



## **Advisory Council on Juvenile Services**

Meeting Minutes

Friday, March 25, 2022 @ 10:00 a.m.

Virtual Meeting

### **Advisory Council Members present:**

Ed Cockrell, Chair; Lynn Hadnot, Vice Chair; Judge Mark Allen, Marc Bittner, Judge Larry Thorne, Shanna Floyd, Shandra Carter, Camille Cain, Lou Serrano, Homer Flores and Melanie Ramsey.

### **Advisory Council Members not present:**

Judge Natalia Oakes, Christy Ashworth-Mazerolle, Karina Browning

### **TJJD Staff in attendance:**

Preston Streufert, Todd Novak, Amy Miller, Ashley Kintzer, Dr. Susan Palacios, Deborah Harris-Wiggins, Mark Williams, James Wilson, Ryan Bristow, David Ellis, Javier Aguilar, Tonya Gonzalez, Marie Welsch, Scott Friedman, Sean Grove, Ana Villarreal and Ronnie Solano

### **Other attendees:**

Andrew Vree, Childress County, Cory Burgess, David Fry, Kyle Dobbs, Forest Hanna, John Ahearn, Kirk Wolfe, Merrill Foote, Monica Schniers, Nacogdoches County, Rachel Gandy, Raymond Desir, Rosie Medina, Tina Lincoln, Sandra Calzada, Joanne Bradley, Upton County, Will Bucknall and William Carter.

### **Call to Order/Introductions:**

The meeting began at 10:00 a.m. with Ed Cockrell introducing himself and taking roll call of the Council members. Chairman Cockrell thanked Chief Teri Trull for her service on the Advisory Council and welcomed Chief's Karina Browning and Marc Bittner to the Advisory Council.

### **Approval of Minutes: January 14, 2022 Meeting**

Vice Chair, Lynn Hadnot, made a motion to approve the minutes. Judge Mark Allen seconded the motion. The motion passed.

### **Presentation to on Model for Regionalization**

Lou Serrano provided a presentation on the current regionalization plan. He reported that the regionalization plan has not been reviewed since its inception on March 1, 2016. The initial targets set for commitment diversion were 30 in 2016, 150 in 2017, 2018 and 2019. He discussed the outcome of the internal audit, including the strengths and areas for improvement. He discussed some thoughts on model redesign based on the idea of continuing to strengthen the regional approach to diversion while providing regions with more control over funding but consideration to solidify commitment goals. A workgroup will be convened to review and discuss possible changes to the current regionalization plan.

### **Texas Juvenile Justice Department Updates:**

Executive Director, Camille Cain, provided a TJJD update. ED Cain discussed the problems and concerns of the juvenile justice system and the impact of COVID-19. She is planning to attend more meetings including TPA, JJAT and Regional Chief Association meetings in the future to engage the Chiefs in issues that are affecting the field. She also discussed the Sunset Commission report. The report should be received by the end of May. She reported that the DOJ investigation is ongoing. The process is moving very slow and TJJD have met with the DOJ on two occasions.

Lou Serrano provided an update on probation services. He reported that we will end March 25, 2022 with sixty-one youth pending admissions to TJJD. Regarding the pandemic, there are only one or two reported COVID-19 cases a week from the counties. Reports are trending downward. TJJD will continue to communicate with the field concerning the report on the wait list. He noted that the response from the field has been great. He reported on the status of regionalization. Through March 25, 2022, TJJD have received one hundred seventy six applications. One hundred and fifty application have been approved. One hundred twenty three youth have been placed. S of March 25, 2022, one hundred forty five youth are in placement. Through January, TJJD have admitted two hundred three of both indeterminate and determinate sentence youth. Numbers are trending close to last year's numbers. There has been an uptick in violent felonies offenses across the state. Of the 61 youth pending admission to TJJD, seven of those youth are committed for murder or Capital Murder. TJJD is also tracking the average cost of successful placements. The increase in cost could limit the amount of diversions, received and limit the amount of diversions granted. The average cost for a successful placement in FY 16 was \$34,000. In FY 2022, it is tracking at \$43,000. They are projecting that the cost will continue to go up. TJJD have run the first run of the FY23 funding formula early this year. This is due to the TJJD board meeting schedule change. The Board will be meeting in May. They will be having several inner office meetings and will begin to send the numbers out to the field and eventually present it to the board at the May meeting.

There has been an increase in the number of youth entering the JJAEP programs. However, there is a decrease in the number of days provided. That was due to the resent winter storm. TJJD continue to work with the Sunset Commission. The meetings have gone really well. They continue to report on the work that the counties are doing. Sunset was able to go to the south region to tour a few probation departments. Big thanks to Chief Denner in Hidalgo County and Chief Gomez in Cameron County for allowing them to tour their departments and discuss probation issues.

Shandra Carter provided an update on TJJD State Services. She provided a brief update on each of the state facilities. She would like to be able to move faster on taking in youth committed to TJJD. They continue to work on this issue. They are at a place where they are providing basic safety. Mart is currently taking all intakes. This is due to their ability to maintain programming. Mart is currently at 110% capacity meaning that they are maintaining normal programming. Case manager can provide case management and teachers can provide education throughout the scheduled programming day. That is why intake will remain there due to their capacity to absorb youth. She reported that Ron Jackson was struggling and was in and out of lock down. They are expecting to lose the 11 male youth currently there and will only have females there. This will allow for normal programming. They plan to move intake back to Ron Jackson in the future. The other facilities are not doing as well. Giddings is at approximately 167% capacity. They can staff 63 youth but currently have 94 youth. Gainesville is at approximately 160% capacity. They can staff 64 youth but have 107 youth at the facility. The Evins facility is struggling the most. They are currently at 200% capacity. They have staff for 44 youth and have 88 youth at the facility. It is very rare that they are in regular programming and are on lock down every weekend. In December, they performed over 1000 suicide assessments and over 500 of them were at the Evins Unit. Assessments have gone down over a few months but continue to be high at the Evins Unit.

#### **TDFPS – Christy Ashworth-Mazerolle**

No Report

#### **Sub Committee Reports:**

Chief Hadnot reported on the Long Range Strategic planning committee. The committee met on March 22, 2022. Due to time constraints in terms of deadlines the committee felt the best approach would be to focus on elements of the strategic plan that will affect the field. The committee is working on not just how it relates to the strategic plan but what our wish list would be in terms of the what we can do while going through the legislative process.

Chairman Cockrell reported on the Chapter 344 Workgroup. Mr. Chairman reported that the Advisory Council has submitted changes to Chapter 344. He reported that he have spoken with TJJD Chairman Ritchey about the proposed changes to the standard. Chairman Ritchey will work with TJJD General Counsel on finalizing this chapter and forwarding it to the AC for review.

Amy Miller provided an update on FFSPA. She reported that DFPS have reported that they are not ready to send a prevention plan to ACF (the Federal Oversight Agency) until next fiscal year. DFPS is working on what a qualified residential treatment program will look like. The QRTP is part of implementing what foster care placement will look like under the new federal guidelines. TJJD have staff working on that workgroup in some capacity to help make sure that probations voice will be heard. TJJD may be reaching out to the field for feedback as they go through the process. We are continuing to work on constructing what we want to propose to be included in the plan for probation services, including reasonable candidacy administrative claiming, which has already been submitted and under consideration by the ACF. We are hoping for approval in time that will allow implementation by FY 2023. The next group meeting is March 30, 2022 at 1:30.

Chief Hadnot reported on the Disciplinary Seclusion workgroup. The workgroup met on March 9, 2022. The meeting was well attended. Several subject matter experts who run facilities contributed to the workgroup discussion. The group discussed the interpretation of the standard as it relates to disciplinary seclusion and safety based seclusion. The field's emphasis during the discussion centered on actual language of the standards and how that affects what is allowed in

facilities across the state. The workgroup will continue discussion on how the standard is written versus monitoring interpretation during the next meeting.

Chief Hadnot reported on the Chapter 55 workgroup. The group last met on March 23, 2022. The group have created three subgroups that will work on sections of Chapter 55. Each subgroup will be submitting proposed revisions on their sections at the next meeting scheduled for April 27, 2022. Co-chair, Amanda Britton will be providing testimony on April 7, 2022 at the Texas House Select Committee. She asked for the committees support.

### **Old Business**

Lou Serrano gave a follow-up report on ANE referrals versus grievances. He discussed the procedure for when a youth calls into the Incident-Reporting Center (IRC) that have been determined to be a non-ANE issue. The calls are documented by the OIG and returned to the counties. Once the report returns to the county, the facility may handle it in any way they see fit in accordance with local policies. Often times the issue has already been handled as a grievance locally, therefore the county does not need to go through that process again. This issue is considered closed and have been forwarded to all of county facilities.

### **New Business**

Scott Friedman discussed a proposal relating to the TAC rules review and re-adoption process. The goal is to build efficiencies within the agency with coordination with the advisory council to help streamline and standardize the process involved with rule making. The rule making authority rest with the TJJD Board, the facilitation of getting the rule adoptions and modifications rest with the General Counsel. What he is proposing is to build some processes and put those in place that will streamline how that process will happen. The proposal include the establishment of a intra agency rule review coordination group (RRCG) which will minimally include a member of the Office of General Counsel, Monitoring and Inspections, and Probation Services Division. The Probation Services member of the RRCG will be responsible for communicating with the Advisory Council concerning rule reviews and input, which will include field participation.

Sean Groves provided a report on TJJD minimum length of stay. He reported that the next board meeting will be held on May 12 - 13, 2022. Staff will propose a number of changes to the board that have to do with how youth move through TJJD facilities, halfway houses, and parole. They have been looking at the provision of treatment and about how youth move through and are able to become treatment complete and are able to step down to a non-secure placement and to be back into the community. He reported that largely TJJD has failed to meet the risk/needs responsivity piece. Only about five percent of youth are able to achieve stage and treatment completion by the time of their first review panel. They will be proposing changes that will get them closer to being able to meet the youth's needs and be more responsive to those needs. Part of the changes that TJJD will be proposing to the TJJD Board in those rules deals with the Minimum Length of Stay. The Human Resources code says that upon admission TJJD must establish a minimum length of stay taking into consideration the severity of the youth's offense or conduct and the risk he/she pose to the community. There is not a lot of direction as to how they do it. They have looked at different variables as well as what other states are doing. He is requesting input from the Advisory Council and chiefs as to what does the Length of stay grid look like. TJJD will be reaching out to the regions to receive input on this matter.

### **Public Comment**

None

## **Advisory Council Member Updates and Announcements**

None

### **Next Meeting:**

The council will meet in person on Friday, July 15, 2022 at 10:00 a.m. The meeting is scheduled to be in person. The location of the meeting will be determined at a later date.

**Meeting Adjourn** – at 12:12 p.m.

DRAFT