



TEXAS JUVENILE JUSTICE DEPARTMENT

Response to the Independent Ombudsman Third Quarter Report, FY 2014

August 25, 2014

The Texas Human Resources Code, Section 261.060, provides that the Office of the Independent Ombudsman (OIO) shall accept comments from the Texas Juvenile Justice Department (TJJD) for the OIO quarterly reports. The Code also provides that TJJD may not submit comments after the 30th day after the date of the report. TJJD received the Third Quarter Report on August 13, 2014.

The Third Quarter report identified OIO activities for March 1 through May 31, 2014 with the main focus on summarizing OIO activities. The report noted:

- The Office of the Independent Ombudsman closed 37 cases during this reporting period and of those, 18 cases were founded.

The report also included the following comments:

“Reports secured from the TJJD data files indicated the number of assaults, including youth on youth and youth on staff, declined over the last few months. In addition, gang activity and disruptions also declined in most of the facilities. The facility that was on a Corrective Action Plan had a decrease in all disruptive behavior as well. While the data indicated an improvement during this time period, history shows fluctuations throughout the year which means the current numbers are not indicative of a steady trend. However, the data does indicate that at the time of review and visits there had been a decrease in the amount of violence in the secure facilities and the youth interviewed did not express an increase in fears for their safety. Additionally, walkthroughs of the facilities did not produce additional areas of concern. The OIO concluded that the overall safety of the youth was in no more or less jeopardy than is typically and inherently present in correctional facilities. The OIO will continue to monitor the facilities and all available data for safety concerns.”

General Updates

We concur with the IO that the State Programs & Facilities Division has made progress on multiple issues in order to improve safety and the quality services for youth in the care of TJJD. Long-term changes require perseverance and commitment. Specific areas of current focus by senior leadership include:

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Incident reporting and trends: In addition to the decline in assaultive incidents reported by the OIO for the third quarter, the overall total incident rates for secure facilities declined in June (beginning of the 4th quarter). All three programs at our McLennan County Facility saw improvements. We continue to ask Superintendents to examine their reports, drill down in the data and identify trends with specific youth, within campus areas and with specific staff members in order to develop appropriate corrective response.

Corrective actions have included:

- developing individual case plan adjustments for specific youth which may include adjustments to their treatment need requirements;
- improving coaching and mentoring on dorms for the provision and supervision of group sessions and how to address youth problem areas;
- additional training for case management staff on motivational interviewing to improve communication and the ability to gather information from youth helpful in rehabilitation and success planning;
- dormitory restrictions to address negative group culture issues and incentive planning to support positive youth culture; and
- training on incident report writing and coding to increase consistency and fidelity.

Gang activity and intervention: Although the OIO reported and overall decline in gang activity, the Giddings facility is seeing a slight uptick in incidents and is reviewing trends to identify issues related to gang activity. Despite the recent uptick, it should be noted that their averages are still well below their incident rates of nine to twelve months ago. They have also recently begun the rollout of the New Freedom Gang Curriculum which we expect to have positive benefits for our campuses with a higher rate of gang activity; those campuses include Evins, Giddings and Gainesville. The agency is in the process of taking steps to employ Security Intelligence Officers at each secure facility. These positions will have the primary function of assessing and intervening with gang activity on the campus.

Positive behavior Interventions and Supports (PBIS): The Ron Jackson facility is participating in the initial roll out of Positive Behavioral Interventions and Supports (PBIS) on one of its female dorms and results to date are very promising with an overall decrease in all incidents on that dorm and a positive reception from both staff and students. The Ron Jackson facility is seeing a drop in the incident rate for the long-term girls program with a slight continued increase in the orientation and assessment unit (O and A), which is primarily male. As PBIS roll out continues, the agency expects commensurate drops in behavior incidents at the male units, including the O and A.

Progress at the Evins facility:

As the OIO noted, the facility that has remained under corrective action, Evins Regional Juvenile Center, has shown improvement. On July 24, 2014, the Evins facility hosted Texas House Representatives Terry Canales and James White for a tour of campus and a discussion about programming and issues facing the agency. Representative Canales posted photos of the visit

with positive comments on both his Facebook page and Twitter accounts. The following is a quote from Representative Canales posts:

“This afternoon, I toured the Evins Juvenile Detention Center in Edinburg with Representative James White R-Woodville, Texas. The Evins facility holds around 136 juvenile inmates that have been charged with felony crimes ranging from murder to habitual burglary. We have plenty of data that shows that juveniles who commit crimes can reform and become productive members of society. As your Representative, I will fight to make sure that we do not give up on our troubled youth. Reforming our youth saves your taxpayer money and it is the right thing to do.”

On July 26, 2014 the Evins Juvenile Regional Center hosted their Fifth Annual Connecting Youth, Family and the Community Event. Approximately 120 visitors, primarily family members, attended the event to support youth assigned there.

Workers’ Compensation

Workers’ compensation rates are one indication of long-term trends in staff in the area of safety for staff members. So far in FY 2014, the agency has averaged approximately 41 claims per month, somewhat higher than the FY 2013 average of 36.6 per month. In FY 2014 there has been an average of 29 claims per month due to aggression compared to FY 2013 that averaged 25 per month. The end of the third quarter (May 2014) had a relatively high rate of claims (44 filed); however, this was followed by a significant decrease in the first month of the 4th quarter. Of the 35 claims in June,

- 30 were due to aggression (16.7% of those occurred during an assault while 83.3% occurred during a restraint); and
- 5 were due to industrial injuries.

Although, the agency’s FY2014 projected annual Injury Frequency Rate (IFR) is 19.05 compared to the FY2013 IFR of 15.92, the workers’ compensation expenditures for FY14 June year-to-date totals \$2,794,017.21; a 14% decrease compared to the same period last year (\$3,263,307.89). Previous year claims account for 68% of the cost. This indicates that while more injuries are being reported, the severity of injuries may be decreasing. In terms of long-term trends, it is important to note that *the FY12 average of claims per month was 49.7. The agency has consistently remained below that mark in FY13 and FY14.*

TJJD continues to appreciate the efforts of the OIO to ensure safety and security is maintained for TJJD youth and staff. We will continue to make systemic improvements that will enable youth to be successful in rehabilitation efforts and provide a safe and rewarding working environment for staff. We welcome the input of the OIO in the development and roll out of programmatic changes.

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