, the facility will have 180 days or roughly 6 months to develop an adequate resolution or corrective action to the deficiencies identified in the Interim Report. At the completion of the Corrective Action Period, the PREA Auditor will evaluate the facilities progress or status with the requested corrective actions and make a final determination regarding the facility's PREA compliance.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
PREA	**1.0**	**2.3**	**7.0**	**$ 77,404**	**$ 461,707**	**$ 1,162,789**
PREA	***1.0***	***2.3***	***7.0***	***$ 77,404***	***$ 461,707***	***$ 1,162,789***
B.1.2. Facility Operations and Overhead	-	1.3	6.0	$ -	$ 382,764	$ 1,071,145
Federal Funds	-	1.3	6.0	$ -	$ 382,764	$ 1,071,145
E.1.2. Monitoring and Inspections	1.0	1.0	1.0	$ 77,404	$ 78,943	$ 91,644
General Revenue Fund	1.0	1.0	1.0	$ 77,404	$ 78,943	$ 91,644

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

TJJD utilizes its partnership with local rape crisis and advocacy centers to provide crisis intervention, counseling, and support services to youth victims of sexual abuse.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TJJD has several MOUs with various rape crisis and advocacy centers across the state. As the PREA coordinator is responsible for policy and procedures specific to the agency, there is no duplication of this function with external entities.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

TJJD's compliance with the National Juvenile PREA Standards is regulated through DOJ oversight by the National PREA Resource Center.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall.**
- **the amount of those expenditures in fiscal year 2020;**
- **the number of contracts accounting for those expenditures;**
- **the method used to procure contracts;**
- **top five contracts by dollar amount, including contractor and purpose;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

This program has contracted expenditures for PREA auditor services. However, there were no expenditures in FY 20.

L. Provide information on any grants awarded by the program.

None

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

As stated in Section C, TJJD has not achieved full PREA compliance for its secure institutions due to the required 1:8 staff to youth ratio during youth waking hours, since the ratio went into effect in October 2017. Failure to meet the required ratio is currently the only obstacle preventing the agency from achieving full compliance with the National PREA standards.

Sections N-P: N/A

Office of Inspector General

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Office of Inspector General

Location/Division: Central Office; Statewide

Contact Name: Forrest Mitchell, Chief Inspector General

Statutory Citation for Program: Section 242.102, Texas Human Resources Code

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Office of Inspector General is a law enforcement agency created at the department that reports directly to the TJJD board and is responsible for investigating and preventing criminal and delinquent conduct at TJJD state facilities and programs. It is responsible for the

investigation of criminal offenses as well as allegations of abuse, neglect, and exploitation; fugitive apprehension; contraband detection and investigation; gang intelligence; and the operation of a 24-hour hotline for calls and complaints against the juvenile justice facilities and programs in Texas.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

See the following key performance measures in Exhibit 2:

- Number of Completed Criminal Investigative Cases
- Number of Abuse Claims Investigated (County)
- Number of Completed Administrative Investigations (State)
- Number of Allegations Reported to the Office of Inspector General
- Number of JJD Juveniles Apprehended by OIG

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

In 2015, TJJD asked OIG to assume the responsibility of managing the gang intelligence program following a TJJD internal audit of the Gang Intelligence System operated by TJJD under the Texas Code of Criminal Procedure. This audit found misconduct and deficiencies in the program conducted by TJJD in improperly classifying juveniles as gang members, improperly storing and disseminating the gang intelligence information, and failing to remove juveniles from the databases. The OIG hired gang intelligence officers for each secure facility. This responsibility was codified by HB 3689 (86R).

In 2018, TJJD asked OIG to take on the role of hiring a uniformed security team at the state-run secure juvenile correctional facilities. Previously, this had been a collateral duty of juvenile correctional officers, and was typically where staff were reassigned while under investigation for misconduct. This meant that the staff who were searching all visitors, volunteers, contractors, and TJJD employees were typically under investigation and were in a non-contact role. Additionally, TJJD staff were not notifying the IRC and OIG law enforcement in a timely manner of the criminal contraband detected, returned, or seized during the entry searches by the TJJD juvenile correctional officers, which made arrest and criminal prosecution of offenses difficult. TJJD reallocated FTEs and funding to OIG for this purpose. This change necessitated the passage of HB 3689 (86R).

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

The OIG investigations of county abuse, neglect, and exploitation (ANE) affect the licensing of a county or contract care juvenile supervision and juvenile probation officers' licenses. Affirmative findings are referred to the disciplinary attorneys in the TJJD General Counsel Division for action.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

A call or complaint is received by the Incident Reporting Center (IRC). The details of the call or complaint are evaluated by the telecommunications operators at the IRC. Some calls may be referred to the appropriate division, agency, or team for handling. If the IRC staff believes that this should be opened for criminal or administrative investigation, it will be assigned to the appropriate OIG region for review by a member of the OIG leadership team. Once reviewed, it will be assigned to an individual investigator for investigation. Findings of the investigation must be approved by supervisors before closing any investigation. Affirmative findings of sexual misconduct or physical abuse are referred to prosecuting attorneys in addition to the TJJD General Counsel, unless handled by local law enforcement.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
OIG	**105.2**	**104.9**	**102.1**	**$ 5,658,539**	**$ 5,508,619**	**$ 5,692,677**
Investigations and Operations	***98.9***	***98.8***	***95.8***	***$ 5,425,158***	***$ 5,287,272***	***$ 5,465,739***
B.2.1. Office of the Inspector General	98.9	98.8	95.8	$ 5,425,158	$ 5,287,272	$ 5,465,739
General Revenue Fund	98.9	98.8	95.8	$ 5,425,158	$ 5,287,272	$ 5,465,739
Incident Calling Center	***6.3***	***6.1***	***6.3***	***$ 233,381***	***$ 221,346***	***$ 226,938***
B.2.1. Office of the Inspector General	6.3	6.1	6.3	$ 233,381	$ 221,346	$ 226,938
General Revenue Fund	6.3	6.1	6.3	$ 233,381	$ 221,346	$ 226,938

Since its creation, the OIG has received two grants: one for the purchase of vehicles in 2014, and one for the digitization of its records and the development of an investigative database in 2018.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

TJJD Internal Audit. This program may examine other TJJD programs and functions (including the OIG) and determine if these programs are adhering to established policies, procedures, guidelines, regulations, and statutes. This could include the detection of fraud, waste, and abuse. This could also uncover criminal conduct.

Independent Ombudsman. This state agency also receives complaints, allegations, and reports of problems, concerns, and issues at state and county facilities and programs. Though the OIO does not investigate criminal activity statutorily, it can receive allegations or complaints that could have a criminal component to them (e.g., certain denials of rights or privileges in a correctional setting could constitute a criminal offense for official oppression under the Texas Penal Code).

State, local, and federal law enforcement. Statutorily, many law enforcement agencies also have concurrent jurisdiction in the investigation of criminal and delinquent conduct occurring in their jurisdiction.

State Auditor's Office. The SAO may review allegations of fraud, waste, and abuse. The SAO may also evaluate programs (including the OIG) on program effectiveness.

Texas Department of Family Protective Services. This agency may investigate allegations of abuse, neglect, and exploitation at juvenile facilities that may house blended populations of foster children, county juvenile justice contract placements, or TJJD contract placements.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The OIG, OIO, and Internal Audit meet weekly to discuss emerging issues in TJJD. Parties share reports, review findings, and collaborate on the shared areas of responsibility. The OIG has a letter agreement with TJJD to conduct its investigations in accordance with federally mandated PREA standards. It also has a letter of agreement with the OIO to provide its staff to serve as an advocate to be present for victims of sexual misconduct during questioning, if requested. The OIG also serves as an after-hours call line for the OIO hotline to reduce costs to the state and the need to hire a third-party provider. The OIG agrees to maintain the confidentiality of the OIO records.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

The OIG and the IRC collaborate with local law enforcement and the federal government in the confirmation of TJJD parole warrants or TJJD directives to apprehend. OIG disseminates information to law enforcement agencies and regional criminal intelligence centers regarding escaped TJJD juvenile offenders as well as TJJD parole violators. This includes 24-hour hit confirmation when any of those TJJD juveniles are detained by law enforcement. The OIG also

works with Sam Houston State University on a report management system and computer-aided dispatch function of the Incident Reporting Center.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The OIG has contracted with Sam Houston State University for a new crime data information and tracking system.

- **the amount of those expenditures in fiscal year 2020;**

$25,000

- **the number of contracts accounting for those expenditures;**

1

- **the method used to procure contracts;**

Procured through interagency contract with Sam Houston State University.

- **top five contracts by dollar amount, including contractor and purpose;**

CON0001075 – maximum contract amount of $80,000 with Sam Houston State University for the CRIMES law enforcement software.

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The OIG is a law enforcement agency located at the department, and it is frequently called upon to investigate criminal allegations of misconduct by staff. The OIG must rely on reports and records from internal divisions within TJJD to conduct those investigations, whose

employees are sometimes the subject of those investigations. Furthermore, OIG investigations could involve allegations of fraud, waste, and abuse at the department, which could have implications for internal working relationships at TJJD. Though this is not impossible, it can be very difficult if this investigation involves senior leadership or department heads as investigative findings directly impact the operation of the department. The OIG also needs advice of staff attorney(s), contracted attorney(s), or an agreement with the Texas Attorney General's Office to provide legal support on some fraud, waste, and abuse or abuse of office investigations.

OIG recommends designation as a state agency similar to the Office of Independent Ombudsman, but with OIG remaining under the direction and control of the TJJD governing board. The Chief Inspector General should continue to be selected by the TJJD governing board, and continue to report to the board regularly. The Chief Inspector should have the ability to make recommendations on policy changes and implementation directly to the TJJD governing board. It is also the recommendation that accounting, budget, IT, and human resource staffing and funding be provided to the OIG in proportion to the OIG staffing. The OIG also needs to have a crime victim liaison with OIG or the special prosecutions unit on major sexual misconduct investigations. Reliance on TJJD resources directly impacts the ability of OIG to perform its statutory duties. Most recently, IT equipment or software problems temporarily restricted OIG and IRC operations through the catastrophic failure of phone and network systems. The OIG and IRC operated a state-wide complaint system for juvenile justice facilities and programs for months on a singular cellular phone.

The OIG has had statutory authority to detect, intercept, and monitor cellular phone communications; however, it has lacked both the financial and operational capacity to perform this duty. The interception and monitoring of phone, cellular phone, messaging, and written communication provides crucial evidence for investigations of criminal violations. Though TJJD has passed administrative policies permitting the monitoring of phone and some written communication of juveniles committed to its custody, this authorization should also be codified in statute.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The OIG is a law enforcement agency located at the department with jurisdiction to investigate criminal and administrative violations of law and state statutes. Additionally, the OIG serves as an independent oversight authority that is required to report any significant problem with the Department, or any interference by the Executive Director or staff with an investigation to the Board, the General Counsel of the Governor's Office, and the State Auditor's Office.

Sections O and P: N/A

Internal Audit

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Internal Audit

Location/Division: Austin Texas/ Internal Audit

Contact Name: Eleazar Garcia, Chief Auditor

Statutory Citation for Program: Texas Government Code Chapter 2102; Section 203.013, Human Resources Code.

B. What is the objective of this program or function? Describe the major activities performed under this program.

To enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight.

Conduct periodic audits of the agency's major systems and controls, including:

(A) accounting systems and controls;

(B) administrative systems and controls; and

(C) electronic data processing systems and controls.

The scope of internal auditing encompasses, but is not limited to, the examination and evaluation of the adequacy and effectiveness of the organization's governance, risk management, and internal controls as well as the quality of performance in carrying out assigned responsibilities to achieve the organization’s stated goals and objectives. To this end, Internal Audit:

- Develops an annual audit plan using a risk-based methodology, including consultation with management and the board and an understanding of the agency’s strategies, key business objectives, associated risks, and risk management processes;
- Obtains Board approval for the plan along with any periodic updates;
- Implements the annual audit plan, as approved, including any special tasks or projects requested by management and the Board;
- Adjusts the plan, as necessary with Board approval, in response to changes in the organization’s risks, operations, programs, systems, and controls.
- Maintains a professional audit staff with sufficient knowledge, skills, experience, and professional certifications;
- Evaluates and assesses significant functions and new or changing services, processes, operations, and control processes coincident with their development, implementation, and expansion;
- Issues reports to the Board, through the Finance and Audit Committee, summarizing the results of audit activities;

- Distribute audit reports to the Office of the Governor, Legislative Budget Board, and State Auditor's Office as required by GC 2102;
- Periodically reviews audit goals and results with the Finance and Audit Committee;
- Follows up on prior audit recommendations and reports the current status to executive management and the Finance and Audit Committee annually;
- Verifies effective implementation of recommendations from prior audits that have been reported as implemented;
- As appropriate, considers the scope of work of monitoring activities, the external auditors and regulators for the purpose of providing optimal audit coverage to the agency;
- Develops, maintains, and continuously improves an internal quality assurance and improvement program that ensures compliance with the audit standards;
- Participates in the State Agency Internal Audit Forum Peer Review Process; and
- As requested, assists the Office of Inspector General in the investigation of significant activities within the agency; the results of which will be handled by the Inspector General.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Texas Juvenile Justice Department--Internal Audit
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Percent of Approved Audit Plan Completed		9 of 12	75%	75%	100%
The percent of audits completed within 110% of budget.		2 of 7	75%	29%	39%
The percentage of high-risk areas included in audit work.		2 of 8	70%	40%	58%
The percent of time spent on planned audit activities.			70%	67%	96%
The average overall score on customer satisfaction survey.			>=4.0	4.54	100%

The percent of staff holding at least one professional certification.		5 of 8	>=60%	63%	100%
The percent of staff meeting professional education requirements.		8 of 8	100%	100%	100%

Table 12 Exhibit 12 Program Statistics and Performance Measures **See Exhibit 3*

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

None, operate under existing Government Code Section 2102. Additionally, the Internal Audit Charter is approved by the TJJD Board annually and signed by the TJJD Executive Director and Board Chair.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

(1) Report directly to the TJJD governing board; (2) develop an annual audit plan; (3) conduct audits as specified in the audit plan and document deviations; (4) prepare audit reports; (5) conduct quality assurance reviews in accordance with professional standards as provided by Section 2102.011 and periodically take part in a comprehensive external peer review; (6) conduct economy and efficiency audits and program results audits as directed by the TJJD governing board; (7) have access to the Executive Director and staff; (8) are free of all operational and management responsibilities that would impair the auditor's ability to review independently all aspects of the state agency's operation; and (9) Internal Audit receives HR, budgeting, processing of travel documents, as well as other administrative assistance through TJJD.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For

state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

PROGRAM DETAIL	FTE			Appropriations		
	2020 Expended	2021 Estimated	2022 Budgeted	AY 2020 Expended	AY 2021 Estimated	AY 2022 Budgeted
Internal Audit	**7.1**	**6.0**	**7.6**	**$ 524,482**	**$ 486,530**	**$ 583,509**
Internal Audit	***7.1***	***6.0***	***7.6***	***$ 524,482***	***$ 486,530***	***$ 583,509***
F.1.1. Central Administration	7.1	6.0	7.6	$ 524,482	$ 486,530	$ 583,509
General Revenue Fund	7.1	6.0	7.6	$ 524,482	$ 486,530	$ 583,509

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The State Auditor's Office and Texas Comptroller's Office perform external audits of TJJD periodically under their audit plan. We coordinate efforts to limit duplication of efforts.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Annual Audit Report and Risk Assessment utilized by SAO and Internal Audit to avoid or limit overlap processes reviewed.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Internal Audit conducts audits that possibly include operations of Juvenile and County Detention facilities, probation departments, and contracts. Recent audits include JSO and JPO Certification Audit (June 2021), County Grants Audit (August 2020), and the Federal Grants Audit (October 2018).

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

TeamMate audit management software to manage 100 percent of the audits performed as well as maintain 100 percent electronic working papers. This software contract is procured from Wolters Kluwer Financial Services, Inc. as contracted through DIR (Department of Information Resources). Contracts may be used by Texas state agencies, and public institutes of higher education. DIR has exercised the automatic renewal option for this Contract. This renewal extends the contract through 6/19/2022.

- **the amount of those expenditures in fiscal year 2020;**

$2,616.80

- **the number of contracts accounting for those expenditures;**

1

- **the method used to procure contracts;**

DIR software contract with Wolters Kluwer DIR Contract Number: DIR-TSO-4187 (Texas State Agency). This Contract is the result of compliance with applicable procurement laws of the State of Texas. DIR issued a solicitation on the Comptroller of Public Accounts' Electronic State Business Daily, Request for Offer (RFO) DIR-TSO-TMP-416, on 2/26/2018, for Software Products, Software as a Service, and Enterprise Resources Planning Software Modules Products and Related Services. Upon execution of this Contract, a notice of award for RFO DIR-TSO-TMP-416 was posted by DIR on the Electronic State Business Daily.

- **top five contracts by dollar amount, including contractor and purpose;**

DIR -TSO -4187 Contract with Wolters Kluwer Financial Services, Inc. $2,616.80

- **the methods used to ensure accountability for funding and performance; and**

TJJD follows the Texas Comptroller of Public Accounts' (CPA) Statewide Procurement Division's (SPD) procurement guidelines as articulated in the State of Texas Procurement and Contract Management Guide. TJJD has also standardized many of its contracting documents and requires review by an attorney of any non-standard language. TJJD has also put in place a requirement that ensures all contract requestors and approvers certify that they do not have a conflict of interest for that matter. Finally, all members of the TJJD Contracts Team have earned the Certified Texas Contract Manager certification by the Texas CPA's office.

- **a short description of any current contracting problems.**

N/A

L. Provide information on any grants awarded by the program.

N/A

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The ability to retain internal audit staff due to the availability of promotion through other state agency's internal audit departments has created one barrier. These are highly professional positions, and though we lost two of our budgeted eight staff at start of COVID-19 pandemic, we have not moved to replace due to budget restrictions and hiring/training limitations. Staff shortages affect workflow and create delays in execution of audits and in completion of the approved audit plan(s).

Sections N-O: N/A.

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. Please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional, etc. If necessary to understand the data, please include a brief description of the methodology supporting each measure. See Exhibit 13 Example.

The Texas Family Code Chapter 261 governs the handling of agency investigations of state and county abuse, neglect, and exploitation (ANE). In addition, Chapters 350 and 358 of the Texas Administrative Code provide guidelines for identifying, reporting, and investigating ANE allegations for counties. The agency has policies in place that provide guidance for the investigation of alleged mistreatment of youth under its jurisdiction. A person having cause to believe that a youth has been or may be a victim of ANE has an obligation under state law to report the matter to a law enforcement agency. The OIG, which is the law enforcement arm for TJJD per HR Code 242.102, manages the Incident Reporting Center (IRC) which is the central reporting repository for all allegations involving secure institutions, non-secure facilities, contract care facilities, and parole district offices. Allegations involving youth under county jurisdiction including serious and critical incidents are called into the IRC. The IRC receives and evaluates the complaints and disseminates the complaint to the appropriate division(s) within TJJD for handling. Incidents involving ANE are referred to the Administrative Investigations Division within the OIG. Allegations may be handled concurrently as criminal and administrative investigations. OIG's mission is to investigate all allegations of ANE to ensure the safety of youth served by the state and counties. Texas Family Code Chapter 261 requires Texas Juvenile Justice Department (TJJD) Internal Audit to periodically review the agency's procedures for investigating alleged abuse, neglect, and exploitation allegations.

VIII. Statutory Authority and Recent Legislation

A. Fill in the following charts, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2015–2020, or earlier significant Attorney General opinions, that affect your agency's operations.

Texas Juvenile Justice Department
Exhibit 14: Statutes / Attorney General Opinions

Statutes

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code Title 12: Juvenile Justice Services and Facilities	Agency enabling legislation
Human Resources Code 201.002-201.003	Sets out the purposes and goals of the statutes, the agency, and the programs, facilities, and services operated, regulated, or funded by the agency.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 201.004	Gives the agency authority, in order to improve services to youth, to cooperate and contract with the federal government, government agencies in Texas and other states, political subdivisions of Texas, and private agencies and foundations. Requires the TJJD executive director, commissioner of education, commission of family and protective services, commissioner of state health services, executive commissioner of health and human services, and chair of workforce commission (or their designees) to meet at least annually to discuss mutual issues relating to at-risk and youthful offenders and community support systems for families and youth, to resolve conflicts in providing services to youth, and to make recommendations to the governor and legislature.
Human Resources Code 202.001	Establishes Texas Juvenile Justice Board, composed of one member who is a district court judge of a court designated as a juvenile court, three members who are members of a county commissioners court, one juvenile court prosecutor, three chief juvenile probation officers (one large juvenile population county, one medium juvenile population county, one small juvenile population county), one licensed mental health treatment professional (Occupations Code Title 3, Subtitle B or I), one educator (5.001, Education Code), and three members of the general public.
Human Resources Code 202.002	Provides restrictions on Board membership. Public member/spouse may not be employed in criminal or juvenile justice field, be employed by or participate in management of or own/control more than 10% interest in business entity/organization regulated by or receiving money from agency, or use or receive a substantial amount of tangible goods, services, or money from the agency. May not be board member or department employee in "bona fide executive, administrative, or professional capacity" if person or spouse is officer, employee, or paid consultant of Texas trade association in field of criminal or juvenile justice. Person required to register as lobbyist may not be Board member or general counsel.
Human Resources Code 202.003	Judge's place on Board becomes vacant when the judge ceases to hold a judicial office. Judge's service on the board is additional duty of office. At time of appointment, judge must be judge of a designated juvenile court or one that rotates as juvenile court.
Human Resources Code 202.004	Establishes grounds for removal from the Board and process for executive director to notify when grounds exist.
Human Resources Code 202.005	Requires chief juvenile probation officers to recuse themselves from Board decisions that solely benefit or penalize or otherwise solely impacts the chief's department as well as any decisions regarding matters of abuse and neglect presented to the Board regarding the chief's department. Allows the Board to adopt additional recusal requirements.
Human Resources Code 202.006	Sets out training requirements for Board members.
Human Resources Code 202.007	Establishes that Board members are not entitled to compensation but are entitled to reimbursement for actual and necessary expenses incurred in performing official duties.
Human Resources Code 202.008	Requires the Board to hold quarterly meetings, to adopt rules regulating the Board's proceedings, to keep a public record of the Board's decisions, and to develop and implement policies that provide the public with a reasonable opportunity to appear before the Board and speak on any issue under jurisdiction of agency.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 202.009	Establishes State Auditor authority over Board
Human Resources Code 202.010	Sunset provision
Human Resources Code 203.001	Establishes that the Texas Juvenile Justice Board is responsible for agency operations, is to develop and implement policies that clearly separate the policymaking bodies of the Board and the management responsibilities of the executive director and staff, and is to establish the agency mission with the goal of establishing a cost-effective continuum of youth services that emphasizes keeping youth in their home communities while balancing the interests of rehabilitative needs with public safety.
Human Resources Code 203.002	Mandates the Board to employ an executive director and supervise the director's administration of the agency.
Human Resources Code 203.003	Requires the agency to comply with federal and state laws related to program and facility accessibility; requires the Board to prepare and maintain a written plan that describes how a person who does not speak English can be provided reasonable access to the agency's programs and services.
Human Resources Code 203.004	Requires the Board to develop and implement policies to encourage the use of negotiated rulemaking and alternative dispute resolutions.
Human Resources Code 203.005	Allows the agency to apply for and accept gifts and grants from any public or private source.
Human Resources Code 203.006	Requires the agency to identify areas in which Medicaid could be used in a cost-effective manner for juveniles in the juvenile justice system, develop a program to encourage application for and receipt of Medicaid benefits, provide technical assistance to counties relating to Medicaid eligibility, and monitor the extent to which counties use Medicaid.
Human Resources Code 203.0065	Requires the agency to provide prevention and intervention services for at-risk youth (6-17 years old) and their families. The prevention and intervention services must be consolidated within the agency to avoid fragmentation and duplication of services.
Human Resources Code 203.007	Allows the agency to conduct or participate in studies relating to corrections methods and systems and to treatment and therapy programs. Requires the agency to continuously study the problem of juvenile delinquency in Texas and the effectiveness of services provided or regulated by the agency and to make a report before each regular legislative session. Requires the agency to keep certain records of juveniles involved in the system and to make a report.
Human Resources Code 203.008	Gives the agency the authority to issue a subpoena for a witness or evidence that the department considers necessary for the investigation of abuse, neglect, and exploitation allegations, complaints, financial and programmatic audits of juvenile probation departments and juvenile facilities, and any other matter under the authority of the department, including parole revocation. Allows a hearings examiner at the agency to issue subpoena for revocation hearings. Establishes witness fees and services. Establishes procedure for agency to have a court compel the attendance of a witness or the production of material. Establishes contempt procedures.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 203.0081	Creates the Advisory Council on Juvenile Services for the purpose of assisting in determining the needs and problems of juvenile boards and probation departments, conducting long-range strategic planning, reviewing and proposing revisions to existing or newly proposed standards, analyzing the potential cost impact of new standards, and advising the Board on any other matter on the request of the Board.
Human Resources Code 203.0082	Allows the board by rule to establish fees that are reasonable and necessary, produce revenue sufficient for the administration of Chapter 203, and do not produce unnecessary revenue. May not establish fee if GAA specifies amount of fee.
Human Resources Code 203.009	Requires the agency to prepare information of public interest describing the functions of the department and the procedures for filing and resolving complaints. Must make information available to public and appropriate state agencies.
Human Resources Code 203.010	Requires the agency to maintain a complaint system for complaints received by or on behalf of a juvenile relating to the programs, services, or facilities of the agency or a local juvenile probation department. Provides that all criminal complaints that are initially referred to TJJD's office of inspector general that relate to juvenile probation programs, services, or facilities shall be referred to the appropriate law enforcement agency and other complaints shall be referred to the appropriate agency division. Requires the board to adopt a rule regarding the referral of noncriminal complaints.
Human Resources Code 203.0105	Requires all data compiled by a juvenile probation department regarding abuse, neglect, or exploitation or related to complaints regarding juvenile probation programs that are required to be reported to the agency or the juvenile board to also be provided to the Office of Independent Ombudsman.
Human Resources Code 203.011	Allows any juvenile probation department aggrieved by a decision of the executive director, including a decision relating to standards, to appeal that decision to the Board. The Board decision is final and not subject to appeal.
Human Resources Code 203.012	Requires agency to annually prepare an annual financial report.
Human Resources Code 203.013	Requires agency to conduct internal audits.
Human Resources Code 203.014	Requires agency to have a toll-free number for reporting of abuse, neglect, or exploitation of children in agency and local facilities.
Human Resources Code 203.015	Requires the agency to implement a system to evaluate the effectiveness of county and state programs and services for youth.
Human Resources Code 203.016	Requires the agency to collect data from local juvenile facilities regarding the number of placements in disciplinary seclusion for certain time periods and to make that data publicly available.
Human Resources Code 203.017	Requires the agency to develop and the Board to adopt a regionalization plan for keeping children closer to home in lieu of commitment to TJJD.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 203.018	Requires the agency to develop specialized programs for children committed to TJJD. Requires the agency to review youth to identify ones who can safely and appropriately be transferred to alternative local placements or halfway houses, paroled, or discharged. Requires agency to study and report to the Board on the potential for repurposing existing secure facilities for the confinement of children committed to TJJD or for other purposes. Prohibits the agency or any local probation department from using or contracting with a facility that was constructed or previously used for the confinement of adult offenders.
Human Resources Code 203.019	Requires the agency to submit an annual report relating to children referred to juvenile court who are certified as adults, committed to TJJD, placed on probation, or discharged with no disposition.
Human Resources Code 221.001	Requires the agency to assist counties in providing probation and juvenile detention services by encouraging the continued operation of county and multi-county juvenile boards or probation offices. Allows the agency to directly provide probation or detention services if a county discontinues the provision of probation services.
Human Resources Code 221.002	Requires the Board to adopt reasonable rules that provide: minimum standards for personnel, staffing, caseloads, programs facilities, record keeping, equipment, and other aspects of the operation of a juvenile board that are necessary to provide adequate and effective probation services; a code of ethics for probation and detention officers and for enforcement of that code; educational, training, and certification standards for probation and detention officers and court-supervised community-based program personnel, and minimum standards for facilities and JJAEPs, including standards for substance abuse facilities and programs that are also juvenile justice facilities or programs. The standards for facilities must be designed to ensure juveniles are provided rights, benefits, responsibilities, and privileges to which juveniles are entitled under US Constitution, federal law, and Texas constitution and law. Requires agency to maintain a statewide facility registry of local facilities and requires juvenile boards that do not accept state aid funding to report the same data regarding juvenile justice activities as those that do accept funding.
Human Resources Code 221.003	Requires Board to adopt rules requiring juvenile probation departments to use an agency-selected mental health screening instrument for juveniles referred to the probation department.
Human Resources Code 221.0035	Requires the agency to develop a recommended set of best practices that may be used by a juvenile probation department to improve the juvenile probation department's ability to identify a juvenile who is a victim of sex trafficking.
Human Resources Code 221.004	Requires the Board to adopt rules that provide standards for juvenile probation departments regarding collecting and reporting information on juvenile offenders, performance measures on effectiveness of probation services, and case management standards. Requires the agency to monitor probation departments for compliance with Board standards. Requires the agency to provide technical assistance to probation departments to aid compliance with Board standards.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 221.005	Requires the agency to provide educational training and technical assistance to counties, juvenile boards, and probation offices to promote compliance with standards and to assist the local authorities in improving the operation of probation, parole, and detention services. Requires the agency to encourage compliance with educational services standards and rights prescribed by state or federal law by facilitating interagency coordination and collaboration among juvenile probation departments, school, districts, and the TEA and developing and supporting a plan to ensure continuity of educational services, including special educational services.
Human Resources Code 221.006	Requires the agency to provide training to juvenile probation departments and juvenile boards in violence prevention and conflict resolution programs that include discussion of domestic violence and child abuse issues and encourage the inclusion of a violence prevention and conflict resolution program as a condition of probation.
Human Resources Code 221.0061	Requires the agency to provide trauma-informed care training during preservice training for juvenile probation officers (local), juvenile supervision officers (local), juvenile correctional officers (TJJD employees), and juvenile parole officers (TJJD employees).
Human Resources Code 221.007	Requires juvenile boards to keep records the agency considers necessary and to submit periodic reports to the agency.
Human Resources Code 221.0071	Allows the commissioner of education to grant charter for a school on application of a detention, correctional, or residential facility established only for juvenile offenders or an eligible entity under contract with such a facility.
Human Resources Code 221.008	Allows the agency to inspect and evaluate juvenile boards and probation departments and audit the juvenile board's financial, programmatic, and statistical records at reasonable times. Allows the agency to inspect any program or facility operated on behalf of or under the authority of the juvenile board.
Human Resources Code 221.009	Requires the agency to develop a strategic plan.
Human Resources Code 221.010	Requires the agency to maintain a system to act on a complaint filed with the agency that relates to a juvenile board.
Human Resources Code 221.011	Allows the agency to employ and commission investigators as peace officers to investigate allegations of abuse, neglect, and exploitation in juvenile justice programs and facilities.
Human Resources Code 221.012	Requires the agency to make an annual report regarding agency operations and the condition of probation services in the state.
Human Resources Code 221.051	Sets out what must be present in a contract between the agencies and counties for local probation services.
Human Resources Code 221.052	Requires the agency to establish a formal program to monitor probation department compliance with financial and performance requirements in the contract and to obtain and evaluate program cost information.
Human Resources Code 221.053	Provides that the only entities that may operate a correctional facility for juveniles convicted of offenses in other states are a county or municipality or a private vendor operating under contract with a county or municipality. Requires the Board to develop rules, procedures, and standards.
Human Resources Code 221.054	Requires the agency to collect comprehensive data concerning local probation program outcomes.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 221.055	Requires the agency to deliver a quarterly report to the Board concerning the final outcome of any complaint regarding abuse, neglect, or exploitation of a juvenile.
Human Resources Code 221.056	Allows the department to contract with a local MHMRA to establish a residential treatment facility for juveniles with mental illness or emotional injury who are ordered by the court to reside at the facility as a condition of probation.
Human Resources Code 222.001	Establishes minimum standards for eligibility for certification as a juvenile probation officer.
Human Resources Code 222.002	Establishes minimum standards for eligibility for certification as a juvenile supervision officer (uses term detention officer).
Human Resources Code 222.003	Requires the Board to adopt, by rule, certification standards for persons employed in nonsecure correctional facilities that are substantially similar to requirements for juvenile supervision officers.
Human Resources Code 222.004	Provides that a peace officer, prosecutor, or other person employed by or reporting directly to law enforcement or prosecution official may not act as a chief administrative officer, juvenile probation officer, or juvenile supervision officer or otherwise be made responsible for supervision a juvenile on probation.
Human Resources Code 222.005	Provides that a juvenile probation officer, detention officer, or corrections officer may not carry a firearm in the course of the person's official duties; does not apply to an agency employee or a juvenile probation officer authorized to carry under Section 142.006, Human Resources Code.
Human Resources Code 222.006	Provides that a juvenile probation officer whose jurisdiction covers only one county is considered to be an employee of that county.
Human Resources Code 222.051	Sets timelines for notifying person taking a certification exam of results of that exam.
Human Resources Code 222.052	Requires the agency to notify a person who fails the certification exam of an analysis of their performance if the person requests in writing.
Human Resources Code 222.053	Allows the agency to revoke or suspend (active or probated) a certification of or issue a reprimand to a certified officer who has violated a provision in Chapter 222, Human Resources Code, or an agency rule. Allows for an emergency suspension if a panel of the Board determines the continued certification of the person threatens juveniles in the juvenile justice system.
Human Resources Code 223.001	Requires the agency to annually allocate funds for financial assistance to juvenile boards. Provides for reimbursement for placement in the regional specialized program at a rate that offers a savings in relation to the average cost per day for confining a child in a TJJD facility.
Human Resources Code 223.002	Requires a juvenile board, in order to receive the full amount of state aid funds, to demonstrate that the amount of local or county funds budgeted for juvenile services is at least equal to the amount spent for those services in the 1994 county fiscal year.
Human Resources Code 223.003	Allows the Board, by rule, to provide for certain payments and administrative responsibilities with regard to a multi-county jurisdiction.
Human Resources Code 223.004	Sets out requirements for the payment and deposit of state aid and the entities that may audit a juvenile board.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 223.005	Provides that the agency may refuse, reduce, or suspend payment of state aid to a juvenile board that fails to comply with agency rules or fails to maintain local financial support or a county that fails to comply with the minimum standards. Notice and a hearing are required.
Human Resources Code 223.006	Allows the agency to provide state aid to a county to acquire, construct, and equip post-adjudication residential or day-treatment centers; certain financial matches are required.
Human Resources Code 241.001	Mandates that, in order to effectuate the purpose of subtitle C (related to TJJD secure facilities), all departments and agencies of the state and all officers and employees of the state shall cooperate, at TJJD's request, in all activities consistent with their proper functions.
Human Resources Code 241.0015	Requires the agency to biennially develop a strategic plan as required by Human Resources Code 221.009.
Human Resources Code 241.002	Provides that commitment to TJJD does not disqualify a child for any future examination, appointment, or application for public service under the government of the state or any political subdivision of the state.
Human Resources Code 241.003	Creates the Youth Development Council Fund in the treasury.
Human Resources Code 241.004	Allows a prosecuting attorney to obtain from the agency the record of a defendant's adjudication that is admissible under Section 3(a), Article 37.07, Code of Criminal Procedure.
Human Resources Code 241.005	Provides that agency volunteers are not liable for damages related to personal injury, death, or property damage except if the injury, death, or property damage is caused in relation to the operation or use of any motor-driven equipment; imposes limits.
Human Resources Code 241.006	Provides that, for purposes of free exercise of religion lawsuits, there is a rebuttable presumption that any ordinance, rule, order, decision, or practice that applies to a person in the custody of a juvenile facility (state, local, or contract) is in furtherance of a compelling governmental interest and the least restrictive means of furthering that interest.
Human Resources Code 241.007	Allows the proper prosecuting authority to request the special prosecution unit either prosecute or assist in the prosecution of an offense or delinquent conduct committed on TJJD property or by or against a person in the custody of TJJD while not on TJJD property. Requires the TJJD office of inspector general to give a quarterly report to the board of directors of the special prosecution unit. Requires the TJJD office of inspector general to provide the special prosecution unit immediate notification of particularly serious or egregious offenses or delinquent conduct. Requires the TJJD chief inspector general to notify the foreperson of the grand jury in certain instances, at the direction of the SPU board.
Human Resources Code 241.008	Requires the executive director to immediately file a complaint with the appropriate law enforcement agency if the executive director has reasonable cause to believe a child in TJJD custody is the victim of a crime committed at a TJJD facility.
Human Resources Code 242.001	Requires the agency to continually study the effectiveness of treatment methods and to collect certain information to determine the amount and cause of juvenile delinquency in Texas.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 242.002	Requires the agency to annually review the effectiveness of the agency's rehabilitation programs and to make an annual report.
Human Resources Code 242.003	Provides that the Board is responsible for the review and approval of all policies and shall make rules appropriate to the proper accomplishment of department functions and ensure that the agency business is conducted according to the law and the Board's rules. Provides that the purpose of the rules is to restore and increase self-respect and self-reliance of children under agency authority and qualify them for good citizenship and honorable employment. Allows the Board to delegate to the executive director the Board's responsibility for the adoption of certain policies as appropriate for the proper accomplishment of agency functions related to state-operated facilities and agency personnel.
Human Resources Code 242.004	Allows the agency to employ personnel on at at-will basis. Mandates the agency to establish procedures and practices governing 1) employment-related grievances submitted by employees and 2) disciplinary actions, including a procedure allowing employee to elect independent dismissal mediation if recommended for dismissal.
Human Resources Code 242.005	Requires the executive director to provide information regarding qualifications for office or employment and responsibilities under state law to advisory board members and employees.
Human Resources Code 242.006	Requires intra-agency posting of all positions concurrently with public postings.
Human Resources Code 242.007	Requires the executive director to develop a system of annual performance evaluations and requires merit pay to be based on that system.
Human Resources Code 242.008	Requires executive director to prepare and maintain a written policy statement on equal employment opportunity, to be updated annually, reviewed by Workforce Commission, and filed with governor's office.
Human Resources Code 242.009	Defines a juvenile correctional officer. Sets out the training that must be provided to them. Sets a 1:12 ratio of staff to youth. Requires the age of a supervisory staff be considered so that there is at least a 3-year age difference between staff and the youth they supervise. Requires interval rotation of juvenile correctional officers' station assignments. Requires a juvenile correctional officer to be assigned to supervise at or near classroom or other location where youth are receiving education services. Requires Board to adopt rules to administer this section.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 242.010	Requires agency to review the national criminal history record information, state criminal history record information, and previous and current employment references of each person who: 1) is an employee, volunteer, ombudsman, or advocate working for the agency or in an agency facility or facility under contract with the agency; 2) is a contractor with direct access to children in agency facilities; 3) provides direct delivery of services to children in custody of the agency; or 4) has access to records in agency facilities/offices. Requires agency to review national criminal history record of these people on annual basis. Requires the Board to adopt rules requiring these people to provide prints to DPS. Allows the agency to require a fee for the first national criminal history record review. Allows the agency to review criminal history of a person requesting visitation access to an agency facility or any person if necessary to conduct a home evaluation. Prohibits the agency from denying visitation access to an immediate family member based solely on a review of criminal history record information. Requires the agency to retain the criminal history record information of a person for whom access is denied or limited. Requires the Board to adopt rules to administer this section.
Human Resources Code 242.011	Requires the executive director to prepare a biennial budget.
Human Resources Code 242.051	Requires the agency to administer the training, diagnostic treatment, and supervisory facilities and services of the state for youth committed to the agency and manage all institutions under agency authority. Mandates that the agency has general charge of and is responsible for the welfare, custody, and rehabilitation of the children in schools, facilities, and programs operated or funded by the agency and shall seek to establish relationships and organize a way of life that will meet the spiritual, moral, physical, emotional, intellectual, and social needs of the youth as those needs would be met in an adequate home. Requires the agency to keep the buildings and premises in good sanitary condition.
Human Resources Code 242.052	Allows the agency to design, construct, equip, furnish, and maintain buildings and improvements at facilities under its jurisdiction, including employing architects and engineers and clerical, professional, and technical personnel. Requires the Board to adopt rules relating to the award of contracts for construction, including awarding to lowest and best bid. Requires compliance with federal laws and rules if financed with any federal funds.
Human Resources Code 242.053	Allows the agency to make use of law enforcement, detention, supervisory, medical, education, correctional, and other facilities, institutions, and agencies in the state to carry out the agency's duties but does not authorize the department to assume control of the other entity or to require it to serve the agency in a manner inconsistent with the authority or function of the agency or entity or with law. Allows the agency to contract with public or private agencies for the separate care and treatment of youth in the agency's control; requires agency to make reasonable efforts to ensure the expenditure for the purchase of contract residential care is allocated to providers on a fixed monthly basis if that is cost-effective and the number, type, needs, and conditions of children is reasonably constant. Requires agency to periodically inspect other facilities it is using; requires the other entities to allow the inspection. Mandates that other institution may not release child without TJJD approval.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 242.054	Provides that agency may not develop a halfway house to be operated by the agency if an appropriate private one is contractually available at a lower cost. Requires an RFP before entering into a contract. Allows the agency to request funds from the legislature to operate a halfway house program if RFP does not result in a proposal that meets the agency's needs.
Human Resources Code 242.055	Allows the agency to establish a children's crisis intervention and assessment center at one of its facilities. Allows the agency to contract with another entity to provide or use services at the center.
Human Resources Code 242.056	Requires the agency to allow advocacy and support groups with the primary function of benefitting children, inmates, girls and women, those with mental illness, or victims of sexual assault to provide on-site information, support, or services for children in agency facilities. Requires the agency to adopt security and privacy procedures, which may not be designed to deny the group access to the children. Requires the agency to adopt standards consistent with TDCJ regarding confidential correspondence of children with external entities, including advocacy and support groups.
Human Resources Code 242.057	Requires the agency to develop and use standards based on performance to evaluate programs operated by the department and sets out some parameters.
Human Resources Code 242.058	Allows the agency to provide services to a child not committed to TJJD if the agency contracts with a juvenile probation department, HHSC, or DFPS to provide services.
Human Resources Code 242.059	Allows the agency, when funds are available, to: establish and operate places for detention and diagnosis of youth committed to it; establish and operate additional treatment and training facilities, including forestry and parks-maintenance camps and ranches; establish active parole supervision; and assist in establishing facilities and programs owned and operated by private entities that agree to provide services to committed youth.
Human Resources Code 242.060	Requires daily costs be computed using a standard method that is consistent with other agencies and designed to reflect actual cost to the state of operating a facility.
Human Resources Code 242.061	Allows the agency to enter into agreement with the federal government to accept children from federal court for agreed compensation.
Human Resources Code 242.062	Provides for canteen revolving fund, student benefit fund, and vocational shop fund. Provides that registration fees from conferences are deposited into a conference account and may be used only to pay the costs of the conference.
Human Resources Code 242.063	Requires that money belonging to a child in excess of amount agency allows child to possess be deposited in a trust fund established for the child and requires the Board to adopt rules. Provides that contraband money found in a child's possession be deposited in the student benefit fund and requires that each child be notified that contraband money is subject to confiscation.
Human Resources Code 242.064	Allows the agency to establish debit card expense accounts to allow youth, employees, and visitors to purchase food and merchandise from vending machines, canteens, and facility cafeterias as well as services that facilities are authorized to provide.
Human Resources Code 242.065	Requires the agency to provide for the religious and spiritual training of youth according to the youth's individual choices.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 242.066	Requires the agency to ensure a chaplain is employed or formally designated for each institution.
Human Resources Code 242.067	Requires the agency to provide education in violence prevention and conflict resolution that includes the discussion of domestic violence and child abuse issues to all youth in its custody.
Human Resources Code 242.068	Allows the agency to perform fire protection, fire prevention, and fire suppression activities at facilities. Allows the agency to prescribe circumstances under which employees using department equipment may assist municipal or volunteer fire departments in such activities near agency facilities.
Human Resources Code 242.069	Requires the agency to include clearly defined goals, outputs, and measurable outcomes; clearly defined sanctions or penalties for failure to comply; and clearly specified accounting, reporting, and auditing requirements in every contract for the purchase of residential program-related client services.
Human Resources Code 242.070	Requires the agency to establish a formal program to monitor residential program-related client services contracts.
Human Resources Code 242.071	Allows the agency to sell or license the right to use a treatment program developed by the department.
Human Resources Code 242.101	Requires the agency to adopt and enforce a zero-tolerance policy concerning sexual abuse, including consensual sexual contact of children in the agency's custody. Requires standards for reporting and collecting data on the sexual abuse of children in the agency's custody. Requires a procedure for children and employees to report incidents of sexual abuse. Requires agency to prominently display notice.
Human Resources Code 242.102	Establishes the Office of Inspector General within the agency and under the direction of the Board as a law enforcement agency with specific purposes: preventing and investigating crimes committed by department employees, including parole officers employed by or under contract with the agency; crimes and delinquent conduct committed at a facility operated by or under contract with TJJD or any facility in which a youth committed to TJJD is housed or receives medical or mental health treatment; and complaints received under Section 203.010 involving allegations of abuse, neglect, or exploitation of children in juvenile justice programs or facilities. Requires the office of inspector general to prepare and deliver a report concerning the results of any investigation conducted under this section to the Board, executive director, applicable advisory board, governor, lt. governor, speaker of house, standing committees of senate and house over correctional facilities, special prosecution unit, state auditor, and other appropriate state agencies responsible for licensing or certifying agency employees or facilities. Sets out what must be in the report. Allows the office of inspector general to employ and commission peace officers to carry out the duties in this section. Board required to hire a commissioned peace officer as chief inspector general; may be discharged only for cause; must give quarterly report on operations of the office of inspector general to listed entities. The office must report to the board, governor's general counsel, and state auditor any particularly serious or flagrant problem concerning the administration of an agency program or department or any interference by the executive director or an agency employee with an investigation conducted by the office.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 242.103	Allows the agency to own and the office of inspector general to possess, install, operate, or monitor an interception device. Allows investigative or law enforcement officer or other person, on request of office of inspector general, to assist in the operation and monitoring of an interception of communication in certain instances.
Human Resources Code 243.001	Prohibits the agency from housing a child younger than 15 in the same dorm as a person who is 17 or older unless it is necessary to ensure the safety of children in the agency's custody. Requires the Board, for the purpose of protecting vulnerable children in the agency's custody, to adopt scheduling, housing, and placement procedures that address age, physical condition, treatment needs, and other relevant factors. Requires the agency to consider proximity of child's family residence in determining appropriate facility.
Human Resources Code 243.002	Requires the agency to establish a minimum length of stay for each child committed without a determinate sentence that takes into account nature of and seriousness of the conduct engaged in by the child and danger the child poses to the community. (Note, the next few are out of order but are related to minimum length of stay)
Family Code 59.009	Requires the agency to require each child committed without a determinate sentence to participate in a residential program for not less than 9 or more than 24 months unless the agency extends the period and the reason for extension is documented.
Human Resources Code 245.101	When child without a determinate sentence completes minimum length of stay, agency shall discharge child, release child on TJJD parole, or extend child's length of stay in agency facility. Board must by rule create a panel to determine whether a child who has completed the minimum length of stay should be discharged, paroled, or extended. Executive director determines panel size, length of service (must be odd number and at least two years), and panel members. Members must be department employees who work in central office and are not involved in any supervisory decisions concerning children in the agency's custody. Executive director required to adopt policies that ensure transparency, consistency, and objectivity of the panel's composition, procedures, and decisions.
Human Resources Code 245.102	Panel may extend the youth's length of stay only if the panel determines by majority vote and on the basis of clear and convincing evidence that the youth is in need of additional rehabilitation and the agency will provide the most suitable environment for that rehabilitation. If the panel extends stay, must specify additional time and must conduct additional review when new time expires. If determines no extension, must discharge or release on parole.
Human Resources Code 245.103	Requires agency to maintain and post online statistics related to extensions. Requires report to standing committees of legislature. Requires parent/guardian/designated advocate be provided a report explaining why child's length of stay extended.
Human Resources Code 245.104	Requires Board to adopt rule establishing a process to request reconsideration of panel decision by child, parent/guardian/designated advocate, agency employee, or agency volunteer. Mandates that reconsideration must be considered if extension order extends stay by 6 months or more or combined with previous orders results in extension of 6 months or more. Requires written response.
Human Resources Code 245.105	Requires agency to maintain and post online statistics related to reconsiderations. Requires report to standing committees of legislature.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 243.003	Requires the juvenile court to assign an officer or other suitable person to accompany a child being conveyed to TJJD and requires that a woman must accompany a female child. Provides that the cost of conveyance is to be paid by the committing county and that no compensation is allowed other than actual and necessary expenses.
Human Resources Code 243.004	Requires a court committing a juvenile to TJJD to forward a certified copy of the order of commitment. Requires the court, probation officer, prosecutor, law enforcement, and school authorities to make available to TJJD all pertinent information in their possession regarding the case. The information must be provided on forms furnished by the agency or according to an outline provided by the agency, if the agency requests.
Human Resources Code 243.005	Sets out specific additional documents the court must provide to the agency for a committed child.
Human Resources Code 243.006	Limits the use of the fact that a child was committed to TJJD to subsequent Title 3 proceedings, imposing a sentence in a criminal proceeding against the child, or subsequent civil commitment proceedings involving the child under Chapter 841, Health and Safety Code.
Human Resources Code 243.007	Requires the agency, if a court requests in the commitment order, to provide periodic updates on a child's progress.
Human Resources Code 243.008	Requires the agency to determine, during the admission process, whether the child has ever been in foster care and record on the intake form whether the child is currently in foster care and the number of times the child was previously in foster care. Upon the request of a juvenile probation department, DFPS is required to provide information on whether a child is or has been in foster care and the number of times. Agency required to make biennial report for children in TJJD custody.
Human Resources Code 243.051	Allows a sheriff, deputy sheriff, constable, special investigator, peace officer, or department employee (designated by executive director) to take into custody, without a warrant, a child committed to the agency who has escaped or broken the conditions of release under supervision. Provides the child may be detained in any suitable place and, if 17 or older, that includes an adult jail. Allows the department to disseminate certain information to the public if a child has escaped from custody.
Human Resources Code 243.052	Allows the agency to employ and commission apprehension specialists as peace officers for the purpose of apprehending a child under 243.051.
Human Resources Code 244.001	Requires the agency to examine each child committed to it within 3 business days, including a comprehensive psychological assessment, and to develop a written treatment plan. If the minimum length of stay is one year or longer, the initial exam must include a comprehensive psychiatric evaluation unless the agency received one completed not more than 90 days before examination. Psychiatric also required if the psychological indicates it is necessary.
Human Resources Code 244.002	Requires the agency to periodically reexamine each child in custody for the purpose of determining whether a rehabilitation plan should be modified or continued. May be made as frequently as necessary but shall be made at intervals not exceeding 6 months.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 244.003	Requires the agency to keep records of all examinations and conclusions and of all orders concerning the disposition or treatment of each child. They are not public and are only available as provided by 243.051(c), 244.0051, and Family Code 58.005.
Human Resources Code 244.004	The agency's failure to examine a child does not entitle the child to discharge but allows the child to petition the committing court for discharge. The committing court must discharge unless the agency satisfies that further control is necessary.
Human Resources Code 244.005	Grants the agency the authority to allow liberty under supervision with conditions, order confinement, order reconfinement or renewed release, revoke or modify any agency order affecting a child (except discharge), and discharge the child.
Human Resources Code 244.006	Allows the agency to require committed children to participate in moral, academic, vocational, physical, and correctional training activities; require the modes of life and conduct that seem best adapted to fit the child for return to full liberty without danger to the public; provide any necessary medical or psychiatric treatment; and place physically fit children in parks-maintenance camps, forestry camps, or ranches and require the performance of suitable conservation and maintenance work.
Human Resources Code 244.007	Requires the agency to develop programs that encourage family involvement in the child's rehabilitation.
Human Resources Code 244.0075	Prohibits the use of restraints on a pregnant child in labor, delivery, or recovery unless the executive director or designee determines the use of restraints is necessary to ensure safety or prevent substantial risk of escape. If necessary, must use least restrictive available.
Human Resources Code 244.008	Allows the agency to establish child care and parenting programs for committed youth who are parents. Allows a mother to have possession of her child in residential programs with such programs or in independent living residences for up to 6 months if certain criteria are met.
Human Resources Code 244.009	Requires agency to have integrated comprehensive delivery system to provide medical care, behavioral health care, or rehabilitation services.
Human Resources Code 244.010	Requires agency to assign a caseworker to each child. Requires caseworker to explore family issues and needs with parent/guardian and provide information to parent/guardian concerning programs and service. Requires caseworker to attempt to contact parent/guardian at least once a month and, if unsuccessful, to attempt again each month and document all successful contacts and unsuccessful attempts. Requires caseworker and facility administrator, to extent possible, attempt to communicate with parent/guardian who does not speak English in the parent/guardian language of choice.
Human Resources Code 244.0105	Requires agency to provide certain information on foster children to the court, DFPS, attorney ad litem, guardian ad litem, and volunteer advocate if the child is having a permanency hearing.
Human Resources Code 244.0106	Requires Board and HHSC executive commissioner to jointly adopt rules to ensure a child in managing conservatorship with DFPS receives appropriate services while with TJJD. Rules must require cooperation between the agencies, sharing of information, the DFPS caseworker to visit the child in person at least once per month, and TJJD to provide notice of certain events and meetings to DFPS and any attorney ad litem or guardian ad litem.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 244.011	Requires the agency to accept committed children with mental illness or IDD (uses term mentally retarded). Mandates discharge if child with mental illness or IDD has completed minimum length of stay and is unable to progress in the rehabilitation program due to mental illness or IDD. Has provisions to apply for court-ordered services prior to discharge and makes child eligible for TCOOMMI continuity of care services.
Human Resources Code 244.012	Requires agency to establish a system that identifies children with mental illness or IDD, including psychiatric treatment and application for court-ordered services.
Human Resources Code 244.0125	Allows the agency to petition the juvenile court for the initiation of mental health commitment proceedings for child with determinate sentence.
Human Resources Code 244.013	Requires agency to provide notice to juvenile court and prosecutor as soon as practicable after agency makes decision to discharge a child or authorize child's absence from agency custody.
Human Resources Code 244.014	Allows the agency to refer a youth with a determinate sentence to the juvenile court for approval of transfer to TDCJ if child is at least 16 and not yet 19 and has not completed sentence and child's conduct indicates the welfare of the community requires transfer. If child has been released under supervision to TJJD parole, a juvenile court adjudication of felony conduct, a criminal court conviction of felony conduct, or a revocation of parole is required before the child can be referred for transfer.
Human Resources Code 244.015	Requires agency to evaluate determinate sentence youth in custody at age 18 to determine if the child is in need of additional services that can be completed in six-month period following 18th birthday to prepare child for release from custody or transfer to TDCJ.
Human Resources Code 244.051	Allows the agency to disclose records and other information to the child's parent/guardian only if disclosure would not materially harm the treatment and rehabilitation of the child and would not substantially decrease likelihood of department receiving information from the same or similar sources in the future. If youth is 18 or older, no information may be disclosed to parent/guardian without child's consent. Allows agency to disclose information regarding child's location and committing court to a person having a legitimate need for the information. Allows the agency to disclose to law enforcement the images of children recorded on electronic recording devices and incident reports and investigation documents containing children's names if the information is relevant to investigation of an alleged criminal offense at agency or contract facility. Requires the agency to disclose records and information to DFPS if DFPS is managing conservator; disclosure is in accordance with DFPS rules.
Human Resources Code 244.052	Requires the agency to develop a parents' bill of rights. It must be sent to parent no less than 48 hours after youth is admitted to agency facility along with contact information of assigned caseworker. Requires the agency to provide a quarterly report to parent, guardian, or designated advocate for each youth. Provides that DFPS as managing conservator has same rights as parents under bill of rights.
Human Resources Code 245.001	Allows the agency to employ parole officers. Mandates the agency develop a management system for parole services that objectively measures and provides for certain things.
Human Resources Code 245.002	Allows the agency to contract with a county probation department to provide supervision to TJJD youth on furlough or on parole in the county.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 245.051	Allows the agency to parole youth to their home or in any situation of family approved by the agency; requires a home evaluation prior to placement. Requires the agency to provide at least 10 days' notice of the release to the court and prosecutor. Allows the agency to resume care and custody of child released on parole (i.e., via parole revocation). Allows agency to order child to make restitution. If child has a determinate sentence, agency may not release child on TJJD parole without approval of the juvenile court unless child has served minimum period of confinement (10 years capital murder, 3 years 1st degree felony, 2 years 2nd degree felony, 1 year 3rd degree felony) or child has less than 9 months remaining on sentence.
Human Resources Code 245.052	Prohibits the release of a child with a substance abuse problem who has not completed a treatment program for the problem (subject to express appropriation to fund the program).
Human Resources Code 245.053	Provides that the agency may require a child required to register as a sex offender to, as a condition of release, attend psychological counseling for sex offenders and submit to a polygraph examination by a licensed polygraph examiner. If agency requires attendance at psychological counseling, shall notify committing court, which may then order parent/guardian to attend certain sessions. Requires the agency to require the child to register and submit a DNA sample to DPS.
Human Resources Code 245.0535	Requires the agency to develop a comprehensive plan for each committed youth in order to reduce recidivism and ensure successful reentry and reintegration of the child. Plan must include, as applicable, housing assistance, step-down program (halfway house), family counseling, academic/vocational mentoring, trauma counseling for child who is victim of abuse while in custody of department), and other specialized treatment. Comprehensive reentry and reintegration plan must provide for assessment to determine skills needed to develop to be successful, programs that address needs, network of transition programs, identification of local programs and services, and sharing of information between people as allowed by subsection (c). Agency programs must be implemented by highly skilled, experienced staff; provide children with certain things; and designed to build support from the community. Allows agency to contract for the services. Requires the agency to conduct and coordinate research to determine if plans do reduce recidivism rates. Requires biannual report. Requires agency to explain plan and conditions of release to a child and require child to sign document with any conditions of release.
Human Resources Code 245.054	Requires agency, no later than 30th day before release of a child, to provide the committing court with a copy of the reentry and reintegration plan and a report concerning the child's progress. If child is released to a county served by a different court than committing court, must provide that information to both committing court and court and prosecutor in county where released. If child released to another state, must provide to both committing court and appropriate juvenile court in other state.
Human Resources Code 245.106	Requires agency to ensure each child released on TJJD parole has suitable clothing, transportation to home placement, and money in an amount authorized by agency rule.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 245.151	Provides that a youth with a determinate sentence may only be discharged as provided by this section. If the person has not been transferred to TDCJ and the sentence expires before age 19, TJJD shall discharge. Person gets credit for time spent in detention and time spent at TJJD toward sentence. If the person has been ordered transferred to TDCJ prison by juvenile court, agency shall transfer and discharge. If person has not been ordered transferred to TDCJ prison, agency shall transfer to TDCJ parole at age 19 and discharge. All indeterminate sentence youth must be discharged no later than youth's 19th birthday.
Human Resources Code 245.152	Requires agency to submit certain information to TDCJ parole no later than 90 days before transfer to TDCJ for release on parole. Requires TJJD and TDCJ to have an MOU. TDCJ to grant credit for sentence for time served in juvenile detention when computing eligibility for parole and discharge from TDCJ.
Family Code 54.11	Sets out procedure for hearing to transfer youth to TDCJ prison or to allow for early release to TJJD parole.
Human Resources Code Chapter 246	Allows the agency to operate an industries program to provide adequate employment and vocational training for youth and to develop and expand public and private department industries. Establishes an advisory committee of 9 members appointed by Board. Establishes how pay to a youth shall be apportioned. Establishes industries fund in the state treasury. Allows the agency to enter into contract and accept donations and grants. Allows the agency to lease land owned by the agency to a private business to expand and develop the program. Allows for optional ad valorem tax abatement for a business contracting with the agency.
Human Resources Code Chapter 142	Establishes juvenile probation departments; statutory requirements serve to guide agency in making standards.
Human Resources Code 142.001	Defines juvenile probation services.
Human Resources Code 142.002	Allows juvenile board, with advice and consent of a commissioners court, to employ probation officers and other staff necessary to provide juvenile probation services according to TJJD standards and local need, as determined by the juvenile board.
Human Resources Code 142.003	Provides that a county without enough juvenile cases to justify a juvenile probation department may contract with TJJD, another political subdivision of the state, a private vendor, or the county adult probation department for the provision of juvenile probation services or may contract with surrounding counties to form a multicounty juvenile probation department.
Human Resources Code 142.004	Grants immunity to juvenile probation officers or employees of juvenile probation community service restitution program for damages related to child's manual labor performed while on informal adjustment or as condition of probation as long as not intentional, willfully or wantonly negligent, or performed with conscious indifference or reckless disregard for safety of others. Provides that juvenile probation personnel are state employees for purpose of Chapter 104, Civil Practice and Remedies Code.
Human Resources Code 142.005	Grants immunity for administration of medication if certain criteria are met; exceptions to immunity.
Human Resources Code 142.006	Allows a juvenile probation officer to carry a firearm in the course of official studies if approved by the chief, has been employed at least one year, has a TCOLE proficiency certificate, and has never been designated as a perpetrator in a TJJD abuse, neglect, or exploitation investigation.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Human Resources Code 142.007	Allows a juvenile probation department to offer services for 6 months after a child has been discharged; the child's participation is voluntarily and may not be required.
Human Resources Code Chapter 152	Establishes juvenile boards and their responsibilities; many juvenile boards have statutes making the statutory responsibilities inapplicable to them, however. Some provisions in Chapter 152 are obsolete.
Human Resources Code Chapters 62 and 63	Allows for the establishment of detention homes, parental schools, and post-adjudication secure correctional facilities for juveniles
Family Code 51.12	Requires pre-adjudication detention facilities to be registered with TJJD. Requires TJJD to annually inspect each public or private pre-adjudication secure detention facility in the state and provide a report to each juvenile judge in the county indicating whether the facility is suitable or unsuitable for the detention of children. Allows TJJD to deny, suspend, or revoke the registration of the facility if it fails to adhere to all applicable standards or to timely correct notice of noncompliance with standards.
Family Code 51.125	Requires post-adjudication secure correctional facilities to be registered with TJJD. Requires TJJD to annually inspect each public or private post-adjudication secure correctional facility in the state and provide a report to each juvenile judge in the county indicating whether the facility is suitable or unsuitable for the confinement of children. Allows TJJD to deny, suspend, or revoke the registration of the facility if it fails to adhere to all applicable standards or to timely correct notice of noncompliance with standards.
Family Code 51.126	Requires nonsecure correctional facilities to be registered with TJJD. Requires TJJD to annually inspect each public or private nonsecure correctional facility in the state and provide a report to each juvenile judge in the county indicating whether the facility is suitable or unsuitable for the confinement of children. Allows TJJD to deny, suspend, or revoke the registration of the facility if it fails to adhere to all applicable standards or to timely correct notice of noncompliance with standards.
Family Code 51.20	Requires a probation department that makes a referral to local MHMR authority or other agency or provider to report that referral to TJJD in a format specified by TJJD.
Family Code 51.21	Requires a probation department to report each referral of a child to a local mental health authority to TJJD in a format specified by TJJD.
Family Code 52.0151	Allows a juvenile court to bench warrant a juvenile in TJJD to be a witness in a case; may be held in detention if under 17 and in jail if 17 or older.
Family Code 53.01(e)	Requires juvenile boards to register alternative referral plan with TJJD.
Family Code 54.0401	Allows counties with population of at least 335,000 to operate a community-based program for juveniles who have been sequentially adjudicated for at least 3 misdemeanors or have been adjudicated of a misdemeanor after at least one prior felony. TJJD is required to establish guidelines for the implementation of such programs and to provide grants to selected juvenile board to assist with implementation.
Family Code 54.0491	Provides that a child required by a juvenile court to attend a criminal street gang intervention program who is committed to TJJD as a result of gang-related conduct must complete the intervention program before being discharged or paroled by TJJD.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Family Code 54.052	Provides that TJJD shall grant credit for time spent in a secure detention facility to a determinate sentence offender in computing the child's eligibility for parole and discharge.
Family Code 54.06(b)	Judge required to order child support payments for child placed out of home or placed with TJJD to be assigned to the probation department or to TJJD.
Family Code Chapter 57	Sets out victim's rights, including right to information, upon request, of procedures for TJJD parole or transfer to TDCJ (prison or parole), to participate in the release or transfer for parole process, to be notified of a youth's release, escape, or transfer for parole proceedings, and to provide TJJD information to be considered by TJJD before parole or transfer for parole. TJJD required to use same procedures to notify of release or escape as used for an adult offender under Subchapter K, Chapter 56A, Code of Criminal Procedure.
Family Code 58.005	Establishes additional confidentiality of and allowable sharing of information and records created by or in possession of TJJD, entities with possession of child per contract with TJJD, and other entity having custody of child under order of juvenile court.
Family Code 58.0051	Requires ISD to share certain confidential educational entities with juvenile service providers, including TJJD.
Family Code 58.0052	Requires juvenile service providers, including TJJD, to share certain confidential information about youth in certain circumstances.
Family Code 58.009	Sets out the circumstances when TJJD may disclose aggregate or personally identifiable juvenile justice information that local probation departments submit to TJJD for statistical and research purposes (i.e. information that belongs to those departments). Requires TJJD to share information for legislative purposes.
Family Code 58.259	Requires TJJD, upon receipt of a sealing order, to seal all records (store in a manner accessible only by custodian of records) and send written verification of doing so to court issuing order.
Family Code 58.262	Requires the agency and probation to provide certain information regarding sealing and records to juveniles; requires TJJD to adopt rules to implement this section.
Family Code 59.009	Sets out actions TJJD may take with a child who is committed to TJJD, including restitution, requiring child and parent to participate in programs and services for their particular needs and circumstances, and imposing additional sanctions if appropriate. It allows TJJD, on release to parole, to operate parole programs. Allows for discharge on or before 19th birthday. (Note: references to juvenile board or probation department are obsolete.)
Family Code 261.201	Provides that reports of and information related to investigations of abuse, neglect, or exploitation are confidential and may be disclosed only for purposes consistent with the code, applicable law, and rules adopted by the agency. Requires TJJD to release a report of alleged or suspected abuse or neglect if it relates to a time the child was at TJJD and TJJD is not prohibited from releasing it under Chapter 552, Government Code. The identity of the child, reporter, and certain others must be protected.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Family Code 261.401	Requires the agency to adopt rules concerning investigations in facilities that it operates or registers and programs that it provides oversight for and to make a prompt investigation of a report that a child has been or may be abused, neglected, or exploited in the facility or program. The purpose of the investigation is protection of the child.
Family Code 261.402	Requires the agency to prepare and keep on file a complete written report of each investigation and to compile, maintain, and make available statistics. Also requires the agency to notify the appropriate state or local law enforcement agency.
Family Code 261.403	Requires the agency to refer any complaints relating to its investigations to the agency's governing board. Requires the governing body to ensure that the agency's procedures for investigating abuse, neglect, and exploitation in its facilities is periodically reviewed under the agency's internal audit program.
Family Code 261.405	Defines abuse, neglect, and exploitation in juvenile justice facilities and programs, giving the agency the authority to further describe the terms. Requires reports to be made to TJJD and a local law enforcement agency for investigation. Requires TJJD to make a prompt, thorough investigation. Provides that TJJD shall have access to medical and mental health records for an investigation. Requires each facility or juvenile justice program to provide child's parents with information on reporting suspected abuse, neglect, or exploitation, including TJJD's toll-free number for doing so.
Family Code 261.409	Requires TJJD's Board to adopt rules for investigation of child abuse, neglect, or exploitation in facilities under TJJD jurisdiction and for compiling information on those investigations.
Family Code 261.410	Requires agency that operates or registers a facility to require the facility to report each incident of physical or sexual abuse committed by one child against another child. Requires compilation of a report.
Family Code 261.101	Provides that any person having cause to believe a child's physical or mental health has been adversely affected by abuse or neglect to immediately make a report as provided by subchapter B. Provides that if a professional has cause to believe a child has been or may be abused or neglected, or is a victim of indecency with a child and has cause to believe the child has been abused as defined by 261.001, the professional is required to make a report within 48 hours. The report may not be delegated. Professional means a person licensed or certified by the state or who is an employee of a facility licensed or operated by the state and who has direct contact with children in the normal course of duties; includes juvenile probation officers and juvenile detention and correctional officers.
Family Code 261.109	Provides that it is an offense to fail to report as required by 261.101(a) and (b).
Family Code 261.110	Prohibits an employer from taking adverse employment action against a person who is a professional who in good faith reports child abuse or neglect or initiates or cooperates with an investigation.
Education Code 37.011	Provides that juvenile board development of JJAEP is subject to approval of TJJD. Requires agency to develop system of accountability.
Family Code 32.001	Provides authority for TJJD to consent to medical treatment for children in its care in certain instances.

Citation / Title	Authority / Impact on Agency *(e.g., "provides authority to license and regulate nursing home administrators")*
Family Code 32.101	Provides authority for TJJD to consent to immunization of children in its care in certain instances.
Government Code 2155.143	Allows the agency to purchase care and treatment services, including education services, for children in its care. Requires the agency to negotiate purchases to achieve fair and reasonable rates that do not exceed any maximums provided by law and to select service providers according to qualifications and demonstrated competence.
Government Code 2165.005	Provides that TJJD secure facilities may only bear the name of a person who is deceased and was significant in the state's history.
Health and Safety Code 461A.055	Requires the agency to attempt to determine if a child in its jurisdiction is involved in substance abuse or is from a substance-abusing family, record its determination in the child's record, and record the information for statistical reporting purposes.
Health and Safety Code 533.0415	Requires DSHS, TJJD, and TEA by rule to adopt a joint MOU to develop interagency training for staff of DSHS, TJJD, DFPS, and TEA who are involved in assessment, case planning, case management, and delivery of services under Title 7, Health and Safety Code.
Health and Safety Code 533A.0415	Requires DADS, TJJD, and TEA by rule to adopt a joint MOU to develop interagency training for staff of DADS, TJJD, and TEA who are involved in assessment, case planning, case management, and delivery of services under Title 7, Health and Safety Code.
Health and Safety Code 614.002	Requires head of TJJD to serve on Advisory Committee to TCOOMMI.
Health and Safety Code 614.018	Requires TJJD, DPS, DSHS, DADS, DFPS, TEA, and local juvenile probation departments to adopt an MOU to establish respective responsibilities to institute a continuity of care and service program for juveniles with mental impairments in the juvenile justice system.
Labor Code Chapter 306	Requires TJJD to cooperate with Project RIO and adopt an MOU with TDCJ and Texas Workforce Commission; allows TJJD youth to participate in Project RIO.
Occupations Code 110.202	Requires the executive director or designee to serve on the Interagency Advisory Committee to the Council on Sex Offender Treatment.
Occupations Code 1701.259	Requires TJJD and TCOLE by rule to adopt an MOU that establishes a training program in the use of firearms by juvenile probation officers.
Prison Rape Elimination Act	Standards for Juvenile Facilities
JJDPA	Juvenile Justice and Delinquency Prevention Act

Table 14 Exhibit 14 Statutes

Attorney General Opinions

Opinion Number	Impact on Agency
GA-0772 (2010)	Agency rules and processes for registering juveniles under sex offender registration laws when not completing treatment had to be changed. Current rules provide that if court order says "deferred until further order of court," agency will not register until further order of court; if that language is not included, TJJD will register if youth does not successfully complete program.

Table 15 Exhibit 14 Attorney General Opinions

B. Provide a summary of significant legislation regarding your agency by filling in the charts below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass but were significant, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation). Place an asterisk next to bills that could have a major impact on the agency. See Exhibit 15 Example.

Texas Juvenile Justice Department
Exhibit 15: 87th Legislative Session

Legislation Enacted

Bill Number	Author	Summary of Key Provisions
HB 1664	White	Reinstates a child's eligibility for medical assistance when a child assigned to a juvenile facility is hospitalized or becomes an inpatient in another type of medical facility. The eligibility remains during the child's stay at the hospital or medical facility.
HB 2107	Wu	Changes the law to ensure that a child with an Intellectual or Developmental Disability who is found unfit to proceed in juvenile court may receive outpatient services and not just inpatient services while attempting to restore fitness.
HB 3379	Leman	Modifies the responsibility of individuals and professionals to report suspected abuse or neglect of children to a responsibility to report only when the person has reasonable cause to believe a child may have been abused or neglected.
HB 454	Metcalf	Allows for the creation of a Juvenile Family Drug Court Program for family members of children under juvenile court jurisdiction.
HB 4544	Swanson	Requires TJJD to submit a request to DPS for a valid license or personal identification certificate for a child under TJJD jurisdiction prior to parole or discharge. Also requires TJJD to submit request to appropriate entity for certified copy of birth certificate and social security card.

Bill Number	Author	Summary of Key Provisions
SB 41	Zaffirini	Removes the following fees and costs that juvenile courts are mandated or allowed to impose: 54.032(e) - Teen Court program reimbursement fee to court of $10 54.032(g) - Teen Court program reimbursement fee to program of $10 54.032(h) - Increased Teen Court program fee of $20 for courts in Texas-Louisiana border region 54.0325(g) - Teen Dating Violence program reimbursement fee to court of $10 54.0325(h) - Teen Dating Violence program reimbursement fee to program of $10 54.041(a)(4) - requirement that parent or other person responsible for child's support pay all or part of the reasonable costs of treatment programs in which the child is required to participate while on probation if the court finds they are able to pay the costs 54.0411 - requirement that court order a $20 fee as costs of court that is remitted to TJJD for the purpose of providing funds to TJJD to purchase services necessary for the diversion of juveniles at risk of commitment to TJJD 54.0461 - requirement that court order child or parent to pay $50 juvenile delinquency prevention fee if adjudicated for graffiti 54.0462 - requirement that court order payment of fee to DPS for DNA testing 54.047(f) - requirement that court order parent or guardian to pay cost of attending drug education or alcohol awareness program unless unable to pay the cost 54.06(a) - requirement that court order parent or other person responsible for child's care to pay a reasonable sum for the support of a child who has been placed outside the home
HB 2633	Ann Johnson	Created a trafficked persons program account for grants. The specific impact on juvenile justice is that it modified the current law that allows a juvenile board to have a trafficking court for juveniles who have been referred to juvenile court who may be victims of trafficking so that now the program may only be for juveniles who have been referred to juvenile court who may be victims of trafficking who have also been referred to the court by the Child Sex Trafficking Prevention Unit or the governor's program for victims of child sex trafficking, thereby eliminating the court's ability to identify and provide services to juveniles referred through some other manner. Allows a facility qualified to provide services under 152.0017 to apply for a grant for the purpose of providing constitutionally secure shelter and research-based treatment services to human trafficking victims.
SB 1056	Huffman	Created criminal offense for reporting false information to draw a law enforcement response and added to delinquent conduct indicating a need for supervision for repeat offenders under 51.03(b), Family Code.
HB 3157	Reynolds	Increased criminal penalties for civil rights violations and sexual relationships with persons in custody.

Table 16 Exhibit 15 Legislation Enacted 87th Leg

Legislation Not Passed

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
SB 2190	Whitmire	Would have required TJJD to continue incarcerating juveniles who were otherwise ready for release because they had charges pending against them. Would have modified determinate sentencing law so that any felony other than state jail felony committed by a child while committed to TJJD is eligible for determinate sentencing even if the offense would not be eligible for determinate sentencing if committed by a child not currently committed to TJJD. Left pending in House Juvenile Justice and Family Issues Committee.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 1430	Dutton	Raise the Age Bill; would have raised the age of criminal court jurisdiction (other than class C misdemeanors) from 17 to 18 and extended juvenile court jurisdiction generally to 19 (20 for determinate sentence probation) and TJJD jurisdiction to 20. Would have raised JP/municipal court jurisdiction over class C misdemeanors from 10 to 12. Created Advisory Committee. Left pending in House Juvenile Justice and Family Issues Committee.
HB 486	Wu	Raise the Age Bill; would have raised the age of criminal court jurisdiction (other than class C misdemeanors) from 17 to 18 and extended juvenile court jurisdiction generally to 19 (20 for determinate sentence probation) and TJJD jurisdiction to 20. Left pending in House Juvenile Justice and Family Issues Committee.
HB 487	Wu	Raise the Age Bill; would have changed definition of child to a person who is 10 but not yet 18 for a felony committed before 12 and to a person who is 12 and not yet 18 for any delinquent conduct or CINS committed after becoming 12 and before becoming 17. Established jurisdictional hearing for person under 12. Placed on general state calendar – not reached on House floor.
HB 967	Dutton	Raise the Age Bill; would have raised the age of criminal court jurisdiction (other than class C misdemeanors) from 17 to 18 and extended juvenile court jurisdiction generally to 19 (20 for determinate sentence probation) and TJJD jurisdiction to 20. Committee report sent to Calendars but didn't get calendared.
SB 1552	Hinojosa	Raise the Age Bill; would have raised the age of criminal court jurisdiction (other than class C misdemeanors) from 17 to 18 and extended juvenile court jurisdiction generally to 19 (20 for determinate sentence probation) and TJJD jurisdiction to 20. Would have raised JP/municipal court jurisdiction over class C misdemeanors from 10 to 12. Created Advisory Committee. Referred to Senate Jurisprudence and never heard.
SB 85	Miles	Raise the Age Bill; would have changed definition of child to a person who is 10 but not yet 18 for a felony committed before 12 and to a person who is 12 and not yet 18 for any delinquent conduct or CINS committed after becoming 12 and before becoming 17. Established jurisdictional hearing for person under 12. Referred to Senate Jurisprudence and never heard.
HB 1273	Crockett	Raise the Age Bill; would have raised the age of criminal court jurisdiction (other than class C misdemeanors) from 17 to 18 and extended juvenile court jurisdiction generally to 19 (20 for determinate sentence probation) and TJJD jurisdiction to 20. Referred to Juvenile Justice and Family Issues Committee and never heard.
HB 4371	Allen	Raise the Age Bill; would have raised the age of criminal court jurisdiction (other than class C misdemeanors) from 17 to 18 and extended juvenile court jurisdiction generally to 19 (20 for determinate sentence probation) and TJJD jurisdiction to 20. Would have raised the lower age of juvenile court jurisdiction to 13. Heard in Juvenile Justice and Family Issues and failed to receive an affirmative vote in committee.
HB 1783	White	Would have raised the lower age for criminal court (JP/Muni) jurisdiction from 10 to 13 for class C misdemeanors. Kept juvenile court jurisdiction at age 10 to not yet 17 but created a process for the court to waive its jurisdiction in order to not proceed against 10 and 11 year olds and refer them for services provided through the probation department.
HB 4076	White	Would have required TJJD to develop and implement a plan to modernize secure facilities operated by TJJD. Would have established a task force to conduct a thorough evaluation of the facilities. Sent to House Calendars committee; never placed on calendar.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 1709/SB 404	Neave/Johnson	Would have removed running away from home as conduct indicating a need for supervision. Would have provided that status offenders could be held only in a juvenile processing office, which has a 6-hour limit, or a nonsecure correctional facility, of which there only 5 in the state. House version passed House but was not heard in Senate Jurisprudence committee.
HB 2108	Wu	Would have required certain admonishments in open court regarding child's right to participate or decline to participate in certain studies ordered by the court. Would have added additional factors for the court to require in a certification order. Engrossed. Referred to Senate Jurisprudence and never got a hearing.
HB 2278	Bernal, Talarico	Would have made it more clear that although there are mandatory and discretionary school expulsion offenses, no expulsion is truly mandatory. Both mandatory and discretionary require school to conduct analysis of certain histories. Would have potentially reduced expulsions for "mandatory" offenses, thereby saving money for JJAEP placements. House Committee report sent to Calendars but never placed on calendar.
HB 2295	Wu	Would have allowed Harris County to stop operating a JJAEP. Placed on Senate local and uncontested but removed and placed on intent calendar; never heard on Senate floor.
HB 2821	White	Would have diverted certain youth in the foster care system from services in the juvenile justice system and referred them to CRCGs for services. Engrossed in House; never assigned to a committee in the Senate.
HB 3611	Leach	Would have allowed for courts to conduct hearings or other proceedings remotely. Placed on General State Calendar (House); never heard.
HB 3994	Neave	Would have prohibited modification of juvenile probation to TJJD or placement in a juvenile facility while on probation unless the probation violation was a new criminal offense except in certain instances. Placed on General State Calendar (House); never heard.
HB 488	Wu	Would have prohibited the use of mechanical and physical restraints in a court room without the judge's advance permission in every instance. The judge's permission could not be provided without giving the child's attorney the opportunity to speak. Would have allowed the child to wear clothing other than detention clothing. Considered in Calendars (House); never calendared.
HB 565	Lopez	Would have required judges in juvenile and CPS cases to get trauma-informed training. Would have required CPS attorneys to get trauma-informed training. Failed to receive affirmative vote in Juvenile Justice and Family Issues committee.
HB 890	Van Deaver	Would have allowed all juvenile court proceedings to be conducted remotely without consent of the parties unless required by the US or Texas Constitutions. Each juvenile court judge would have been required to submit a plan to OCA including protocols for handling physical evidence. Would have removed the requirement in current law that the child and defense attorney agree to a remote detention hearing. Placed on General State Calendar (House); never heard.

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 162	Thierry	Currently, engaging in conduct that meets the definition of prostitution is considered conduct indicating a need for supervision, which gives the juvenile court jurisdiction over a child engaged in such conduct. This bill would have modified that so that only the conduct of offering money in exchange for sex remained as conduct indicating a need for supervision. Offering sex in exchange for money would no longer be conduct indicating a need for supervision for a person under 17. It also would not be considered delinquent conduct. Law enforcement would have been required to take children engaging in such conduct into custody but instead of taking them to juvenile detention facilities, would have delivered them to DFPS, who would coordinate for care. Passed House, referred to Senate Jurisprudence and never heard.
HB 686	Moody	Would have reduced the time youth with a determinate sentence who are transferred from TJJD to prison or who have their determinate sentence probation revoked after being transferred to adult probation and youth certified as adults who are sentenced to prison must serve in prison before becoming eligible for parole. Passed but was vetoed. Reason given was that the language created a conflict with other laws.
HB 2593	Moody et. al	Current law provides that possession of THC in formats other than as marijuana is a felony. This would have modified that so that possession of other forms would also sometimes be a misdemeanor. The impact on juvenile would have been fewer “mandatory” expulsions to a JJAEP for possession of THC in vape format, which is a common expulsion offense. Conference committee reports filed, but session ended before finalization.

Table 17 Exhibit 15 Legislation Not Passed 87th Leg

IX. Major Issues

Achieving Balance Between Supervision and Population

A. Brief Description of Issue

Overview of Issue

The most critical obstacles for TJJD are laid out in Section II, beginning on page 24. In a general sense, the most important issues and the greatest opportunities for improvement come from an understanding of the challenges TJJD faces with the high population, legacy system facilities that are located in rural areas. Safety, improved outcomes, ability to meaningfully move forward with reform efforts, staffing and attrition, ability to hold youth accountable, and the opportunity to provide intervention with behavior, trauma, and treatment needs are all interconnected issues and based on a simple concept—but not a simple or single solution.

Better outcomes of juvenile justice, both short- and long-term, rely on the quality of the evidence-based supervision, intervention, and treatment services employed. But the ability to implement those approaches and, therefore, realize significantly improved outcomes relies on an even more foundational requirement. Simply put, without proper and consistent balance between the number of youth and the number of direct-care staff, sustainable reform is not possible.

B. Discussion

Specific problems and concerns

Defining balance. The initial context needed to understand the problem is the definition of *balance*. The number of direct-care staff needed to supervise youth is very clear and found in both state and federal statutes. The Prison Rape Elimination Act (PREA) requires that, at any given time during waking hours, at least one direct-care staff member must be present in the room per eight youth. State statute allows for one staff per twelve youth. Those are the minimum standards for both county detention centers and state facilities. Beyond that, there are real needs based on the risk level of particular groups of youth that require even more staff per youth. For example:

- Youth with severe mental health diagnoses require at least a 1 to 4 ratio, unless the youth is in the midst of a mental health crisis, in which case the needed ratio is 1 to 2. If the youth is suicidal, then it often requires 1 to 1. *See Section II and Section VII, page 86, and Attachment C, the Texas Model Plan for Reform, for more information.*
- Girls have very high levels of trauma, with 86 percent having 4 or more Adverse Childhood Experiences, and when we screen them for potential sexual exploitation, 36 percent are of clear concern and 55 percent are of possible concern. The small number of girls in state care quite often have an intense level of trauma that causes them to respond automatically and aggressively to stressors. Girls need an overall ratio of 1 direct-care staff member to 6 girls; for the most violent youth and those with significant mental health needs, that ratio is 1 to 4. Of girls in secure facilities 63 percent have been placed on suicide alert at least once—

about twice the percentage of TJJD secure youth overall. When this occurs, they often need a 1 to 1 ratio. *See Attachment C, the Texas Model Plan for Reform for more information.*

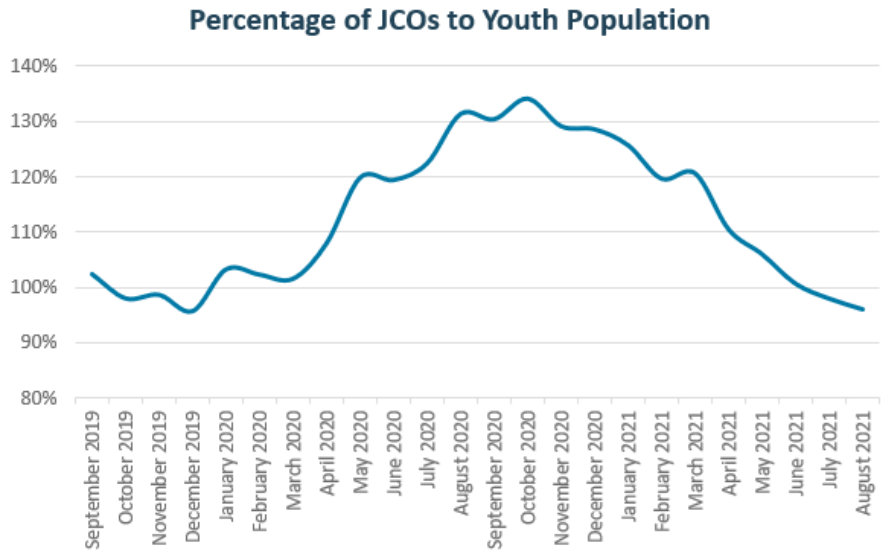
- Violent youth, within the Violence Intervention Continuum, require ratios ranging from 1 to 6 to 1 to 2, depending on their placement within the Continuum. *See Section VII, page 132, for more information.*

Additionally, beyond the staff needed for direct care, certain support needs must also be carried out by staff trained for direct care. A security team must be available for incidents that either require direct intervention or that require a youth to be removed from their current setting for their safety or for the safety of others. Rovers are required to simply provide bathroom and other breaks because policy requires that direct care staff can never, even for a few minutes, leave youth unattended. Transportation staff must be available to take youth to appointments or between facilities, when needed.

To establish consistent, sustainable, and safe practices it is necessary that, at a minimum, and without consideration of high-risk groups requiring higher levels of supervision, the number of direct-care staff must equal approximately 130 percent of the number of youth being supervised. This allows for the 1:8 ratio without the need for significant overtime, along with relief factor and the needed support services operating 24 hours a day, 7 days a week.

Documentation of the problem

The percentage of juvenile correctional officers per the population is subject to fluctuations for all of the reasons listed in this section, including both changes in the number of staff and in the number of youth. The chart below shows the percentage of JCOs to youth population for the past two fiscal years in TJJD secure facilities. The actual percentages by facility can be different over time, with staffing crises often moving between facilities. At this point in time, we are experiencing severe difficulties with staff levels, based on not only the issues listed here but also with a quickly rising population level following the intake slow-down during the initial period of COVID-19.



- **We have greatly increased our efforts to hire new staff, but the yield is low.** TJJD hired 407 JCOs in FY 2018 and 365 in FY 2019. Recognizing that for several years TJJD had ended each year with fewer JCOs than it had at the beginning, we began extraordinary hiring efforts. In FY 2020, we hired 659 JCOs—or 81 percent more than in the previous year. It was the first time in several years that TJJD ended up with more staff on board at the end of the year than at the beginning, though not by a large margin. The largest portion of our attrition is among new JCOs. While we have succeeded in netting a small gain, the outflow of new hires means that for every 10 new people we hire, approximately 4 remain on the books at the end of the first 180 days and even fewer by the end of the year.
- **County probation departments face similar issues.** Based on a survey of county probation departments, at the county level, departments of all sizes and in every region of the state reported difficulty recruiting and retaining employees due to low officer pay; overall, higher salaries are associated with lower turnover rates; and minimum and starting salaries are lower for probation department personnel than for many comparable positions in similar agencies. *See Attachment D: Salaries and Turnover Rates Among Juvenile Justice Personnel in Texas for more information.*

Reasons for the problem

There are a variety of issues behind the difficulty in striking a sustainable balance between youth population and staffing levels:

- **Economic opportunities in rural areas have increased over time, making it difficult to hire and retain staff.** The system overall was created decades ago. The days of the "company town," when economic opportunities in rural areas were scarce and relied on large employers, has passed. Economic diversity has led to greater opportunities for jobs with similar salaries. However, TJJD has a high need and a streamlined hiring process. As a result, TJJD is a good place to get a job quickly while continuing to look elsewhere.

  Of the JCOs hired and rehired so far in FY 2021, 25 percent have left during their pre-service training (within the first 56 days), and a total of 37 percent within that period or shortly thereafter (within the first 90 days). In total, 58 percent of hires have left within the first 180 days of employment. This trend is slightly higher than in FY 2020 and significantly higher than in FY 2019. The many issues explained under this question combined with more diverse economic opportunities and effects of the national labor shortage mean that people who are willing to work simply have more options. In many cases, new hires are using TJJD as a temporary position, finding that they are not suited to the work, or eventually seeking other opportunities based on the issues caused by our staffing crisis.
- **The job is difficult, especially when compared to pay.** Adolescents, especially this concentration of high-risk youth, are higher energy, less predictable, have much less control over their responses to triggers and emotions, lower maturity, and are in need of not just "being watched" but being kept engaged and being routinely redirected when behaviors are unacceptable. And like all pre-teens and teens, they also still require the modeling of appropriate behavior by adults and the ability to learn socially acceptable behavior. Some of these behaviors are highly serious and criminal in nature and many more are typical teenage behaviors, but all require intervention at the appropriate level to either manage for

safety or to teach better responses. TJJD salaries for juvenile correctional officers are on par with those for correctional officers at TDCJ. While the job titles are similar, the job requirements are quite different.

The pay simply does not match the job. We are both unable to use salary as an enticement for highly qualified people and as an enticement to stay, when other jobs with much fewer demands can be found. Retail, manufacturing, oil, and other industries can offer similar salaries with lower burdens.

It is important to remember the risks of the youth in state care and throughout the system. As commitments and referrals have dropped, the percentage of youth with violent felonies has increased.

At the state level, the youth have higher risk levels, with a greater concentration of highly acute youth in large numbers. As the overall population at TJJD secure facilities has dropped, the concentration of youth with very high risks has increased. The youth at TJJD currently include 65 percent with significant mental health issues, 64 percent of boys and 84 percent of girls have four or more Adverse Childhood Experiences (ACEs) as compared to 12.6 percent of the public, 91 percent of girls are clear or possible concern for child sex trafficking, and, on average, youth are five grades behind when they are admitted. This is the highest concentration of acute needs and risk in the history of the agency.

- **We have high standards for staff, which also affects staffing levels.** At the state level, TJJD requires staff who can maintain order, use appropriate force and responses, maintain appropriate boundaries, and be reliable. Of the people who left employment during FY 2020, approximately 25 percent were asked to leave. Additionally, we have high criminal background check standards and require a suitability assessment. Rightfully so, between 10 percent and 25 percent of candidates are screened out through background checks (number varies by facility), and overall, another 17 percent do not pass the suitability assessment. These steps are absolutely necessary but do further diminish the job pool, which in turn affects staffing levels by increasing burdens and stress.

Effects of a lack of balance

This issue affects a broad group including youth, staff, families and caregivers, and communities. There are myriad issues related to inability to achieve and sustain a proper balance between those supervising and those being supervised:

- **Safety is affected, including safety from violence.** From 2020 to 2021, the overall average number of alleged incidents classified as aggressive dropped 20 percent across all TJJD secure facilities; however, the rate per 100 youth remained the same. The rate at the Evins facility is highest overall while the remainder of the secure facilities experienced a 33 percent decrease in alleged aggressive incidents and a 17 percent decrease in the rate per 100. These results indicate that the Violence Intervention Continuum works to keep violence lower in the four facilities with youth not in the highest levels of the VIC, but this progress is not enough to dramatically improve safety, and fluctuating staffing levels only

serve to make the progress inconsistent from month to month. Additionally, there is a correlation between staffing levels and major rule violations.

- **Accountability for youth can be affected.** Because of the significant churn of new staff as explained above, at any given time we have new staff in significant numbers. Their ability to manage difficult youth populations rely on experience and modeling by veteran staff. Additionally, when a staffing crisis occurs, many staff are working significant amounts of overtime. It is difficult to be actively engaged and remain regulated when they become tired or overwhelmed. This can lead to difficulty in maintaining control and appropriate boundaries.
- **Accountability for staff can be affected.** It is an unfortunate truth in corrections that staff sometimes violate the trust given to them, resulting in both criminal and abuse or neglect investigations. However, it is also true limited staffing means that fewer people are available to provide checks, balance, and support. Many reports about negative staff behavior come from other staff. For example, of the PREA allegations in FY 20 and 21 resulting in criminal investigations, 53 percent have come from other staff members.
- **Stress and burnout are risks**. There is a high stress level throughout the juvenile justice residential system and a high risk of burnout. The difficulty in hiring and maintaining consistent staffing means that those who remain in place have higher burdens, which can lead to burnout as well as feeling and being less safe, leading to even higher levels of stress. This causes a cycle that is difficult to break. This was exacerbated in 2020 because of COVID-19 with high numbers of staff both out with COVID and in quarantine, often multiple times, because of contact with COVID-19 positive persons. This creates cycles of emergencies, which in turn require healthy staff to do more and work more hours, increasing attrition. When these emergencies exist, TJJD must implement its Continuity of Operations Plan (COOP), which requires staff who typically serve in other roles to provide direct supervision, including case managers, educators, and managers.
- **Treatment and intervention can be affected.** Treatment for youth is directly impacted by the availability of qualified professionals to provide both group and personal treatment. When a campus experiences a loss of professionals, it causes immediate issues that can delay treatment or diminish the levels of mental health support while the agency seeks to find or train new professionals. When a facility is experiencing a lack of balance between population and direct-care staff, it harms the ability to create environments where youth feel safe, which is of significant difficulty for youth who have experienced childhood trauma. Without felt-safety in their daily living environment, it is much harder for them to internalize and apply the treatment principles they are working on. Direct-care staff support and apply treatment concepts into daily life. When they are stretched, there are challenges in providing basic supervision and supporting treatment goals can become secondary. Additionally, a lack of balance impacts the ability to meet the youth's immediate need in a proactive manner. High caseloads create pressure for case managers to meet the goals of their job while often needed to provide basic supervision as well.

C. **Possible Solutions and Impact**

Possible solutions

When working toward a solution to this major issue at the state level, it is important to understand that the best answer likely comes with not choosing a single solution but using a combination of multiple, interconnected solutions that can be combined in effective ways to move closer to balance. The object is to improve balance. Balance is improved every time that either more staff are available for direct supervision or the youth population at any one location decreases. Options to achieve those shifts include:

- **Add lower population facilities with geographic diversity.** New, lower population facilities for youth with intense needs such as boys with severe mental illnesses; girls, especially those with significant mental illnesses, trauma, and history or risk of child sex trafficking; very young committed youths; and youth with intellectual disabilities and impairments. Moving toward a more modern model of smaller facilities with no more than 48 beds will not only allow TJJD to focus on the very specific needs of these intense populations but also expand the available job pool through geographic diversity and lower the number of youth remaining at other facilities. These facilities should be located in areas with adequate population where unemployment is not at extreme lows. These facilities could be newly built or refurbished.
- **Increase diversion of youth from commitment.** Lowered commitments could be achieved through statutory changes that limit the categories of youth who can be committed. Unsuccessful past legislation has sought to limit the lower age at which youth can be committed. While the reduction in population from these very young youth would not be extraordinary, every reduction is useful. Other options with greater impact include reducing the number of youth who can be committed for non-violent felonies or state jail felonies, leaving state commitment as a tool only for youth with very high risks, needs, and severity of offense.
- **Provide greater options for contract care.** Increased access to private sector options would decrease the overall number of youth in state facilities. To do so would mean seeking increased numbers of secure contract beds for youth at higher levels of risk, requiring higher than usual rates per day, similar to those paid by DFPS for non-secure beds.
- **Increase support from experts in mental health issues.** Support from mental health agencies to move youth with severe mental health issues to more appropriate settings, perhaps with TJJD support for security and similar protections and processes.
- **Increase salaries for juvenile correctional officers.** The ability to compete locally for a higher number of candidates by increasing the salary range would provide a level of support to both better recruit and retain staff. Additionally, bifurcation of direct-care staff to include both juvenile correctional officers and higher-level direct care staff charged with greater responsibilities for behavioral interventions may serve to improve overall operations while decreasing overall outlay for pay adjustments. This move may allow for more limited duties for lower paid direct-care staff, while establishing a more specialized level of direct-care staff to support youths' case plans and behavioral needs.

At the county level, many departments with detention centers are having significant staffing issues as well. Some solutions include:

- **Greater ability to provide targeted, strategic salary adjustments.** Better ability to increase salaries in sustainable ways may help to not only increase recruiting and retention but also to more fully staff detention beds that otherwise must remain empty.
- **Increase ability to access private sector options**. The counties will also benefit from increased private sector options as described above.
- **Improve focus on regional services.** Additionally, a greater focus on regional detention options, through coordination and strategic investment where staffed beds are lacking, will further support regionalization and diversion from state care.

More specifics on major issues facing probation departments are explored in the following section.

Impact and benefits of the solutions

The solutions above each have the ability to impact the balance of staff to youth. They can be combined in different ways to impact the problem at varying depths. Those solutions that overtly lower the population in state secure facilities will have the most immediate and straightforward effects but all have value. Additionally, for those who advocate for raising the age of criminal responsibility, the only safe way forward is to set the need for balance as a clear standard in juvenile justice so that as the need for residential options increases, the system is not forced to decrease safety and treatment because it cannot avoid the inherent dangers of placing too many high-risk youth with too few staff to supervise them.

Possible drawbacks

Solutions that increase the options for youth, including new facilities and contract care, will take time to implement. However, if the goal is to improve outcomes and increase safety, solutions must begin as soon possible after as decision makers determine it is prudent. Additionally, because the main challenge and struggle is achieving balance, which affects almost every other concern about secure residential care, it requires strategic implementation: No single, sweeping solution will have the same impact.

Fiscal impact

TJJD estimates the costs to build new facilities at approximately $20 million each, assuming that it is built on land already owned by the State of Texas. Contract-care beds for youth with risks higher than those generally accepted in current locations are estimated at $300 per day up to $600 per day in cases of extraordinary needs or crisis.

However, it should be clear that at each level of risk and needs for youth, the cost per day should decrease. While youth in state care constitute a small percentage of all youth in the system, there remains significant differences in the risks and needs among those youth. Therefore, it is likely that the most fiscally sound approach is to select a combination of solutions that serve to more effectively layer the system based on need and the accompanying costs appropriate to that level:

- Intense needs. The highest costs should be associated with the youth with the highest risks and needs. This includes youth with high levels of violence, severe mental health issues, intellectual disabilities or impairments, and extraordinary trauma and trafficking backgrounds. Ideally, these youth would be in smaller settings, targeted to their specific needs.
- Very high needs. The next highest costs should be associated with youth who still require secure settings to protect the public and still have very high needs but for whom those needs can be met within either within existing settings but with appropriate balance or in specialized contract care designed for their risk levels and needs.
- High needs. These include youth whose profiles could be met either in state care or in county care. These youth still require specialized treatment and behavior interventions but that can be met in more typical contract care or detention settings. This is the level at which are found the most appropriate options for diversion from state care, but will require associated funding that allows counties to not only pay appropriate rates for care but to sustain those rates in a way that encourages private industry to increase options in Texas.

Sustainable County Services

A. Brief Description of Issue

There are 165 county probation departments throughout Texas, each with different populations, priorities, and resources. The availability of resources needed to meet the needs and risks of the youth within each jurisdiction is often inadequate at every level of the county system. The goals of the system are to provide the needed resources for youth within it. The large majority of these youth face significant adversity, including childhood trauma and mental health issues, and many are or have been removed from their homes. The ability to both properly assess needs and risks and then address them is key to the ability of the system to meet its mission.

B. Discussion

Specific problems and concerns

Difficulty in building and sustaining programs. Even where needs exist, probation departments have difficulty in confidently investing in new programs. Many juvenile justice youth present with multiple and complex needs which, depending on regional capacity, may not be met close to home. Varying levels of state and local funding, juvenile populations sufficient to support dedicated programs, and quality service provider access are potential hurdles to sustaining robust treatment for specific juvenile needs. While needs differ by department, there are gaps in services in areas such as mental health services, detention services close to youths' communities, placement options for youth in need of residential treatment, and specialized services for specific target populations such as young offenders, female offenders, youth with intellectual and developmental disabilities or medical complexities, and youth who have been trafficked or have a significant history of trauma.

Documentation and effects of the problems

Available detention services are lacking. At present, only 44 of the 165 probation departments operate detention facilities, with many of those unable to accept youth from other departments. As of August 2021, total detention bed capacity across the state was 3,251, with 1,891 of those operational and only 232 available for contract with probation departments not operating their own pre-adjudication facility. Liability for significant behavioral issues, response to the recent pandemic, PREA compliance, and mental health crises decreases juvenile boards' willingness to take youth from other jurisdictions. The result is a critical shortage of detention beds across the state, which results in many rural jurisdictions having to transport youth several hundred miles for detention. This is problematic given that the main reason for detaining people is public safety and failing to detain those that pose the greatest risk to public safety is counterintuitive to that purpose.

Mental health needs cannot always be met. The need for probation departments to provide mental health services continues to grow. In 2013, 48 percent of youth referred to probation had an identified mental health need. By 2020, that number had grown to 86 percent. The requirement for state-level coordination to secure mental health resources, competing priorities at each local level for available services, and difficulty maintaining mental health professionals in some locations make providing adequate community-based services a challenge across the state. Services in detention and long-term placement facilities are hindered by long wait times for scarce state-operated beds in state hospitals and SSLCs, unwillingness of some facilities to accept youth with a criminal history or significant behavioral issues, and prohibitive cost of services that make commitment to TJJD the only viable option for some departments.

Services for specific target populations are scarce. Youth belonging to a highly specialized population or with complex or multiple treatment needs represent a large and ongoing financial investment for probation departments. Young offenders often present with multiple needs and require long-term aftercare and support services to prevent recidivism and ultimate commitment to TJJD. Those with complex medical needs, trafficking histories, and other highly specialized treatment needs are hard to serve because of economies of scale. Departments may choose to serve a broader range of needs within one program to create the cost benefit of serving more youth and fail to fully meet the needs of these more specialized populations, resulting in poorer outcomes. In order to fully serve the needs of these type of youth, departments must invest in more costly services that often are not financially sustainable. In regional inventories completed in FY20, sexual behavior treatment, programs for trafficked youth, female offender programs, and services for IDD/Autism were most often identified as gaps in service across the seven probation regions.

Placement options are lacking. For the most commonly available contract care options, the current appropriated rate does not support robust options for youth at higher levels of risk. Youth in the juvenile justice system do not have lower needs and risks than those in the child welfare system; however, DFPS rates well exceed those in the juvenile system.

Reasons for the problems

Funding is not consistent. Probation departments currently manage almost 99 percent of the youth referred to the juvenile justice system. We envision a system in which our probation partners are able to meet the needs of youth who are not highly violent and whose mental health and other specialized needs could be met within the community or within regional structures that share resources for the smaller percentage of special needs.

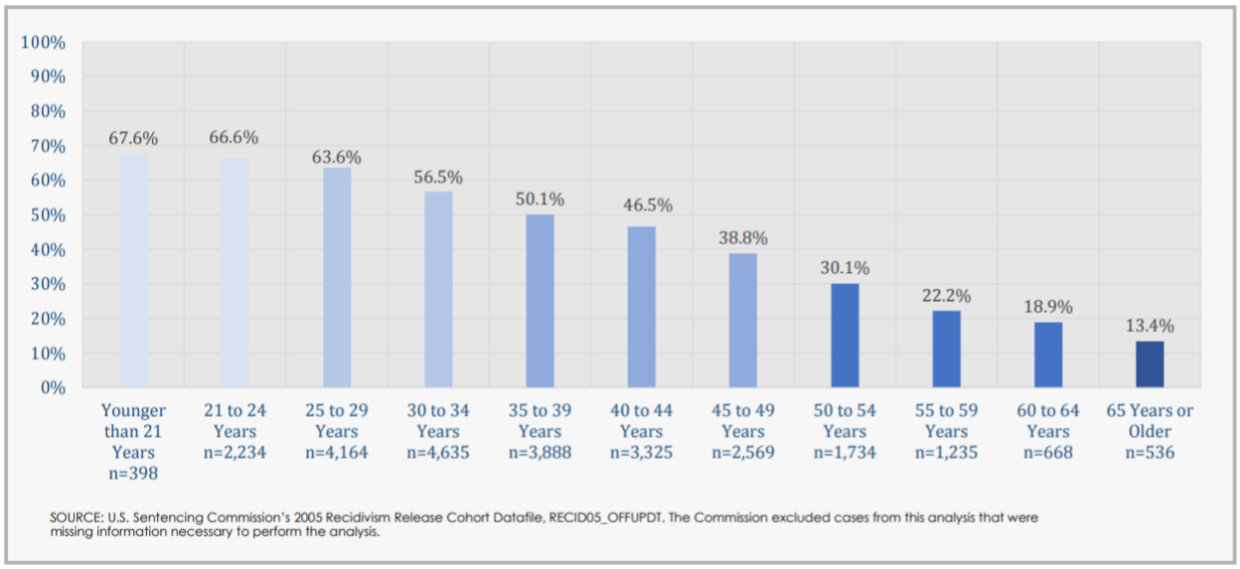
Local Cost-Per-Day Share
Residential Treatment Services in Probation-2020

Residential Service	Cost per Day	Local Share
Adult System		
Dually Diagnosed Residential Treatment	$102.70	0%
Court Residential Treatment Centers	$114.21	6%
Substance Abuse Treatment Facilities	$86.04	2%
Treatment Alternatives to Incarceration	$147.31	2%
Juvenile System		
Commitment Diversion	$544.33	64%
Mental Health	$399.68	37%
Regional Diversion Alternatives	$393.82	76%
Post-adjudication Facilities	$230.31	77%

The probation system in Texas for juveniles and adults is similar structurally, with state agency oversight and county probation departments. Overall, the state funds 64 percent of adult probation costs and local costs are offset through offender fees. In the juvenile system, the state funds 25 percent of probation costs and the counties bear the remaining costs because fees are not charged to juvenile offenders. For context, in FY 2020, overall juvenile probation department costs were $610.5 million, of which state costs included $137 million and the remainder of $459.3 million were paid by counties. Overall cost share varies by county, which can cause inconsistencies in funding across the state. For example, in FY 2020, the largest share of costs by a county was 86 percent and the lowest share was 5 percent. These percentages include the high costs of residential placements. As shown in the chart, residential costs are much higher for youth. As a result, employing these placements can be difficult for departments, especially smaller ones where a small number of youth can dominate a large percentage of the overall budget, which causes fiscal restraints in serving other youth.

The juvenile and adult systems, however, are very different in purpose and content. Youth commit the same offenses as adults; the damage done by those offenses do not differ. And yet, a separate juvenile justice system exists for good reasons. It is not simply because they are children. It is because they are different than their adult counterparts. They are not developmentally mature; their brains are not yet fully formed. The approach must be different and that approach is more expensive. For example, the costs for basic probation for adults is $3.75 per day and in the juvenile system it is $13.55. The U.S. Sentencing Commission published *The Effects of Aging on Recidivism Among Federal Offenders*, which validates that the younger the offender the more likely that they will recidivate, requiring more significant intervention.

Rearrest Rates for Recidivism Study Offenders by Age at Release



Since 2016, budgets for local probation departments have shifted in response to changing priorities at the county level. From FY 2015 to FY 2021, state appropriations supporting juvenile probation system base funding have decreased from $152 million to $140 million, as the Legislature shifted funds from the basic probation strategies into more targeted strategies. The result has been to limit probation departments' ability to maintain a continuous system of quality personnel and services to meet the increasingly complex needs of youth referred to their departments.

Collaboration could be improved. Texas Health and Safety Code 614.018, Continuity of Care for Juveniles with Mental Impairments, requires the Texas Juvenile Justice Department, Department of Public Safety, Department of State Health Services, Department of Aging and Disability Services, Department of Family and Protective Services, Texas Education Agency, and local juvenile probation departments to adopt a memorandum of understanding establishing their respective responsibilities to institute a continuity of care and service program for juveniles with mental impairments in the juvenile justice system. The statute directs TCOOMMI to coordinate and monitor the development and implementation of the memorandum of understanding. The resulting MOU was developed and is supposed to be renewed every two years. The most recent renewal was completed in 2015, and the last attempts to renew in 2017 were not successful. Adult correctional agencies are not as well versed in juvenile system needs, so having them responsible for coordinating juvenile justice system services presents barriers to effectively meeting the system's needs. The resulting lack of local resources and consistency throughout the state creates disparities among services children receive, including whether they are allowed to remain home or are placed in a high restriction facility or committed to TJJD.

Additionally, there are particular challenges with youth who are also in CPS care, particularly when it comes to CPS responsiveness in finding a placement for these youth. CPS tends to rely on the juvenile justice system to keep them in detention when the juvenile court has

determined the child should be released. With a critical shortage and increased scrutiny at the federal level of CPS placement facilities, CPS often has difficulty finding appropriate placements for youth with behavioral challenges. This results in youth being held in detention after the time that non-CPS youth would be released.

Finally, it is important to understand that within systems that serve youth, the juvenile justice system is a "no eject" system. Juvenile justice, unlike others, cannot deny services to youth based on a lack of placement options. As a result, youth may not be placed in the most appropriate level in the system and courts may be forced to order more intensive placement than is right for the youth, which in turn, may serve to exacerbate, rather than address, the issues the youth is encountering.

C. **Possible Solutions and Impact**

Sustainability of services is key, and predictable funding levels are needed to do so.

Possible solutions. There are a variety of potential solutions that could be selected or combined to provide more sustainable services at the county level that are less subject to fluctuations in county budgets for the 165 different juvenile departments:

- An increased state share, more similar to adult system, for juvenile probation departments, to provide greater overall sustainability of services and ability to build and sustain new services.
- Increase access to private sector options for youth at higher levels of risk, requiring higher-than-usual rates per day, similar to those paid by DFPS for non-secure beds.
- Specific investment in providing needed services for youth with significant mental health issues, including accessible funds for emergency placements for youth in an active mental health crisis as well as funds and support from other agencies for greater collaboration among juvenile justice, mental health agencies, and other related organizations.
- Each of the 165 departments has unique needs; reorganizing probation funds into fewer appropriation strategies with more diverse allowable expenditures would provide greater flexibility to fully utilize resources and serve more juveniles at the local level.
- The basic probation supervision appropriation strategy is determined by the number of youth placed on supervision, which is an outdated metric for probation departments. As we work to use evidence-based practices and create better outcomes for youth, it's imperative that probation departments implement diversionary and prevention programs. It's equally important that their state funding structure incentivize this activity. To that end, TJJD recommends to rename the basic probation supervision strategy to basic probation services and alter the formula input to use juvenile age population rather than probation supervisions. This would ensure that probation departments maintain stable funding from the state when they invest in the prevention and diversionary programs that keep youth as shallow in the system as possible and provide better outcomes.

- Fund the statutorily required validated risk and needs assessment. This assessment is foundational to being able to place youth at the right level of the system and with the services that address the actual core needs that led them to juvenile justice system involvement. Using this tool is not only the best way to serve youth but also allows for the most cost-effective responses.

Impact and benefits. A higher share of state investment in juvenile justice would allow counties to provide more sustainable and evidence-based options and programs, which in turn serve to keep youth as shallow in the system as possible, which are the most cost-effective options. When no options are available, then often the only option is to push the youth deeper into the system that needed. This greater sustainability will give county probation departments, especially small departments in rural areas, the ability to focus on building new resources with less concern about sustainability.

Emergency mental health placements would help avoid what for some counties could be a devastating expense on their small budget. More streamlined appropriation strategies would help departments spend funds available to them more efficiently, maximizing the overall existing investment. Finally, greater collaboration would serve to support more placements of youth where the needs can be met by the most appropriate system with specific expertise related to the issue.

Fiscal impact. The fiscal impact of a greater share of juvenile probation costs is scalable and flexible. A 5 percent increase in the state share moving up from the current 25 percent, would cost approximately $67 million over the biennium. Costs for emergency mental health placements would likely not exceed $1 million in any given year and, if unexpended, the Legislature could choose to carry appropriations over, reducing future investments. Finally, providing flexibility in appropriations structures does not involve additional fiscal impact.

X. Other Contacts

A. Fill in the following charts with updated information on people with an interest in your agency, and be sure to include the most recent email address.

Texas Juvenile Justice Department
Exhibit 16: Contacts

Interest Groups

(groups affected by agency actions or that represent others served by or affected by agency actions)

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Texas Criminal Justice Coalition Alycia Castillo, Policy Analyst	1714 Fortview Road, Suite 104 Austin, TX 78704	512-441-8123 Ext.107	Acastillo@texascjc.org

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Texas Appleseed Brett Merfish Director of Youth Justice	1609 Shoal Creek, Suite 201 Austin, TX 78701	512-473-2800	Bmerfish@texasappleseed.org
Disability Rights Texas Aaryce Hayes, Policy Specialist	2222 W. Braker Lane Austin, TX 78758	512-454-4816	Ahayes@disabilityrightstx.org
Texans Care for Children Kate Murphy, Senior Child Welfare Policy Associate	1016 La Posada Drive, #240 Austin, TX 78752	512-473-2274	kmurphy@txchildren.org
American Civil Liberties Union Nick Hudson Policy & Advocacy Strategist	P.O. Box 12905 Austin, TX 78711-2905	512-478-7300	Nhudson@aclutx.org
Lone Star Justice Alliance Elizabeth Henneke, Executive Director	3809 S. 1st St. Austin, TX 78704	512-394-5791	ehenneke@lsja.org
Texas Network of Youth Services Lauren Rose, Director of Public Policy	P.O. Box 26855Austin, TX 78755	512-815-3299 512-775-7745	Info@tnoys.org Lrose@tnoys.org
Children's Advocacy Centers of Texas Justin Wood, Vice President of External Relations	1501 West Anderson Lane, B-1 Austin, TX 78757	512-906-2931	Jwood@cactx.org

Table 18 Exhibit 16 Interest Groups

Interagency, State, or National Associations

(that serve as an information clearinghouse or regularly interact with your agency)

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Texas Probation Association Lisa Tomlinson, Chief Juvenile Probation Officer, Grayson County Bennie Medlin, Chief Juvenile Probation Officer, Tarrant County	George J. Beto Criminal Justice Center, Sam Houston State University, Huntsville, TX 77341-2296	936-294-1640	tomlinsonl@co.grayson.tx.us bjmedlin@tarrantcounty.com

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Juvenile Justice Association of Texas Brandon Borski, Juvenile Probation Officer, Cen-Tex Regional William A. Carter II, Chief Juvenile Probation Officer Lubbock County	P.O. Box 98715 Lubbock, TX 79499	512-415-6717	Jjatx@gmail.com
National Center for Missing and Exploited Children Leemie Kahng-Sofer, Texas Director	Texas Regional Office 8668 Spicewood Springs Rd., Suite 200 Austin, TX 78759	512-465-2156	Lkahng-sofer@ncmec.org
Council of Juvenile Justice Administrators Charity Brenstuhl, Program Coordinator	350 Granite Street, Suite 1203 Braintree, MA 01284	781-843-2663	charity.brenstuhl@cjja.net

Table 19 Exhibit 16 Interagency, State, and National Association

Liaisons at Other State Agencies

(with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
Department of Family and Protective Services Demetrie Mitchell, Chief of Staff	P.O. Box 149030 Austin, Texas 78714-9030	512-954-4416	demetrie.mitchell@dfps.state.tx.us
Texas Health and Human Services Commission Amanda Martin, Director of Government and Stakeholder Relations	P.O. Box 13247 Austin, Texas 78711-3247	512-487-3300	Amanda.martin04@hhsc.state.tx.us
Texas Legislative Budget Board Katy Fallon-Brown, Manager, Public Safety and Criminal Justice	Fifth Floor 1501 North Congress Austin, TX 78701	512-463-1200	Katy.Fallon-Brown@lbb.texas.gov
Supreme Court of Texas Permanent Judicial	201 W. 14th St. Room 104 Austin, TX 78701	512-463-5393	children@txcourts.gov

Commission for Children, Youth and Families Jamie Bernstein, Executive Director			
Texas Judicial Commission on Mental Health Kristi Taylor, Executive Director	P.O. Box 12248 Austin, TX 78711	(512) 463-1312	JCMH@txcourts.gov
University of Texas Medical Branch – Correctional Managed Care Kamakshi Patel, MD, MPH, Clinical Associate Professor	301 University Blvd. Galveston, TX 77555-1206	409-747-2600	dipatel1@utmb.edu
Texas Facilities Commission Richard Glancey, Director of Government Relations and External Communications	P.O. Box 13047 Austin, TX 78711-3047	(512) 463-3446	richard.glancey@tfc.state.tx.us
Department of State Health Services Jordan Hill, Government Affairs	PO Box 149347 Austin, TX 78714-9347	512-776-3246	Jordan.Hill@dshs.texas.gov
Texas Division of Emergency Management Seth Christensen, Chief of Media and Communications	1033 La Posada Suite 300 Austin, Texas 78752	512-217-8159	Seth.Christensen@tdem.texas.gov
Texas Department of Public Safety Kevin Cooper, Chief of Government Relations	PO Box 4087 Austin, TX 78773-0001	512-424-7272	kevin.cooper@dps.texas.gov
Texas Department of Criminal Justice Kate Blifford, Director of Government Affairs	PO Box 13084 - Capitol Station Austin, TX 78711-3084	512-463-8195	Kate.Blifford@tdcj.texas.gov
Special Prosecution Unit Jack Choate, Executive Director	1300 11th Street, Ste. 520, Huntsville, Texas 77340	936-291-2369|	jchoate@sputexas.org
Rice University School of Social Sciences – Texas Policy Lab Ekim Cem Muyan, Executive Director	6100 S. Main St., MS 272, Greenbriar Bldg. Suite 130 Houston, TX 77005	713-348-2420	ekimcmuyan@rice.edu

Prairie View A&M University Texas Juvenile Crime Prevention Center Kristan Russell, Assistant Professor	P.O. Box 519 - Prairie View, Texas 77446	936-261-5212	knrussell@pvamu.edu
Texas Education Agency Hunter Thompson, Director of Government Relations	1701 N. Congress Avenue Austin, Texas, 78701	512-463-9734	hunter.thompson@tea.texas.gov
Texas Commission on Jail Standards Brandon Wood, Executive Director	P.O. Box 12985 Austin, Texas 78711-2985	512-463-5505	brandon.wood@tcjs.state.tx.us
Texas State Fire Marshal Chuck Allen, Captain, Inspections	P.O. Box 12030, Austin, TX 78711	512-676-6800	Fire.Marshal@tdi.texas.gov
Texas House of Representatives Committee on Juvenile Justice and Family Issues Julie Young, Committee Director	P.O. Box 2910 Austin, Texas 78768-2910	512-463-0794	Julie.Young_HC@house.texas.gov
Texas Senate Committee on Criminal Justice Mike Ward, Committee Director	P.O. Box 12068 Austin, TX 78711	512-463-0345	Mike.ward@senate.texas.gov
Office of the Texas Governor – Public Safety Office Aimee Snoddy, Executive Director	P.O. Box 12428 Austin Texas 78711	512-463-1919	Aimee.Snoddy@gov.texas.gov
Sam Houston State University – Correctional Management Institute of Texas Amanda Wood, Director	Correctional Management Institute of Texas George J. Beto Criminal Justice Center Sam Houston State University Huntsville, Texas 77341-2296	936-294-1676	awood@shsu.edu
Texas Workforce Investment Council Lee Rector, Director	1100 San Jacinto Boulevard Suite 1.100 Austin, Texas 78701	512-936-8100	twic@governor.state.tx.us
Texas Statewide Behavioral Health Coordinating Council	P.O. Box 13247 Austin, Texas 78711-3247	512-424-6500	MentalHealth_SBHCC@hhsc.state.tx.us

Courtney Harvey, PhD, Mental Health Statewide Coordinator & Associate Commissioner			
University of Texas – LBJ School of Public Affairs Michelle Deitch, Distinguished Senior Lecturer	Lyndon B. Johnson School of Public Affairs The University of Texas at Austin P.O. Box Y Austin, TX 78713-8925	512-296-7212	mydeitch@gmail.com

Table 20 Exhibit 16 Liaisons at Other State Agencies

XI. Additional Information

A. Texas Government Code, Section 325.0075 requires agencies under review to submit a report about their reporting requirements to Sunset with the same due date as the SER. Include a list of each agency-specific report that the agency is required by statute to prepare and an evaluation of the need for each report based on whether factors or conditions have changed since the statutory requirement was put in place. Please do not include general reporting requirements applicable to all agencies, reports that have an expiration date, routine notifications or notices, posting requirements, federally mandated reports, or reports required by G.A.A. rider. If the list is longer than one page, please include it as an attachment. See Exhibit 17 Example.

Texas Juvenile Justice Department
Exhibit 17: Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Research Programs and Studies Report	Texas Human Resources Code § 203.007	Quarterly; 4/15, 7/15, 10/15, 1/15	Governor, Lt. Governor, Speaker of the House, Members of the Senate and House	Provides information on research projects involving juvenile participation.	Yes, this report provides stakeholders the ability to monitor research projects and TJJD Monitoring and Inspection uses the report as part of monitoring projects under 37 TAC Chapter 341. It also provides the information responsive to regular public information requests.
The State of Juvenile Probation Activity in Texas Report	Texas Human Resources Code § 203.019	Annual; 8/15	Governor, Lt. Governor, Speaker of the House	Provides information on the magnitude and nature of juvenile criminal activity and the juvenile probation system's response.	Yes, this report provides stakeholders vital information for the criminal activity of youth in Texas. It also provides the information responsive to regular public information requests.
Report on TJJD Youth Ever in Substitute Care	Texas Human Resources Code § 243.008	Biennial (even years); 1/31	Governor, Lt. Governor, Speaker of the House, Members of the Senate and House	Provides information on the dual involvement of youth committed to TJJD with DFPS.	Yes, it is necessary to ensure youth who are dually involved in juvenile justice and child protective services are monitored and the information is shared with key stakeholders. It also provides the information responsive to regular public information requests.
Treatment Effectiveness Review	Texas Human Resources Code §§ 242.001, 242.002, 245.0535	Biennial (even years); 12/31	Lt. Governor, Speaker of the House, standing committees of each house of the legislature with primary jurisdiction over juvenile justice and corrections, LBB	Provides information on the effectiveness of TJJD treatment and rehabilitative programs.	Yes, this report provides regular review by TJJD staff of treatment effectiveness, and provides stakeholders necessary information. It also provides the information responsive to regular public information requests.
Office of Inspector General	Texas Human Resources Code § 242.102	Quarterly	TJJD Board, TJJD Executive Director, applicable advisory boards; the Governor, Lt. Governor, Speaker of the House, standing committees of the Senate and House of Representatives with primary jurisdiction over correctional facilities; the state auditor; and the comptroller	Provides analysis of investigations conducted and their dispositions	Yes, this report provides regular information on OIG investigations for trend analysis to key stakeholders.

Table 21 Exhibit 17 Agency Reporting Requirements

B. Does the agency's statute use "person-first respectful language" as required by Texas Government Code, Section 325.0123? Please explain and include any statutory provisions that prohibit these changes.

HRC 201.003 uses "youthful offender's treatment needs" rather than "treatment needs of a youth who has engaged in delinquent conduct or conduct indicating a need for supervision" or just "treatment needs of youth"

HRC 203.0065 uses "at-risk youth" rather than "youth engaging in at-risk behaviors"

HRC 221.004 uses "juvenile offenders" – could use "children served by local probation departments"

HRC 221.0071 uses "juvenile offenders" – could use "only for juveniles alleged or adjudicated to have committed delinquent conduct or conduct indicating a need for supervision" (or simply remove juvenile offender as it is unnecessary to the meaning of the sentence)

HRC 242.002 uses "sex offenders" instead of "youth committed for a sex offense listed in Chapter 62, Code of Criminal Procedure" and "capital offenders" instead of "youth committed for capital murder" and "emotionally disturbed children" instead of "children with mental illness"

242.056 uses "mentally ill" rather than "persons with mental illness."

HRC 244.011 and 244.012 uses person first but not well. Says "child who is mentally ill" as opposed to "child with mental illness." Also says "child who is mentally retarded" as opposed to "child with IDD."

There are no statutory provisions that would prohibit making these changes.

C. Please describe how your agency receives and investigates complaints about the agency and its operations.

Incident Reporting Center

The TJJD operates a 24-hour hotline for complaints, allegations, and mandatory reports of serious and critical incidents. This hotline is operated by the OIG for the Department, which reviews these calls and may open some of them as a criminal and/or administrative investigation. The OIG has trained investigators and Texas peace officers that conduct these investigations, and enforce state law as necessary. The IRC staff may also refer some calls or complaints to various TJJD Divisions for their awareness or action. Additionally, public complaints, i.e., those typically involving a complaint about the agency and its operations from former employees, youth who are no longer in the system, advocates, or the general public, may be submitted via email to tjjd-publiccomplaints@tjjd.texas.gov. Similar to calls received by the IRC, TJJD staff review all public complaints, then send them to the appropriate TJJD Division for their awareness or action.

Chapter 261, Texas Family Code, governs the handling of agency investigations of state and county abuse, neglect, and exploitation (ANE). In addition, Chapters 350 and 358 of the Texas Administrative Code provide guidelines for identifying, reporting, and investigating ANE allegations for counties. The agency has policies in place that provide guidance for the investigation of alleged mistreatment of youth under its jurisdiction. A person having cause to believe that a youth has been or may be a victim of ANE has an obligation under state law to report the matter to a law enforcement agency. The OIG, which is the law enforcement arm for TJJD per HR C 242.102, manages the Incident Reporting Center (IRC) which is the central reporting repository for all allegations involving secure institutions, non-secure facilities, contract care facilities, and parole district offices. Allegations involving youth under county jurisdiction including serious and critical incidents are called into the IRC. The IRC receives and evaluates the complaints and disseminates the complaint to the appropriate division(s) within TJJD for handling. Incidents involving ANE are referred to the Administrative Investigations Division within the OIG. Allegations may be handled concurrently as criminal and administrative investigations. OIG's mission is to investigate all allegations of ANE to ensure the safety of youth served by the state and counties. Texas Family Code Chapter 261 requires Texas Juvenile Justice Department (TJJD) Internal Audit to periodically review the agency's procedures for investigating alleged abuse, neglect, and exploitation allegations.

Incident Reporting Center hotline

To comply with the fraud reporting requirements of Section 7.09 of the General Appropriations Act and the investigation coordination requirements of Texas Government Code, Section 321.022, suspicions of fraud, waste, and abuse that have been reported to TJJD have been processed through the Office of Inspector General. The Chief Inspector General coordinated fraud investigations and information as needed with the Special Investigation's Unit of the State Auditor's Office in accordance to Texas Government Code, Section 321.022.

SAO Hotline complaints may be directed to Internal Audit and OIG by the SAO for handling. Results of these reviews are provided to SAO for their information/review.

Public grievances

TJJD receives public grievances through the agency's public complaint system. Anyone can file a complaint involving the agency and its operations. These complaints are tracked through our grievance tracker, and assigned to the division best able to handle these concerns. The agency also receives grievances through the constituent referral process through the Office of the Governor, and as a referral from the Office of Independent Ombudsman if they receive a grievance or complaint that is not proper to be handled through that office.

Youth rights grievances

Youth, parents/guardians of youth, and youth advocates have a right to file grievances concerning the care, treatment, services, or conditions provided for youth under the jurisdiction of TJJD. Grievances submitted to TJJD that allege criminal violations or abuse, neglect, and exploitation are referred to local law enforcement or the Office of Inspector General, as applicable. Youth and their parents/guardians are provided information on the grievance resolution system and the youth's local contact information upon a youth's admission

to TJJD and after each subsequent placement. Youth assigned to TJJD-operated residential facilities may submit a written request for a conference with any staff member as an informal means of addressing their issues or concerns. Any person may file a grievance by contacting the Incident Reporting Center, delivering the grievance in-person to a TJJD staff member, or for youth, by filing a youth grievance form and placing it in the secure drop box at their facility. The Youth Rights division handles the youth grievances by assigning the decision authority to investigate the issue; determines whether that resolution by the decision authority resolves the issue or if changes need to be made; makes sure that all resolutions are entered in a timely manner; and make sure that the youth receive the resolution and give them an opportunity to appeal the decision if they feel that the resolution was not satisfactory in resolving their issue. For more information on the youth grievance system, please see the *Youth Rights Grievances* program description under Section VII of this report.

Employee Grievances

The Tex. Hum. Res. Code §242.004 classifies TJJD employees as "at will" and balances that classification by mandating employees be given review of their complaints through a grievance procedure. TJJD PRS.35.03 provides employees a comprehensive system for a neutral review of grievances related to working conditions, employment discrimination, harassment and adverse employment actions, including disciplinary termination. TJJD PRS.35.03 also provides the employees a choice for mediation on some complaints.

Grievances submitted to the Office of Independent Ombudsman

The Office of Independent Ombudsman receives numerous inquiries and complaints that upon review are outside the scope of the OIO or is a matter that should be addressed by TJJD staff or through the grievance process. After the OIO receives and determines these complaints are outside the scope of the OIO, they will refer those grievances to the Office of Inspector General, a division within TJJD, or an outside entity.

Fill in the following chart detailing information on complaints received about your agency and its operations. Do not include complaints received about people or entities you regulate.

Texas Juvenile Justice Department
Exhibit 18: Complaints Against the Agency — Fiscal Years 2019 and 2020

	Fiscal Year 2019	Fiscal Year 2020
Number of complaints received	5,705	5,287
Number of complaints resolved	5,738	5,279
Number of complaints dropped / found to be without merit	566	552
Number of complaints pending from prior years	63	1
Average time period for resolution of a complaint	(number)	(number)

Table 22 Exhibit 18 Complaints Against the Agency

The table above includes grievances and complaints from the youth grievance system and complaints filed with and investigated by the Office of Independent Ombudsman. For

information on complaints through the IRC, see below and the Office of Inspector General program description in Section VII of this report.

IRC complaints

The Incident Report Center received 26,612 calls in Fiscal Year 2019, and 32,064 in Fiscal Year 2020. Of those IRC calls and complaints regarding state, county, and contract care facilities, the OIG opened 3,573 criminal investigations in FY 2019, and 2,635 criminal investigations in FY 2020. The OIG simultaneously investigated 445 child abuse investigations at county and contract care facilities in FY 2019, and 402 in FY 2020. Finally, the OIG conducted 1,705 administrative investigations for abuse, neglect, and exploitation in state facilities and programs in FY 2019, and 1,457 in FY 2020.

D. Fill in the following charts detailing your agency's Historically Underutilized Business (HUB) purchases. See Exhibit 19 Example. Sunset is required by law to review and report this information to the Legislature.

Texas Juvenile Justice Department
Exhibit 19: Purchases from HUBs

Fiscal Year 2018

Category	Total $ Spent	Total HUB $ Spent	Percent	Agency Specific Goal*	Statewide Goal
Heavy Construction	0.00	0.00	0.00	0.00	11.2%
Building Construction	504,773	202,206	40.06	18.30	21.1%
Special Trade	410,731	68,948	16.79	32.70	32.9%
Professional Services	447,040	57	0.01	17.40	23.7%
Other Services	4,281,226	410,600	9.59	19.10	26.0%
Commodities	9,175,246	2,013,274	21.94	21.00	21.1%
TOTAL	14,819,018	2,695,088	18.19		

Table 23 Exhibit 19 HUB Purchases for FY 2018

***** If your goals are agency specific-goals and not statewide goals, please provide the goal percentages and describe the method used to determine those goals. (TAC Title 34, Part 1, Chapter 20, Rule 20.284)

TJJD has not received appropriations for Heavy Construction. Each HUB Coordinator had their own method to determine goals. Typically, the goals were based on appropriations and past HUB percentages for the specific categories. For FY20 agency adopted the statewide goals.

Fiscal Year 2019

Category	Total $ Spent	Total HUB $ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	0.00	0.00	0.00	0.00	11.2%
Building Construction	2,288,096	800,224	34.97	18.30	21.1%
Special Trade	1,975,294	667,829	33.81	32.70	32.9%
Professional Services	500,830	28	0.01	17.40	23.7%
Other Services	4,565,966	749,488	16.41	19.10	26.0%
Commodities	7,311,726	1,945,819	26.61	21.00	21.1%
TOTAL	16,641,914	4,163,390	25.02		

Table 24 Exhibit 19 HUB Purchases for FY 2019

Fiscal Year 2020

Category	Total $ Spent	Total HUB $ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	0.00	0.00	0.00	0.00	11.2%
Building Construction	5,633,239	2,108,465	37.43	21.1%	21.1%
Special Trade	1,727,129	202,065	11.70	32.9%	32.9%
Professional Services	551,862	0	0.00	23.7%	23.7%
Other Services	8,179,256	736,883	9.01	26.0%	26.0%
Commodities	15,359,432	4,144,291	26.98	21.1%	21.1%
TOTAL	31,450,920	7,191,705	22.87		

Table 25 Exhibit 19 HUB Purchases for FY 2020

E. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Government Code, Section 2161.003; TAC Title 34, Part 1, Rule 20.286c)

Yes, 37 TAC § 385.1101 (TJJD has a HUB policy and operates pursuant to the State of Texas requirements: Government Code §2161.003; TAC Title 34, Part 1, Rule 20.286c; and other guidance as conveyed by the Texas Comptroller of Public Accounts. In implementing the above program and working with combined efforts of the agency's procurement and contracting departments, it is the agency's policy to make a good faith effort to maximize HUB participation in agency procurement and contracting. TJJD Executive Management provides the HUB coordinator with active support, which includes sufficient resources from its current operations

and budget to effectively promote the achievement of all the responsibilities of the HUB coordinator to meet or exceed the state HUB goals)

F. For agencies with contracts valued at $100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of $100,000 or more? (Texas Government Code, Section 2161.252; TAC Title 34, Part 1, Rule 20.285)

Yes, TJJD complies with Texas Government Code Section 2161.252; TAC Title 34, Part 1, Rule 20.285 by ensuring all agency contracts of $100K or more reference the requirement for HUB subcontracting. (HUB Determination and Good Faith Effort evaluations are completed during the bid process.)

G. For agencies with biennial appropriations exceeding $10 million, answer the following HUB questions.

1. Do you have a HUB coordinator? If yes, provide name and contact information. (Texas Government Code, Section 2161.062; TAC Title 34, Part 1, Rule 20.296)

HUB Coordinator
Sheree Case
512-490-7261-O
940-641-0930-C
1711 San Jacinto Blvd, Ste. 120, Austin, TX 78701
sheree.case@tjjd.texas.gov

2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Texas Government Code, Section 2161.066; TAC Title 34, Part 1, Rule 20.297)

Yes, TJJD has designed a program of HUB vendor forums/meetings, vendor demonstrations and booth space at HUB events (FY20 virtual and teleconference) Sunset TJJD HUB Outreach document contains a list of TJJD HUB outreach for FY18, FY19 and FY20.

3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Government Code, Section 2161.065; TAC Title 34, Part 1, Rule 20.298)

Yes, however previous agreement has expired but agency is actively reviewing Mentor/Protégé possibilities.

H. Fill in the charts below detailing your agency's Equal Employment Opportunity (EEO) statistics. See Exhibit 20 Example. Sunset is required by law to review and report this information to the Legislature. Please use only the categories provided below. For example, some agencies use the classification "paraprofessionals," which is not tracked by the state civilian workforce. Please reclassify all employees within the appropriate categories below.

Texas Juvenile Justice Department
Exhibit 20: Equal Employment Opportunity Statistics

1. Officials / Administration

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	77	32.0%	8.1%	14.5%	22.4%	37.8%	38.8%
2019	76	35.7%	8.1%	13.9%	22.4%	37.4%	38.8%
2020	79	28.3%	8.1%	16.3%	22.4%	38.2%	38.8%

Table 26 Exhibit 20 EEO Statistics for Officials/Administration

2. Professional

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	674	25.2%	10.9%	20.1%	20.3%	59.8%	54.5%
2019	689	25.3%	10.9%	20.7%	20.3%	58.9%	54.5%
2020	695	25.7%	10.9%	21.8%	20.3%	58.5%	54.5%

Table 27 Exhibit 20 EEO Statistics for Professionals

3. Technical

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	54	18.4%	14.4%	27.2%	29.2%	49.5%	55.2%
2019	54	20.2%	14.4%	31.8%	29.2%	49.5%	55.2%
2020	49	12.6%	14.4%	36.1%	29.2%	44.8%	55.2%

Table 28 Exhibit 20 EEO Statistics for Technical

4. Administrative Support

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	265	15.4%	14.3%	27.1%	36.4%	85.6%	71.6%
2019	254	13.6%	14.3%	27.2%	36.4%	84.7%	71.6%

2020	241	12.0%	14.3%	28.7%	36.4%	86.1%	71.6%

Table 29 Exhibit 20 EEO Statistics for Administrative Support

5. Service / Maintenance

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	85	33.4%	13.2%	33.4%	52.4%	72.9%	52.0%
2019	79	32.2%	13.2%	34.5%	52.4%	73.0%	52.0%
2020	76	29.2%	13.2%	39.4%	52.4%	73.3%	52.0%

Table 30 Exhibit 20 EEO Statistics for Service and Maintenance

6. Skilled Craft

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	51	0.0%	10.2%	18.6%	51.5%	0.0%	12.0%
2019	49	0.0%	10.2%	15.6%	51.5%	0.0%	12.0%
2020	45	0.0%	10.2%	16.8%	51.5%	0.0%	12.0%

Table 31 Exhibit 20 EEO Statistics for Skilled Craft

7. Protective Services

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	1500	41.7%	10.2%	25.9%	51.5%	42.5%	12.0%
2019	1453	40.5%	10.2%	28.0%	51.5%	44.0%	12.0%
2020	1585	40.0%	10.2%	29.7%	51.5%	46.5%	12.0%

Table 32 Exhibit 20 EEO Statistics for Protective Services

I. Does your agency have an equal employment opportunity policy?

Yes. *See Attachment V: PRS01.01 – Equal Employment Opportunity*

How does your agency address performance shortfalls related to the policy?

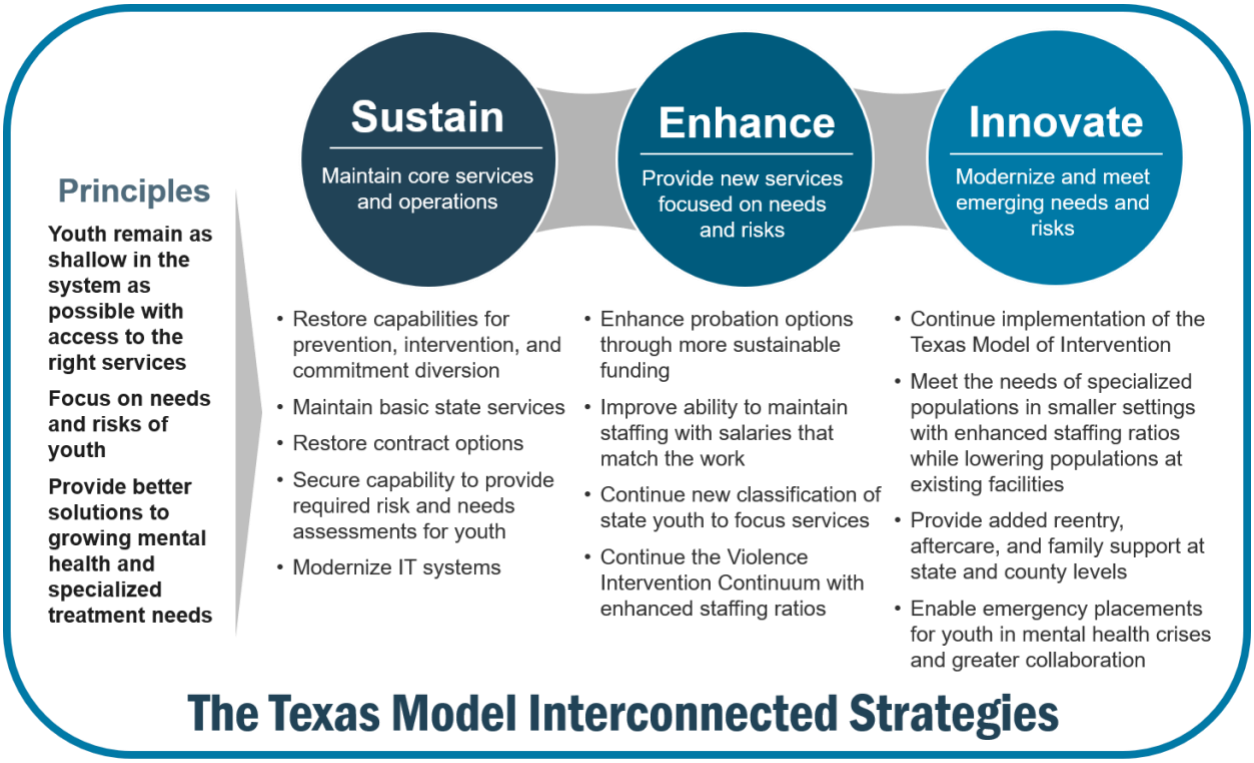
The Texas Juvenile Justice Department (TJJD) is an equal opportunity employer and strives to provide a work environment free from discrimination based on race, color, religion, sex/gender (including sexual harassment), national origin, age, disability, or genetic information. TJJD managers and supervisors are responsible for basing all employment-related decisions on job-related, non-discriminatory factors, and for complying with all laws that apply to the employment relationship. TJJD employees are responsible for refraining from discrimination or harassment on the basis of race, color, religion, sex, age, or disability, and for promptly reporting any violations of this policy.

XII. Agency Comments

Provide any additional information needed to gain a preliminary understanding of your agency.

The following information may serve to provide a general understanding of TJJD goals and backgrounds of youth within the system:

Through the Texas Model Plan for Reform, TJJD has set out a stepped plan toward accomplishing much needed reform. The plans are strategic, intertwined, and designed to be scalable over time with a goal of ongoing long-term progress. Following are excerpts from the Plan. More updated information on some topics may be found in the sections above. *For the full text of the Texas Model Plan for Reform, see Attachment C.*



Ultimately, we envision a future where:

Youth remain as shallow in the system as possible. This means county probation departments have the right resources to meet the needs and address the risks of each youth, including the effects of childhood trauma. Doing so requires that county probation departments can sustain their current operations and have appropriate resources to enhance the services at the local and regional levels required to meet the needs of youth with preventative to high needs while being able to innovate. There are significant obstacles to moving toward this goal:

- Counties need predictable, sustainable funding to build local and regional resources. The state funds 64 percent of adult probation costs but only 25 percent of juvenile probation costs. Improved access to funds and resources for youth with mental health or other significant issues will allow smaller departments to meet needs through emergency funds and regional approaches.
- Greater flexibility in how state funds can be used will allow each of the 165 departments to better tailor their approaches toward local needs.

Committed youth are in lower population settings, designed to provide more individualized and specialized care. Optimally, youth at the high-end of the system would be best served in lower population facilities of no more than 48 youth with an appropriate and sustainable level of direct-care staff who are well equipped to meet the unique needs of these high-need to intense-need populations, including specialized needs and the effects of childhood trauma through trauma-informed and responsive practices. Currently, there are significant obstacles to meaningful movement toward this goal:

- Funding is needed to enhance the ability to meet actual needs and risks, move to the next level of innovation, and make a step toward youth being served in optimal settings. This includes building or acquiring smaller facilities that will enable youth with intense needs to be served in environments that better meet their individualized needs for treatment and supervision while enabling the five existing facilities to lower their populations.
- The five existing secure facilities face extraordinary difficulties in maintaining adequate, sustained staffing levels for current populations. New facilities in areas with high staffing probability, higher salaries for direct-care staff, and more-appropriate staffing ratios for specialized populations will help to minimize this obstacle.

Risk and Needs-Based Intervention

Youth in the system have varied needs, and as the youth move deeper into the system, it generally means that their risks and needs are greater and becoming more specialized. All along the continuum, from early intervention to commitment to TJJD, youth have unmet needs. And as the continuum progresses, those needs grow and become riskier—both to the community and to the youth's future and welfare. As we consider a right-sized and needs-based system of intervention, it is important at each level that the approach is right for the youth and that the resources needed for that youth are available at the shallowest point in the system possible.

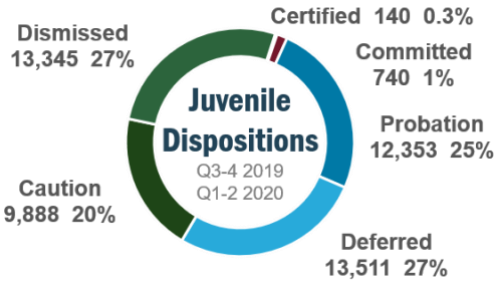
All probation departments work with juveniles across a wide spectrum of risks and needs and are equipped to meet the general needs of the juveniles they see. Through economies of scale, departments serving urban areas fare better with obtaining the services required for higher risk juveniles with more specialized treatment needs. Smaller, more rural jurisdictions lack sufficient population and community infrastructure to attract quality service providers at a sustainable cost, limiting their ability to meet the more significant needs of higher risk juveniles.

What this means is that many of the 165 probation departments serving varying sizes of populations cannot individually establish all of those services; some must be shared to become both high-quality and cost-efficient. Establishing appropriate services to provide interventions as early in the needs-based continuum as possible limits future interaction with the juvenile justice system and other negative outcomes for youth, which is key to keeping youth as shallow in the system as possible.

Additionally, at the state level, the appropriate level of supervision and specialized care for the highest risk and need youth cannot be optimally provided using only the large, rural facilities currently available. Smaller populations at each facility will better enable the individualized care needed and support sustainable, consistent staffing at the right levels for the specific group served.

Youth in the Juvenile Justice System

Overall, referrals to the juvenile justice system have held relatively steady for the past five years at an approximate average of 54,500, with a slight uptick in the past two years.[15] However, the seriousness of the offenses and the needs of the youth continue to grow and become more challenging. Probation departments remain committed to keeping youth as shallow in the system as possible. Between FY 2016 and FY 2019, new admissions of youth to the state's care decreased 15 percent with an estimated additional 7 percent drop for FY 2020.[16]



The following information provides additional insight about youth in the juvenile justice system:

Offense Seriousness

Unlike the overall trend for referrals, the percentage of youth with more serious offenses and concerns has increased at higher rates. Felony referrals increased 11 percent from FY 2018 to 2019 and 10 percent from FY 2019 to 2020. Notably, robbery referrals increased 22 percent from FY 2018 to 2019 and 12 percent from FY 2019 to 2020.[17] In FY 2020, 12 percent of referrals were for a violent felony offense.

Ten Most Common Offenses for Committed Youth

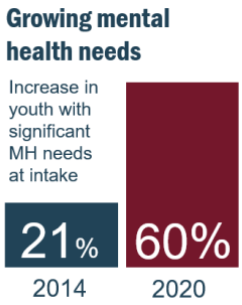
Offense	%
Aggravated Robbery	25%
Assault	11%
Aggravated Assault	11%
Burglary	9%
Aggravated Sexual Assault	7%
Theft	5%
Robbery	5%
Unauthorized Use of a Vehicle	4%
Indecency with a Child	3%
Evading Arrest	2%

At the state level, during FY 2019, 67 percent of youth were committed for offenses against persons. The chart to the right[5] shows the top 10 most common offenses for youth in state care. These offenses represent 82 percent of these youth. The most serious offenses of capital murder, murder, and manslaughter represent an additional 2 percent of the population collectively.[18]

[15] Based on FY 19 and estimated number of referrals for FY 20 based on the first 6 months to control for changes due to the effects of COVID-19.
[16] Estimated drop based on extrapolating from first six months of FY 2020. Actual drop is higher but is based on artificially low numbers during the COVID-19 pandemic.
[17] Felony and robbery referrals use FY 19 to 20 comparison including only data from the first six months of each year.
[18] Snapshot of all youth in TJJD care in April 2020.

Mental Health

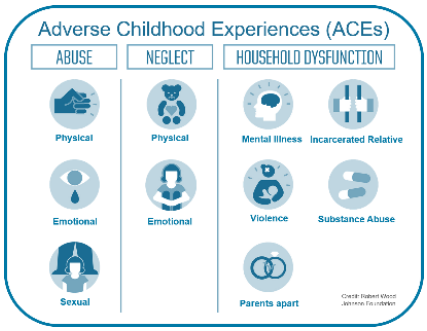
Mental health concerns regarding youth in the juvenile justice system continue to grow. Of formal referrals to juvenile probation departments, approximately 45 percent have mental health needs.[19] Approximately 9 percent of youth reported having suicidal ideations prior to being referred to the juvenile court.



At the state level, in FY 2014, 21 percent of youth, at the point of intake, were found to have moderate to severe mental health issues. By FY 2020, the percentage jumped to 60 percent. Additionally, the percentage of youth with highly significant mental health issues is approximately 5 percent. These include diagnoses such as depression, anxiety, ADHD, bipolar disorder, disruptive mood dysregulation disorder, autism, and early onset psychosis. These youth require an intense level of care, including specialized staff at enhanced staffing ratios.

Childhood Trauma

Adverse childhood experiences (ACEs) are complex early stressors that can disrupt the normal developmental processes. Specifically, ACEs disrupt how youth perceive the environment around them and the actions of others. Youth with a high number of ACEs often misinterpret reasonably normal stressors as threats and have heightened fight, flight, or freeze responses. Their trauma and environment did not enable them to learn how to regulate their emotional and physical responses to stress and perceived threats, and they respond in maladaptive ways. Many of these youth have developed unhealthy behavioral patterns and heightened physiological reactions to survive their own childhoods. As a result, ACEs are associated with increased risk for a wide range of mood, anxiety, psychotic, and personality disorders.[20] Additionally, youth who have experienced at least one substantiated report of abuse or neglect are 47 percent more likely to participate in delinquent acts.[21]



TJJD and many local probation departments use measurement of prior trauma, including ACEs, as one of the tools to help determine risk and need. Youth in the juvenile justice system generally share a collective story. The backgrounds of these youth include alarming levels of childhood trauma, especially as they move deeper into the system. Using the standard 10 ACEs, studies estimate that 64 percent of the general public have at least one ACE and 12.5 percent have experienced 4 or more.[22] By comparison:

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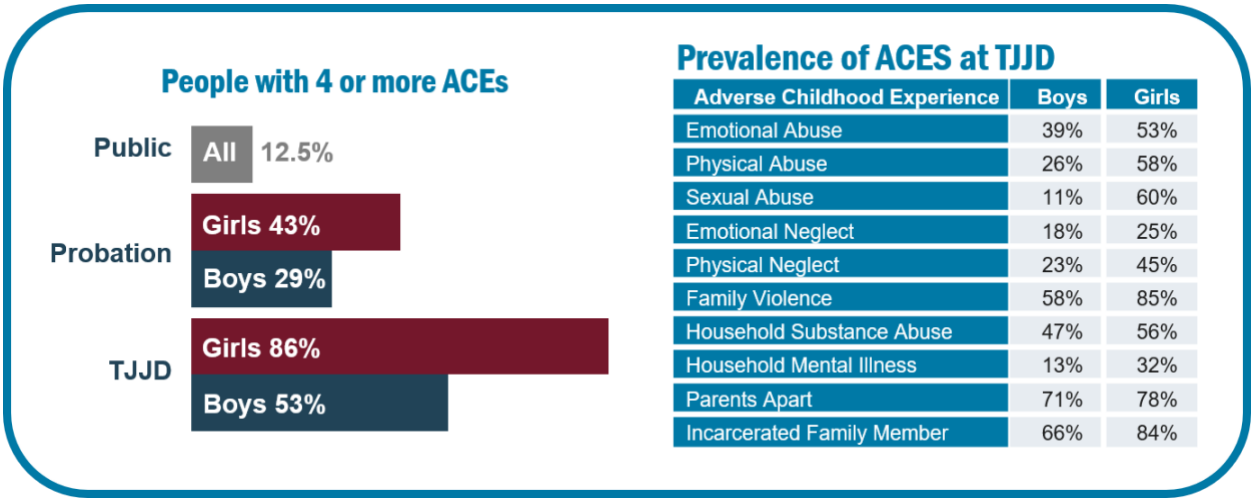
[19] From information in the juvenile case management extract submitted by juvenile probation departments.
[20] G. Asmundson, T. Afifi, Adverse Childhood Experiences: Using Evidence to Advance Research, Practice, Policy, and Prevention, 2020
[21] C. Freeze, Adverse Childhood Experiences and Crime, Federal Bureau of Investigation, April 2019
[22] https://www.cdc.gov/violenceprevention/acestudy/about.html

- Approximately 88 percent of youth on juvenile probation have at least one ACE and 35 percent have four or more.
- Among probationers, ACEs trend up based on the severity of the offense. Of the youth on probation for misdemeanors or non-violent felonies, between 33 percent have 4 or more ACEs and 39 percent of youth on probation for violent felonies have 4 or more.
- Probation girls have higher rates of ACEs overall, with 43 percent having 4 or more ACEs and increasing to 54 percent among girls on probation for violent felonies.[23]
- Of the youth committed to state care, 53 percent of boys and 86 percent of girls have 4 or more ACEs.[24]



Prevalence of ACES at TJJD

Adverse Childhood Experience	Boys	Girls
Emotional Abuse	39%	53%
Physical Abuse	26%	58%
Sexual Abuse	11%	60%
Emotional Neglect	18%	25%
Physical Neglect	23%	45%
Family Violence	58%	85%
Household Substance Abuse	47%	56%
Household Mental Illness	13%	32%
Parents Apart	71%	78%
Incarcerated Family Member	66%	84%

Child Sex Trafficking

Another assessment is the Commercial Sexual Exploitation Identification Tool (CSE-IT). The results are alarming, especially for girls. A score of "clear concern" means that numerous risk factors and vulnerabilities are present, suggesting the youth has been commercially sexually exploited or is at high risk for sexual exploitation. A score of "possible concern" means that the youth may be at risk for or has experienced sexual exploitation but there is either not enough information available or the current behaviors and circumstances do not clearly indicate exploitation. At the county level for probationers, 59 percent of girls and 26 percent of boys screened with CSE-IT show possible or clear concern.[25] For committed youth, 63 percent of TJJD boys and 91 percent of TJJD girls fall into one of these two categories. And trafficking risk overlaps heavily with childhood trauma: when you cross-

Youth Screened for Commercial Sexual Exploitation

CSE-IT Score	Committed		Probationers	
	Boys	Girls	Boys	Girls
Clear Concern	7%	36%	3%	33%
Possible Concern	56%	55%	23%	26%
No Concern	37%	9%	74%	41%

[23] Estimated from county PACT data using similar questions to the ACE questionnaire.
[24] From a snapshot of youth in TJJD care in April 2020.
[25] Youth adjudicated delinquent and placed on supervision who were screened with the CSE-It tool.

reference TJJD youth with a clear concern for child sex trafficking with ACEs, 95 percent of girls and 87 percent of boys have 4 or more ACEs.[26]

Learning Issues

Additionally, our youth are typically behind in school and many have intellectual impairment or disabilities. At the point of intake, youth are, on average, 5 grades behind in reading and more than 6 grades behind in math. Our youth also experience intellectual disabilities and impairments at rates much higher than the public. As compared to approximately 8.5 percent of the public who are considered either intellectually impaired or disabled, 22.8 percent of TJJD youth in secure facilities meet these definitions.[27]

5
Average number of grades behind at intake for reading

6
Average number of grades behind at intake for math

TJJD Youth

IQ	Category	Public	TJJD
130+	Very gifted	2.10%	0.2%
121-130	Gifted	6.40%	0.8%
111-120	Above average	15.7%	1.4%
90-110	Average	51.6%	37.7%
80-89	Below average	15.7%	37.1%
70-79	Impaired	6.40%	17.8%
below 70	IDD	2.10%	5.0%

[26] From a snapshot of youth in TJJD care in April 2020.
[27] Snapshot of TJJD youth in secure facilities, July 2020

Attachments

The Self-Evaluation Report as well as all attachments, both those required and additional, can be found at https://www.tjjd.texas.gov/index.php/sunset-review#attachments.

Requested Attachments

Attachments Relating to Key Functions, Powers, and Duties

Attachment 1: Enabling statute and rules.

Attachment 2: Annual reports published by the agency from FY 2018 to FY 2020.

Attachment 3: N/A

Attachment 4: N/A

Attachment 5: N/A

Attachment 6: List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions.

Attachment 7: N/A

Attachments Relating to Policymaking Structure

Attachment 8: Biographical information of TJJD Board.

Attachment 9: Board training materials .

Attachment 10: Employee manuals and copies of any policies related to staff duties and responsibilities.

Attachment 11: Copies of any other significant policies adopted by the board.

Attachments Relating to Funding

Attachment 12: Agency's Legislative Appropriations Request for FY 2022 to FY 2023.

Attachment 13: Annual financial reports from FY 2018 to FY 2020.

Attachment 14: Operating budgets from FY 2018 to FY 2020.

Attachment 15: Contracts above $1 million.

Attachments Relating to Organization

Attachment 16: List and Map of Facilities and Offices.

Attachment 17: Flowcharts showing the operations of the agency.

Attachment 18: Active memorandums of understanding and information sharing agreements the agency has entered into.

Attachments Relating to Agency Performance Evaluation

Attachment 19: Quarterly performance reports for FY 2019 to FY 2020.

Attachment 20: Performance reports presented to TJJD Board in FY 2018 to FY 2020.

Attachment 21: Performance reports submitted to the Legislative Budget Board from FY 2018 to FY 2020.

Attachment 22: N/A

Attachment 23: Current internal audit plan.

Attachment 24: Current strategic plan.

Attachment 25: List of internal audit reports from FY 2016 to FY 2020.

Attachment 26: List of Relevant State Auditor reports from FY 2016 to FY 2020.

Attachment 27: Customer Service Report.

Attachment 28: N/A

Attachment 29: Description of the review of existing rules as required by Texas Government Code, Section 2001.039, for the last eight years.

Additional Attachments

Attachment A: Information Related to the State Supreme Court, Children's Commission, Dual Status Task Force.

Attachment B: Agency Coordination for Youth Prevention and Intervention - October 2020.

Attachment C: Texas Model Plan for Reform.

Attachment D: Salaries and Turnover Rates Among Juvenile Justice Personnel in Texas.

Attachment E: Short-Term Solutions and Long-Term Goals: A Plan for TJJD.

Attachment F: Exhibit 11: List of Program FTEs and Expenditures – Fiscal Year 2020.

Attachment G: NFS School Year (SY) 2020-2021 Triennial Assessment findings.

Attachment H: NFS Reports from Grievances and Appeals from SY 19-20.

Attachment I: NFS Special Diet Reports.

Attachment J: NFS New Menu Approaches.

Attachment K: TJJD Due Process Hearings Manual.

Attachment L: Title IV-E Federal Foster Care Reimbursement Program Requirements.

Attachment M: JJAEP Performance Assessment Report for School Year 2018-2019.

Attachment N: Regionalization Plan – 2016.

Attachment O: Community Juvenile Justice Appropriations, Riders and Special Diversion Programs - December 2020.

Attachment P: Grant Compliance Methodology.

Attachment Q: Grant Monitoring.

Attachment R: Independent Financial Audits.

Attachment S: TJJD Funding Formula Explanation - FY22.

Attachment T: Agency Coordination for Youth Prevention and Intervention - October 2020.

Attachment U: JJTA Probation Training.

Attachment V: PRS01.01 – Equal Employment Opportunity.