



Advisory Council on Juvenile Services

Meeting Minutes

Friday, December 16, 2022 @ 10:00 a.m.

2515 South Congress Ave, Austin, Texas 78704

Advisory Council Members present:

Vice Chair, Lynn Hadnot, Ed Cockrell, Vice Chair; -Marc Bittner, Shanna Floyd, Shandra Carter, Lou Serrano, Homer Flores, Judge Mark Allen, Melanie Ramsey, Karina Browning, Todd Serpico in place for Christy Ashworth-Mazerolle

Advisory Council Members not present: Judge Natalia Oakes, Judge Larry Thornes, Christy Ashworth-Mazerolle

TJJD Staff in attendance:

Amy Miller, Sean Grove, Jerry Adams, Ashley Kintzer, Ryan Bristow, Lynn Jackson, David Ellis, Javier Aguilar, Nate Jackson, Mark Williams, James Wilson and Ronnie Solano, Travis County Chief Cory Burgess.

Other attendees:

Chief Scott Mathews, Nicole Williams, Josh Martin, Andrea Terrell, Megan Clanton,

Call to Order/Introductions:

The meeting began at 10:05 a.m. with Lynn Hadnot introducing himself and taking roll call of the Council members.

Approval of Minutes: September 16, 2022 Meeting:

Marc Bittner made a motion to approve the minutes. Homer Flores, seconded the motion. The motion passed.

Texas Juvenile Justice Department updates:

Director Shandra Carter reported the TJJD Board of Directors having moved to officially appoint her Executive Director during its board meeting held on December 6, 2022. Other important updates reported included Mr. Daniel Guajardo being appointed as Chief, Office of Inspector General. Director Carter made the council aware TJJD Board Chair, Judge Lisa Jarrett, reported she would be stepping down as TJJD Board Chair and the Governor's Office would be working through the process to evaluate and appoint a successor. The Department of Justice (DOJ) continues investigative site visits within the state agency's secure-facilities, with an emphasis on mental health, protection from harm, and education. So far, investigative findings

have not presented any information or concerns the agency was not already aware of working to address.

Sean Grove, TJJJ Chief of Staff, provided an update regarding the status of Sunset Review and spoke to the agency's focus on bills and appropriations. Chief Grove also spoke to the importance of ensuring TJJJ executive leadership and the field of juvenile probation, working through the advisory council, continues to collaborate for consistent messaging to strengthen the system during the upcoming legislative session, educating stakeholders on bill implication for both the state agency and the field, and answering media inquiries with Bobby Kessler, who is the newly designated Communications Director for TJJJ.

Lou Serrano, TJJJ Deputy Executive Director, provided an update on probation services. The waitlist for state-committed youth was reported to be at 100 youth, an improvement from a previous high of 165 youth. The time youth are waiting in county facilities is averaging around 120, days with some youth being deemed priority-move and transitioning to state care much faster on a case-by-case basis. Reimbursement funding for detention costs for departments without detention facilities continues to be available wherein youth who have been committed to TJJJ have to be held in local detention centers on the admissions waitlist. TJJJ grants and commitment targets have been established and provided to the field. Commitment target for this year increased from a target of 530 the previous year to 640 pursuant to an increase in violent felony referrals across the state. Approximately \$433,000 was returned to TJJJ during the previous fiscal year; mostly Discretionary State-Aid funding (DSA). TJJJ was able to execute a grant solicitation with the field and reallocated the funding to four (4) counties for local services focusing on wrap-around support services, an evening reporting center, and in-home case management.

Director Serrano reported regionalization efforts continue to be ongoing with counties actively engaging in the diversion process. As of November 28, 2022, there were 199 youth actively participating in diversionary placement, and applications for diversion were up 18% from this time the previous year. The Regionalization Task force is working to finalize its report and will look to have its recommendations submitted to the TJJJ Board at the next meeting in February of 2023. Juvenile Justice Alternative Education Programs (JJAEP) continue to see increases in mandatory expulsions.

Recent communications with the field suggest departments may need training and guidance with executing the Juvenile Medicaid Tracker application and process pursuant to HB 1664 which provides for Medicaid-eligible youth to have their Medicaid suspended when detained in secure facilities. The state agency will look to provide a webinar and other supports to ensure local probation departments are able to comply with bill requirements and receive financial reimbursement for Medicaid-eligible youth who are detained but subsequently require emergency hospitalization. Lastly, Director Serrano reported there were currently 285 youthful offenders on parole status. Parolees being supervised over large geographic service areas continues to be a challenge the state is navigating with some kids residing in rural and more remote areas some distance from state offices. The executive team at TJJJ continues to

engage with the field and have conducted meetings with the President's Council and launched a meeting with urban chiefs across the state to discuss issues and challenges which are unique to larger departments. The state continues to recruit and build stronger mental-health staffing and have hired additional staff.

Ryan Bristow, Manager of Projects and Integrated Systems, reported the state continues its work with local departments to streamline assessments for youth on the TJJD-commitment waitlist.

Sunset Review Update & Discussion:

Sunset Commission recommendations would require some statutory changes, and the state agency will undergo a two (2) year Sunset Review cycle. Legislative members of congress have expressed support for providing more funding for a system deemed underfunded. Monitoring and inspections will likely be moving to risk-based monitoring strategies. Sunset has requested the legislature evaluate salaries for staff to address recruitment and retention. Additional recommendations include identifying locations for new state-operated facilities. The agency Legislative Appropriations Request (LAR) also includes a funding request to address salary increases for county departments for probation and supervision officers. A consultant with the Facilities Commission provided analysis and preliminary recommendations for new facility locations which are areas surrounding Beaumont, Midland, Abilene, Wichita Falls, and Laredo, Texas. Preliminary recommendations for mental-health facilities include Dallas-Fort Worth Metroplex, San Antonio, Houston, and Waco with consideration of labor pool and logistical distance from existing county facilities. Recommendation methodology also considers closer-to-home initiative, proximity of universities, and mental-health services capacity and availabilities. Sunset is recommending 100-bed facilities (new builds) as opposed to the agency's request for 48-60 bed facilities at a projected cost of approximately \$110 million per facility. Some Sunset recommendations will require rule changes, and the council subcommittee for standards will be asked to work with the state agency to review and address potential changes and to ensure compliance with Texas Administrative Code (TAC) rule review that must occur every four (4) years per statute. Other recommendations of Sunset include efforts to expand regionalization and updating the TJJD website. Mr. Grove reported fruitful conversations with legislative stakeholders being ongoing regarding the potential striking of Rider 4 which limits departments' abilities to give pay increases greater than 12% when any portion of the employee salary comes from state dollars.

Lastly, Amy Miller, Director of Probation Services with TJJD, discussed HB 932 and HB 1521 governing information sharing. TJJD, DFPS, and the advisory council has worked to gather information regarding the status of information sharing procedures and efficacy between the stakeholders. While there are some data-point matching, the matching is extremely limited at this time and only involves TJJD youth and DFPS. Most probation departments report the ability to receive DFPS information within 14 days, but often need immediate information to make immediate decisions for youth and families, e.g., release decisions for youth referred to juvenile detention. Harris County has developed a robust information system which provides

local stakeholders the ability to use real-time data for dual-status youth. Harris County stakeholders will be consulted for the exploration of the state-hosted system.

TDFPS Update:

Todd Serpico, Division Administrator for Transitional Living, and staff provided a presentation on the agency's Alternative Response Program. Alternative Response (AR) involves agency case manager variation from the traditional investigative approach, with an emphasis on family engagement to increase safety factors and improve family function through collaboration with all family members and community engagement for needed services. Not all cases are eligible for alternative response. Ineligible cases include but are not limited to; victims under the age of six (6), other children within the home under the age of six (6), cases involving serious physical injury, cases with existing open cases in Texas or other states' child abuse investigatory agencies, etc. Currently, approximately 25% of agency cases are being handled through AR. The agency is seeking to expand AR case capacity to 40% in the near future. Focus of AR is not primarily to issue findings, but to improve safety, protective factors, and assist families with not having future occurrences in the future. Traditional cases run approximately 45 days on average, with AR cases averaging approximately 60 days, with extensions being possible for ongoing support and services.

Sub Committee Report:

- **Long Range Strategic Planning** – Chairman Hadnot reported the subcommittee work continues to be on pause. The committee will allow the Regionalization Task Force to continue its work and collaborate with the task force and the field to focus on the LAR and engage with policymakers individually during the legislative session.
- **FFSP Workgroup** – Amy Miller, TJJD Director of Probation Services, reported negotiations between stakeholders with TJJD, DFPS, and the Federal Government continues with only a few questions remaining unresolved. Once the remaining question(s) are resolved, reasonable candidacy administrative claiming will be launched for IV-E reimbursement for applicable youth. Lastly, some of the routine work already being performed by the field would be eligible for administrative claiming and potential reimbursement, e.g., case planning, referring youth for services, etc.
- **Chapter 344 Workgroup** – Lou Serrano reported 344 recommendations having been finalized and published in the registry for public comment. Public comments are being reviewed by TJJD public policy division for response, followed by submission to the TJJD Board for consideration and potential action.
- **Chapter 55 Workgroup** – Chairman Hadnot provided the update on Chapter 55. The Chapter 55 workgroup has completed its proposed revisions, and the bill is being carried by Representative Wu who worked on the statewide workgroup (HB 1359). The bill is

currently in drafting and activity is ongoing regarding educating policymakers in both the state house and senate.

Old Business:

Unanswered questions rendered by members of the TJJD Board were reopened for discussion regarding youth being placed in out-of-state placements. It was determined CPS was placing some youth in out-of-state placements, and the majority of them were kinship placements. TJJD had no youth placed in out-of-state facilities. In January of 2021, DFPS was running an average of between 130 to 135 children placed in out-of-state facility placements. The agency has worked aggressively to reduce the number of out of state placements but had 103 youth in out-of-state placements as of December 16, 2022. All of the children in out-of-state facilities are placed in Psychiatric Residential Treatment Facilities, which is a resource not readily available in Texas. Most of these facilities are in Arkansas (52 kids), but the agency also has children placed in TN (15), VA (10), FL (5), and less than 5 in the following states: AL, MO, CT, AZ, UT, WY, CO, and KS.

New Business:

Nate Jackson, TJJD Director of Information Technologies, reported the agency will be hardening security measures for information sharing between the state and field. All e-mail communication from the state agency which involves criminal justice information and sensitive, personal identifiable information will require encryption. While the field will need to take a few additional steps to receive encrypted e-mail information from the state agency, the change will not require any software application or technology upgrades for the field. TJJD will offer a webinar to support the field with this transition.

Lastly, Mr. Jackson reported the agency plans to continue exploring ways to develop state-wide information sharing between county departments. Funding was requested in the LAR to build a state-hosted portal wherein departments can have access to needed information for youth who have been served in other jurisdictions. TJJD is also working on an enhancement within its current system which would allow departments to be able to track youth who are actively committed to TJJD facilities in programs.

Advisory Council Member Updates and Announcements:

Expiring terms for current advisory council members were discussed. Lou Serrano reported each region was actively engaged in submitted candidates and supporting documentation for TJJD Board appointment consideration. Chief Ed Cockrell was recognized for serving as council chair and thanked for the exceptional leadership he provided over multiple years as chair. Chief Melanie Ramsey was named advisory council vice-chair.

Public Comment: N/A

Next Meeting:

The council will meet virtually on Teams on Friday, April 14, 2023 at 10:00 a.m.

Meeting Adjourn – at 12:07: pm.