



TEXAS JUVENILE JUSTICE DEPARTMENT

ADMINISTRATIVE DIRECTIVE #3 FY13

TO: Institution Superintendents
FROM: Mike Griffiths, Executive Director
SUBJECT: Directive to Hold Level II Hearings
DATE: March 12, 2013

This Administrative Directive supersedes Administrative Directive #2 FY12 dated 7/11/2012 also regarding holding Level II hearings.

Effective immediately at all TJJD-operated high restriction facilities, superintendents must ensure that Level II hearings are requested and approved for the following major rule violations as alleged on a properly reviewed and finalized Incident Report:

- Assault causing bodily injury to another youth
- Assault causing bodily injury to Staff
- Escape or Attempted Escape
- Chunking Bodily Fluids
- Distribution of Prohibited Substances
- Extortion or Blackmail
- Misuse of Medication
- Sexual Misconduct (other than kissing)
- Tattooing/Body Piercing
- Possession of a Weapon

All major rule violations are considered serious and it is expected that youth will be held accountable for rule violations. The intent of this change is simply to return discretion to local authorities in determining when due process hearings are appropriate in certain cases. When youth commit any major rule violation not listed above, the facility hearing specialist must review the available evidence with the Assistant Superintendent or Superintendent to determine whether or not to hold a Level II due process hearing.

The purpose of this directive is to ensure consistency at each facility in the implementation of agency policy regarding approval to hold Level II hearings. Staff from the State Programs and Facilities Division will be monitoring each facility's compliance with the terms of this directive.

This directive will remain in effect until staff are notified otherwise.

A handwritten signature in black ink, appearing to read "Mike Griffiths", written over a horizontal line.

Mike Griffiths
Executive Director