



TEXAS
JUVENILE JUSTICE
DEPARTMENT

**Statement to the TJJD Board from Executive Director Shandra Carter
August 9, 2024**

Good morning chairman and board members. For the record, Shandra Carter, Executive Director of TJJD.

As the board is aware, last week the Department of Justice completed an investigation into TJJD and released their report. DOJ received a complaint from Texas Appleseed and Disability Rights in the fall of 2020. DOJ launched an investigation approximately one year later, in October of 2021. It was not until May of 2022 that they began their site visits, which is also when I accepted the role of interim executive director. At the time of the 2021 investigation launch, we were hopeful that we were recovering from the pandemic but quickly fell into the "Great Resignation." When the DOJ site visits began in 2022, the agency was in the worst staffing crisis of both TJJD and TYC history. We simultaneously had our secure facilities at double the population that we could safely staff and had a growing waitlist of youth in the counties who were committed and waiting to be transferred to TJJD. The agency was completely transparent with stakeholders during this time and shared openly the dire circumstances we faced. The legislature and governor's office provided support prior to the legislative session even starting, with the legislature approving a 15 percent salary increase for our direct care staff. As you have heard many times from our data scientist, Noah Wright, this was the beginning of the agency turning things around and led to historic hiring numbers.

I do need to stop and recognize the incredible commitment and dedication of the staff who stuck with us and ensured we got through such a challenging time. We have talented, compassionate and innovative people working at this agency who are relentlessly committed to rehabilitating youth and keeping our communities safe. Despite what feels like endless scrutiny and criticism, they do not waver and stay focused on their mission. I am personally grateful for these folks and very proud of the team I lead.

Throughout the remainder of 2022 and through the 2023 session, the legislature and governor's office continued to review the state of TJJD and at the close of the 88th session the legislature provided historic support for the agency, providing over a \$1 billion budget for the biennium. With the prior boost of the 15 percent increase and this tremendous investment, the agency has been able to make considerable progress since the initial complaint was submitted.

While we are not currently under any pending litigation from DOJ and were informed last week that their goal is not contested litigation but to work with TJJD in good faith, my responses today to the details of the report will be limited due to the possibility of that litigation. DOJ provided a list

of 48 recommended remedial actions, 38 of which we know have already been accomplished or are currently in process. The remaining 10 actions are still being analyzed by the team, as we have only had the report for a week and are ensuring a thorough assessment.

We do understand that the report generates concern about the youth in our care and custody and in no way are attempting to minimize the concerns that were reported. However, we know that the agency today looks very different than we did two years ago when site visits began. We are confident that there is no deliberate indifference to the conditions of our facilities, or the programming provided to the youth in our care and custody. In our commitment to being transparent, we have extended invitations to our county partners and their stakeholders to tour any of our facilities and meet directly with their youth. This week we had chiefs and probation teams take us up on that offer.

We will keep the board updated as the negotiations with DOJ evolve.

We are about 155 days from the beginning of the 89th legislative session and are in the season of interim hearings. We have a Juvenile Justice and Family Issues committee meeting scheduled later this month and anticipate Sean Grove and I providing testimony in this hearing about the investigation.

I do want to address testimony that occurred last week during a Youth Health and Safety committee hearing. In describing the conditions in our facilities, we had an advocate testify that “we have kids who have died and kids who are subject to beatings.” While this claim likely achieved its goal of being inflammatory, it is inaccurate. Later today you will hear directly from Chief Inspector General Daniel Guajardo as to the actual facts.

Moving on to recent actions taken by the board since our last meeting, Chairman Matthews convened a meeting with over 20 local probation chiefs and members of our Executive Governance Committee. There was robust discussion about the waitlist and what solutions were available immediately. The meeting concluded with guidance to engage in “population management” as defined by our policy. The parameters were to focus on 17-year-old and 18-year-old indeterminate youth. Since that time, we have assessed 17-year-old and 18-year-old indeterminate youth with a non-violent committing offense for consideration for transition to a halfway house or parole. As you would expect, this is a small number of youths in TJJD secure facilities, as most youth come with a violent committing offense. Our commitment to public safety really limits our ability to consider transitioning youth with violent committing offenses prior to completion of treatment and programming.

Through combined efforts of leveraging secure facility and halfway house beds to the greatest extent possible, ensuring efficient processing of youth transitioning off the waitlist, and transparent communication with our county partners, we have been able to make progress on reducing the waitlist. Deputy Executive Director Sean Grove is going to give you an update today on staffing, facility populations and the waitlist.

That concludes my statement, and I am happy to answer any questions prior to Sean’s report.