

Texas Juvenile Probation Commission

SELF-EVALUATION REPORT

A Report for the Sunset Advisory Commission

August 2007

Texas Juvenile Probation Commission
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"There are two lasting bequests we can give our children...one is roots, the other is wings."

-Hodding Carter, Jr., Journalist

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I. Agency Contact Information

Texas Juvenile Probation Commission Exhibit 1: Agency Contacts

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II. Key Functions and Performance

A. Provide an overview of your agency's mission, objectives, and key functions.

The Texas Juvenile Probation Commission (TJPC) works in partnership with local juvenile boards and juvenile probation departments to support and enhance juvenile probation services throughout the state by providing funding, technical assistance and training, establishing and enforcing standards, collecting, analyzing and disseminating information and facilitating communications between state and local entities.

The Commission was created in 1981 by the 67th Legislature and was re-authorized after Sunset Review in 1987 by the 70th Legislature and again in 1997 by the 75th Legislature. The statutory basis and enabling legislation for TJPC is found in Chapter 141 of the Texas Human Resources Code. The purposes of the agency, according to Section 141.001, are to:

- ★ Make probation services available to juveniles throughout the state;
- ★ Improve the effectiveness of juvenile probation services;
- ★ Provide alternatives to the commitment of juveniles by providing financial aid to juvenile boards to establish and improve probation services;
- ★ Establish uniform standards for the community-based juvenile justice system;
- ★ Improve communications among state and local entities within the juvenile justice system; and
- ★ Promote delinquency prevention and early intervention programs and activities for juveniles.

The Commission achieves its mission through a comprehensive range of funding, monitoring and technical assistance, programs and services. Functionally, the Commission provides a variety of services to assist local juvenile boards, juvenile probation departments and juvenile justice practitioners across the state of Texas. These functions include:

- ★ **Conduit for Legislative Appropriations.** The Commission allocates funds appropriated by the Texas Legislature in the form of grants to assist local juvenile boards in operating juvenile probation departments, juvenile detention and correctional facilities and providing basic and special services to children in the juvenile probation system. The Commission allocates over 97% of the funding received from the Legislature while less than 3% of the funds are utilized for agency administration.
- ★ **Contract and Grant Management.** In the fiscal years 2006 – 2007 biennium, the Commission allocated \$260 million to local juvenile probation departments through multiple contracts and grants to 168 local juvenile boards. The agency is mandated pursuant to Section 141.051 of the Texas Human Resources Code to monitor contracts and to ensure compliance with financial and performance requirements. The Commission also evaluates program costs to ensure that costs are reasonable and necessary to achieve program objectives. The Commission utilizes its new automated, web-based Compliance Monitoring, Enforcement and Tracking System (COMETS) to monitor contract and grant requirements.
- ★ **Legal Assistance.** The Commission's Legal Division within the Office of the General Counsel provides legal assistance and training to juvenile probation departments, judges, prosecutors, defense attorneys, law enforcement, school officials and other juvenile justice practitioners across the state on a variety of juvenile law and procedural topics. Additionally, the Legal Division provides legal expertise to the Commission's governing board and staff.

- ★ **Technical Assistance and Training.** The Commission's 62 staff members provide technical assistance to juvenile justice practitioners statewide on a daily basis through telephone assistance, email, fax and personal on-site visits. The Commission provides free or low cost training to juvenile justice professionals across the state including juvenile board members, juvenile court judges, justice and municipal court judges, juvenile prosecutors, probation officers, detention officers, law enforcement, students, state agencies, and the public.
- ★ **Promulgate, Monitor and Enforce Statewide Standards.** The Commission is legislatively mandated to promulgate administrative standards to regulate the administration of juvenile probation departments, juvenile justice alternative education programs, abuse, neglect and exploitation, probation services, and the operation of secure juvenile pre-adjudication detention and secure post-adjudication correctional facilities. The Commission is also statutorily required to monitor the programs and facilities provided by local juvenile probation departments. In fiscal year 2003, the Commission implemented a new automated monitoring system known as the Compliance, Monitoring, Enforcement and Tracking System (COMETS) (See Attachment 20).
- ★ **Certification of Probation and Detention Officers.** The Texas Juvenile Probation Commission certifies juvenile probation and detention officers to ensure these officers meet the minimum statutory requirements for education, work experience and specialized training. The Commission certified a total of 3,814 probation and detention officers in fiscal year 2005, and a total of 3,634 probation and detention officers in fiscal year 2006. To become a certified juvenile probation officer an applicant must possess a bachelor's degree, be 21 years of age, have one year of related experience or one year of graduate studies, be of good moral character and have the requisite specialized training. To become a certified juvenile detention officer an applicant must be 21 years of age, have a high school diploma or its equivalent and receive the required specialized training. State and federal criminal background checks are also required.
- ★ **Strategic Planning and Policy Development.** The Commission regularly conducts a formal strategic planning process in conjunction with key stakeholders in the system to project the needs of the juvenile probation system and develop policy accordingly. The Strategic Planning Division develops in-depth plans biennially for the Commission's Strategic Plan, Joint Coordinated Strategic Plan with the Texas Youth Commission, Joint Juvenile Justice Alternative Education Program Strategic Plan with the Texas Education Agency, and the TJPC Workforce Strategic Plan.
- ★ **Research and Statistics.** The Commission's Research and Statistics Division provides the agency's internal and external users of information with valid and reliable data for ongoing decision-making regarding juvenile justice, criminal justice, health and human services, and public education policies. The division also:
 - Collects, verifies, analyzes and evaluates statewide statistical information related to juvenile justice;
 - Serves as statistical research consultants and furnishes necessary statistical and other research data;
 - Provides training and technical assistance related to statistical reporting; and
 - Provides research and literature research/review relevant to juvenile justice issues.
- ★ **Juvenile Secure Facility Registry.** The Commission is statutorily required to establish and operate a statewide facility registry as mandated by Section 141.042(c) of the Texas Human Resources Code. The statewide registry functions as a database of information about each secure juvenile facility operating in the state. Pursuant to Texas Family Code, no child shall be placed into a secure facility that is not registered. Registry information on all secure facilities is available on the Commission's website at www.tjpc.state.tx.us.

- ★ **Management Information Systems.** The Commission's Management Information Division develops, provides and maintains a variety of software programs at no cost to local juvenile probation departments to assist them with their daily operations in addition to providing custom software applications for the agency's internal use.
 - **CASEWORKER/5 – Juvenile Tracking and Case Management System.** CASEWORKER/5 is an automated juvenile tracking and case management system designed, developed and provided by the Commission to all juvenile probation departments and juvenile probation facilities in Texas to collect, store, retrieve and print juvenile caseload information. There is no cost to local probation departments or facilities for the use of CASEWORKER. CASEWORKER is utilized by more than 98% of juvenile probation departments in Texas to facilitate case management and statistical compilation of data.
 - **Web-Enabled Applications.** The use of web-enabled applications has greatly improved the collection and management of information related to several agency-sponsored programs. These include the Automated Certification Information System (ACIS), Family Preservation Program, Substance Abuse Prevention and Intervention System, Juvenile Justice Alternative Education Program System (JJAEP), and Special Needs Diversionary Program (SNDP). Additionally, the Commission has deployed the Compliance Monitoring and Enforcement Tracking System (COMETS) onto laptops, which allow agency staff to issue onsite performance monitoring reports. These performance reports are transmitted to the Commission using wireless Internet technology.
 - **TJPC Hosted Email for Local Juvenile Probation Departments.** The Commission provides one e-mail address for each juvenile probation department as a quick and cost-effective means of communication between local departments and the Commission.
- ★ **Interagency Workgroups and Projects.** The Commission has been instrumental in developing interagency workgroups with the governing boards and staffs of other state agencies that provide services to children. The goal of these projects is to improve the delivery of services to children and to reduce or minimize barriers to efficient service delivery.
- ★ **Child Abuse, Neglect and Exploitation Investigations.** The Commission conducts official investigations of all reported and alleged cases of child abuse, neglect and exploitation in all secure juvenile facilities and in any program operated by a probation department or under a contract with a juvenile board. The Commission currently employs five investigators who conduct investigations in juvenile programs and facilities throughout the state and provide on-going training and technical assistance.

B. Do each of your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

Each of the current functions of the Commission is still required and each function continues to serve a clear and ongoing objective. Each of the agency functions is critical to the statewide community-based juvenile probation system and must be continued in order for the juvenile probation system to function and be effective. If any of the functions of the Commission were eliminated, the community-based juvenile probation system would cease to function in the exemplary manner that it does today.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

Internal. Strategic planning has always been a significant feature of the agency's strategic management process. One of the most useful "value added" features of the strategic planning process has been agency management's emphasis on employee satisfaction. The relationship between employee satisfaction and employee performance has been well documented. As a result, the agency's utilization of the Survey of Organizational Excellence (SOE) has effectively generated operational strategies designed to address issues internal and external to the agency. The SOE is, in essence, an internal audit of an organization's capacity to carry out its function and mission. Therefore, the SOE serves as a valuable instrument toward building quality, excellence and emphasizes continuous improvement. The Executive Staff have used this survey to enhance organization structure, internal policies and procedures, management strategies, working conditions, employee pay, supervision strategies, policy and procedure revisions, employee training, innovation and leadership models to improve agency performance on all SOE measures. During the last state strategic planning cycle, the SOE was administered on-line to 56 TJPC employees. Of those surveyed, 41 TJPC employees returned completed surveys back to SOE staff. Therefore the survey participation rate or "return rate" was 73% of those surveyed. High return rates mean that employees have an investment in the organization, want to see the organization improve and generally have a sense of responsibility to the organization. Low response rates can mean several things. There simply may not have been sufficient efforts made in communicating to employees the importance of completing the survey. Low rates of response may suggest a lack of organization focus or responsiveness. It may also suggest critical levels of employee alienation, anger or indifference to organizational responsibilities. As a general rule rates higher than 50% suggest soundness. Rates lower than 30% may indicate serious problems. At 73%, the TJPC response rate is considered high.

Employees were asked to comment on their perceptions of the organization's functioning in 20 major "core construct" areas. These "core constructs" were grouped into five major Workplace Dimensions: Work Group, Work Setting, Organizational Features, Information and Personal. The table on the following page compares TJPC survey results on the core constructs to the average of all participating state agencies. The maximum score attainable on a construct is 500 and the minimum is 100. Any construct with an average score falling below the neutral midpoint of 300 indicates that, on average, employees perceive the issue more negatively than positively. Constructs with scores below 200 should be a significant source of concern for the organization, while scores over 400 are areas of substantial strength for the organization.

A review of the scores on the 20 constructs does not indicate any major problem areas at TJPC. In fact, TJPC's scores are, on average, at or above the scores for state-wide averages, averages for agencies of similar size (i.e., 26 to 100 employees) and as well as agencies with a similar mission (i.e., Public Safety/Criminal Justice). Agency management has developed strategies designed to improve employee satisfaction in the lower-scoring constructs. The construct scores indicate that employees identify TJPC's strengths as strategic orientation, availability (i.e., availability of information critical to their job functions and productivity) quality (i.e., quality principles as part of agency day-to-day operations) adequacy of physical environment and external communication. Agency scores for each of the 20 constructs increased from the previous administration of the survey. The largest gains were made in the functional areas of change oriented (50 point increase), diversity (46 point increase), fair pay (43 point increase), internal (43 point increase), and holographic (40 point increase). There was average increase of 32.55 points for each construct score.

External. Assessment of customer service satisfaction has been a standard practice for the Commission since its inception. Ensuring optimal customer satisfaction is a high priority for the agency. The Commission's management strategies are designed to maximize the quantity and quality of agency deliverables to external stakeholders. The first line of customers of the Commission is comprised of local juvenile probation departments, which includes juvenile boards, juvenile court judges and juvenile probation officers. The Commission provides funding and services to local juvenile probation departments. Texas is a diverse state with shifting social, political and economic dynamics to which the agency must be sensitive. As a result, the Commission has instituted a standard practice of soliciting customer satisfaction input as an integral part of the agency's ongoing operations. Focus groups, regional meetings with local governmental stakeholders, as well as ongoing dialogue with elected officials and their representatives are conducted as vital components of the agency's customer-response system. The Commission conducted a Customer Satisfaction Survey in March 2006 (See Attachment 19) during the last planning cycle. The survey was designed and published onto the agency's website for easy access, rapid response rates, increased respondent flexibility and cost-effective administration. Upon completion of the survey by each respondent, results were automatically migrated into a database for analysis. In the survey items, respondents were asked to indicate how strongly they agree or disagree with 81 questionnaire items (i.e., individual questions) that describe their level of satisfaction with TJPC services in the areas of:

- ★ Rule Making Authority;
- ★ General/Overall Customer Satisfaction;
- ★ Satisfaction with Facilities;
- ★ Satisfaction with TJPC Staff;
- ★ Satisfaction with TJPC Communications;
- ★ Satisfaction with TJPC Internet Site;
- ★ Satisfaction with the TJPC Complaint Handling Process;
- ★ TJPC Training;
- ★ TJPC Monitoring;
- ★ TJPC Federal Programs;
- ★ TJPC Fiscal/Contract/Audit Functions;
- ★ Legal and Legislative Services;
- ★ Research and Planning Services;
- ★ Management Information Systems; and
- ★ Juvenile Justice Alternative Education Program Services.

The scoring system requires a score of "1" for "Strongly Disagree", "2" for "Disagree", "3" for "Neutral", "4" for "Agree", "5" for "Strongly Agree", and "6" for "Don't Know/Not Applicable". Scores in the "Don't Know/Not Applicable" category were not included in the numerical tabulations. Overall scores for each of the areas above were tabulated and multiplied by 100 to derive an overall Customer Service Quality Element Score. These scores are displayed in the section of this report titled "Analysis of Findings."

High rates of return mean that customers feel a connection with the agency, want to see the agency improve and feel that their responses will be legitimately heard and incorporated into agency operations. Low response rates may mean a lack of confidence in the agency's capacity to respond to customer concerns, inadequate instructions or time frames for the customers to respond and customer alienation, anger or indifference to the agency. As a general rule, response rates higher than 50% suggest soundness. Rates lower than 30% may indicate serious problems. The response rate from juvenile probation departments was 45%, which is considered to be average, as 71 of the 159 (several chief juvenile probation officer positions were vacant at the time of administration) chief juvenile probation officers completed and returned the survey.

Each key construct area is listed with its corresponding score. Scores of 400 or higher indicate areas of substantial strength. Scores above 300 suggest that customers perceive the issue more positively than negatively, while customers view the issue for scores below 300 more negatively. Scores below 200 should be a significant source of concern for the organization and should be attended to immediately.

Customer Service Quality Element scores were highest for TJPC Internet Site, TJPC Staff, and Management Information Systems. High scores for TJPC Internet Site (Score of 442) indicate that TJPC customers feel the TJPC website is useful and the information published therein is accessible, relevant to their needs and well organized. Scores on the TJPC Staff (Score of 430) customer service element focus on the overall impressions that customers have developed of TJPC staff and the extent to which they conduct themselves in a customer oriented manner. High scores on this element indicate that customers are quite satisfied with the extent to which TJPC staff: a) are able to answer their questions; b) are courteous; c) are knowledgeable and helpful; d) demonstrate a willingness to assist them with their needs. Scores on the Management Information Systems element (Score of 421) reflects customer satisfaction with the software development, deployment, technical support, training and utility in meeting the many management information needs and operations demands in their jurisdictions. In no case were customer service quality element scores below 350: the benchmark for acceptable performance in all areas of the agency's customer service operations.

**Customer Satisfaction Analysis of Findings
Fiscal Year 2006**

CUSTOMER SERVICE ELEMENTS	SATISFACTION SCORE
General/Overall Customer Satisfaction	413
Facilities	404
TJPC Staff	430
Communications With TJPC	408
TJPC Internet Site	442
Complaint Handling Process	407
Agency Training	411
Monitoring	382
Federal Programs/Services	372
Agency Fiscal/Contracts/Audits	415
Agency Legal/Legislative Services	390
Agency Research and Planning	400
Management Information Systems	421
JJAEPS Services	405
Agency Rule-Making Authority	371

Process Evaluations. The monitoring function of TJPC is evaluated by local juvenile probation departments and facilities after each monitoring visit. An electronic evaluation instrument is provided to capture the responses of the participants (See Attachment 21). The tabulated results of this process are attached (See Attachment 22).

The Commission also produced a "Report Card" type document that provides input to each juvenile probation department and facility on their performance on standards compliance (See Attachment 23).

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

The enabling law for the Commission continues to correctly reflect our mission, objectives and approaches to performing our current functions. Current law provides an effective foundation for Commission activities, functions and responsibilities.

Since 1996, the Commission has provided suggestions for needed legislation prior to every legislative session and agency legal staff have worked with lawmakers on drafting the legislation. Most notably in 1997, the Commission proposed it be given the authority to investigate allegations of abuse and neglect occurring in programs or facilities operated by the juvenile court because no other state entity had jurisdiction in these situations. TJPC was given this authority effective September 1, 1997. During each legislative session since 1995, TJPC has worked on the omnibus juvenile justice bill with state leadership. Each session, these bills include any necessary changes to TJPC enabling legislation that were necessary.

Most recently, in 2007, the Commission provided a variety of suggested statutory changes to legislative leadership and these changes were contained in House Bill 2884 by Representative Harold Dutton. All suggested changes passed and will take effect September 1, 2007. Please see Section VIII of this document for a synopsis of this and other relevant legislation.

E. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

None of the functions of the Commission overlap or duplicate those of another state or federal agency. The scope of the duties and responsibilities of the Commission is unique and our agency is the only juvenile probation agency that performs these duties and mandates.

F. In general, how do other states carry out similar functions?

The functions for juvenile probation services vary significantly from state to state. Juvenile justice systems may be organized in a decentralized or centralized fashion, or with a combination of both for various juvenile justice functions (e.g., intake, juvenile court, probation, detention, institutions and parole). A few examples of these numerous configurations include:

★ **Combination State.**

Minnesota. Delinquency services are primarily organized at the local level in Minnesota; however, local autonomy produces several different scenarios. The counties, the Department of Corrections and private contractors provide detention services. Delinquency intake screening is the responsibility of either the county attorney or the juvenile court administration, depending on the county. Juvenile probation officers are responsible for predisposition investigations and probation supervision. Counties in Minnesota operate under one of three probation systems. The Department of Corrections operates juvenile correctional facilities. The Department of Corrections or juvenile probation officers/agents under contract with the counties provide aftercare/re-entry services.

Louisiana. Delinquency services are organized at both the state and local level in Louisiana. Parish (county) governments, parish boards and commissions, juvenile courts and law enforcement departments administer secure detention. The Louisiana Youth Services, Office of Youth Development (OYD) provides predisposition investigation, probation supervision and aftercare supervision services through 13 offices. OYD also administers the state's public commitment facilities. In five urban parishes, local executive agencies fund probation services and may also administer local probation staff. In Caddo Parish, the juvenile court administers probation services. Separate juvenile courts are created in four parishes (Caddo, Orleans, Jefferson, and East Baton Rouge). Separate juvenile courts exercise jurisdiction over delinquency proceedings. District, parish, or city courts exercise delinquency jurisdiction in parishes without a separate juvenile court created in statute. Juvenile courts, family courts, Parish courts and city courts are all limited jurisdiction trial courts. District courts are general jurisdiction trial courts that can create a juvenile division or juvenile and family division that may resemble the four juvenile courts created by statute, but are different (e.g., Calcasieu Parish).

Oklahoma. Delinquency services are organized at both the state and county level in Oklahoma. The Office of Juvenile Affairs and the Department of Juvenile Justice Services oversee juvenile detention and contracts for services from a range of providers. However, facilities are created and operated by county government. The Office of Juvenile Affairs provides probation supervision services in 73 counties in addition to commitment and parole services in all 77 counties. Canadian County, Comanche County, Oklahoma County, and Tulsa County have juvenile bureaus that provide intake, probation and aftercare services for direct placements in those counties. Legislation authorizes the county executive in certain size counties to create juvenile bureaus. However, administrative authority resides with the juvenile court judge and presiding judge of the local district court who are employees of the state court. Generally, district courts in each county exercise jurisdiction over delinquency proceedings. District courts are courts of general jurisdiction that may create specialized juvenile divisions or unified family courts that combine juvenile and family cases in one court division. Through interlocal agreements, some municipal courts have jurisdiction over delinquency proceedings referencing misdemeanor offenses.

★ **Decentralized State.**

New York. Delinquency services are organized at both the state and local level in New York. County commissions/boards or private agencies contracted by individual counties run detention facilities; the Department of Juvenile Justice administers New York City's juvenile detention system. Fifty-eight county probation departments in 62 counties investigate and supervise juveniles. The Office of Children and Family Services' Division of Rehabilitative Services administers commitment and most aftercare services.

California. Delinquency services are organized at both the state and local level in California. County probation departments administer detention, delinquency intake screening, predisposition investigation and probation supervision. The California Department of Corrections and Rehabilitation administers the state's delinquency institutions and parole supervision. Superior courts exercise jurisdiction over delinquency matters. Superior courts are general jurisdiction trial courts. In many counties in California, courts are called departments and special departments handle juvenile and family cases.

Arkansas. Delinquency services are organized at both the state and local level in Arkansas. Secure detention is administered at the local level in Arkansas through county boards, law enforcement agencies and the juvenile division of circuit courts. County governments fund juvenile probation services that are operated under the administrative supervision of the local circuit court, juvenile division. The Department of Human Services, Division of Youth Services administers delinquency institutions, aftercare services and contracts with private providers for alternatives to secure placements. Circuit courts have jurisdiction over delinquency proceedings. Circuit courts are general jurisdiction trial courts and the juvenile jurisdiction is organized in a juvenile division.

★ **Centralized State.**

Florida. A single state executive department administers most services to delinquents in Florida. The Florida Department of Juvenile Justice (DJJ) is specifically charged under Florida Statutes Section 985.404 (1) with developing and coordinating comprehensive services and programs statewide for the prevention, early intervention, control and rehabilitative treatment of delinquent behavior. DJJ is accordingly organized in four program offices: Prevention and Victims Services, Detention, Probation and Community Corrections, and Residential and Correctional Facilities. DJJ's Probation and Community Corrections Office administers intake, investigation and community supervision services, including aftercare. Services at the local level are organized in district offices corresponding with the geographical divisions of judicial circuits. Juvenile probation officers are generally responsible for delinquency intake, investigation and community supervision in Florida. The districts have the flexibility to separate the intake/investigation function from the community supervision aspects of probation. However, the position of juvenile probation officer is designed to follow a youth from entry to exit from the juvenile justice system.

New Mexico. With the exception of secure detention, the state operates most delinquency services for youth in New Mexico. County executive agencies administer detention. The New Mexico Children, Youth and Families Department, Juvenile Justice Services, administers intake screening, probation, and parole (aftercare) services through district offices covering the 13 judicial districts and administers commitment services. District courts exercise jurisdiction over delinquency proceedings. District courts are general jurisdiction courts.

G. What key obstacles impair your agency's ability to achieve its objectives?

Conditions internal and external to the agency pose tremendous challenges on how the Commission will effectively and efficiently meet the mission, mandates, performance standards and expectations of customers, key stakeholders and the public. This is especially difficult, given the limited resources of the agency in an era of exponentially increasing demands and meeting the challenge of "getting tough" on crime. We must find ways to assure that juveniles are neither abused nor treated in a manner that increases their criminality. With the increased focus on special needs populations such as female offenders, offenders with mental impairments, special education students, chemically dependent and substance abusing offenders and truants, the lack of resources, internal and external to the agency, will require continued innovation and reengineering to keep pace in the context of a rapidly changing environment.

The Commission utilized a web-based methodology to survey each local juvenile probation department regarding the key policy issues confronting them as well as their needs and expectations of state government during the previous strategic planning cycle for fiscal year 2006. Those same policy issues raised by chief juvenile probation officers are still applicable to the obstacles which impair the Commission's ability to achieve its objectives. Respondents were asked to provide answers to a series of questions. Responses were categorized and tabulated. The following categories of responses were most frequently cited by chief juvenile probation officers as the most critical policy issues that they feel should be given Commission's utmost attention:

- ★ Accountability standards and policies are causing financial and operations hardship on local government. Chief juvenile probation officers are concerned with the ripple effect that current accountability measures have caused in increased operations costs to local jurisdictions. Within the last 15 years, local juvenile probation practitioners have been progressively required to expand their operations beyond traditional juvenile probation services to include policies, procedures, programs, and services that were once limited to other disciplines. Those disciplines most mentioned in this survey are community mental health services, residential mental health services, public education services, alcohol and drug abuse services, and health care services. Service-mix, organizational

structures and operations budgets should proportionately grow to a capacity to equalize demands on local juvenile boards and probation departments with the resources to meet those demands.

- ★ Local juvenile boards and probation departments need more funding, technical assistance, training and other statutory services from the Commission. Chief juvenile probation officers noted their need for additional funding, training and technical assistance from the Commission to address the following demands on the organizational capacity: a) reduction of accountability oriented paperwork; b) mental health needs of juvenile offenders; c) health and safety issues for children in detention and post-adjudication facilities; d) increasing salaries of juvenile probation personnel; e) increased child protective services for juvenile offenders and their families, f) reduce overcrowding in detention facilities; and g) community treatment services for juvenile offenders and their families.

- ★ Additional resources are needed for juvenile justice alternative education program (JJAEP) operations. Each of the 26 counties operating a mandatory JJAEP and the school district disciplinary alternative education program (DAEP) administrators in the 26 counties were surveyed to determine their level of satisfaction within eleven key dimensions / policy areas relative to day-to-day operations. The following key policy issues were identified as the most critical policy issues faced by JJAEP and DAEP programs:
 - JJAEP and DAEP funding / resource needs for providing staff training, employing evidence-based programs and effectively addressing special education needs of students are at a critical level. Local practitioners of JJAEPs and DAEPs are asking for assistance from state government on this issue;
 - Deficits in regular classroom programs which have a direct effect on the flow of students into DAEPs and JJAEPs need policy and funding attention; and
 - Availability of and access to public health services, mental health services and other human services for communities with children in JJAEPs are needed. The current service level of these types of community programs and services are inadequate to serve JJAEP students and their families.

- ★ Recognition of the mental health needs of youth in the juvenile justice system has grown recently in Texas and across the nation. National estimates of youth in the juvenile justice system with diagnosable mental health disorders range from 50% to 75%, with approximately 20% having a serious mental health disorder. In a recent study conducted by Texas Juvenile Probation Commission's Research and Statistics Division titled "The Prevalence of Mentally Ill Offenders and Gaps in Services in the Texas Juvenile Justice System" (Posey, 2005), in fiscal year 2004, an estimated 26.5% or 18,929 of the 71,461 juveniles supervised by juvenile probation departments were mentally ill. This is an increase of prevalence from the three previous fiscal years (24.6% of the 69,300 juveniles supervised in fiscal year 2001, 25.7% of the 70,536 juveniles supervised in fiscal year 2002, and 26.1% of the 71,075 juveniles supervised in fiscal year 2003). These are conservative estimates of the prevalence of mental illness among juvenile probation populations. These estimates are derived from data matching of the state-wide juvenile probation database (managed by the Commission) with the state-wide mental health database of the Texas Department of State Health Services (TDSHS). These records do not include mentally ill juvenile offenders who: a) have never been diagnosed or received mental health services; b) have only received their mental health services through private providers; and/or c) have a history of mental illness and receipt of mental health services from the public mental health system predates the data system managed by TDSHS. A report published by Texas Juvenile Probation Commission titled Mental Health and Juvenile Justice in Texas (February 2003) references a mental health and substance abuse disorder prevalence study sponsored by The Center For The Promotion Of Mental Health In Juvenile Justice at Columbia University. The study was conducted by researchers Gail Wasserman, Ph.D. (Director), Larkin S. McReynolds MPH (Senior Data Analyst)

and Laura M. Katz MPH (Data Analyst). Findings in that study showed that nearly half of the sample reported having at least one mental health and substance abuse disorder (47.5%). One fifth of the juveniles reported having a single disorder (22.8%), 8.8% reported two disorders and 15.9% reported three or more disorders. Of the four diagnostic disorder clusters (Anxiety, Affective, Disruptive and Substance Use), approximately one quarter of the sample reported disorders in only one cluster (27.8%). Less than 15% reported disorders in two clusters (12.4%), 5.4% reported disorders in three clusters and only 2.0% reported disorders in all four clusters. One quarter of the sample reported Substance Use disorders, 22.8% reported Anxiety disorders (excluding Separation Anxiety), 20.3% reported Disruptive disorders and 8.0% reported Affective disorders. Regarding suicide ideation/attempt, 13% reported recent suicide ideation and 13.7% reported a lifetime suicide attempt

H. Discuss any changes that could impact your agency's key functions in the future (e.g., changes in federal law or outstanding court cases).

The federal Prison Rape Elimination Act (PREA) was passed in 2003 to combat the serious problem of prison assault and rape. The Act is applicable to juvenile justice programs and facilities. The PREA Commission is currently in the process of promulgating standards and guidelines for states regarding how to address this issue. Once effective, these standards will directly impact the Commission and local juvenile justice programs and facilities. The Commission is currently in the process of revising agency standards to reflect the principles of PREA.

I. What are your agency's biggest opportunities for improvement in the future?

It has been well documented that a myriad of forces, trends and conditions, both internal and external to the Commission, pose tremendous challenges to the agency in effectively and efficiently meeting its mission, mandates and expectations. Paradoxically, the same forces and trends provide tremendous opportunity for policy driven action and innovation in an era where the public and key stakeholders expect results and accountability. Within this context, the agency must aggressively pursue opportunities which assure children are not abused, exploited, or treated in a manner that that is unacceptable. In addition, emerging public policy issues of special needs populations such as female offenders, offenders with mental impairments, sex offenders, special education students, chemically dependent/substance abusing offenders and truants will continue to require the utmost innovation, creativity, and focus to keep pace in a rapidly changing environment. The following key policy issues are replete with opportunities which, while challenging, are ripe with value-added policy gains.

Leveraging Evidenced-Based Practices and Results-Driven Policies and Practices To Maximize System Efficiencies and Value-Added Deliverables. Child-serving agencies need to improve and enhance the design of programs and services in a manner which best meets client needs, risks, strengths, and capacities. Current statutory tools which may be employed by the agency to accomplish this objective, in collaboration with local juvenile probation jurisdictions, include standards development, standards compliance monitoring, juvenile probation workforce training, juvenile probation workforce certification, technical assistance/consultation, research and development, and funding.

Improving the Public Image of Juvenile Justice Agencies. There has never been a greater opportunity to re-define and reclaim the most wholesome image of juvenile justice in Texas. Public trust must be improved with all key stakeholders: legislative, juvenile justice advocacy groups, local government, juvenile judges, juvenile prosecutors, law enforcement, public defenders, juvenile justice practitioners, the media and the general public. While this will be an arduous task, it is a necessary part of this democracy process.

System Transformation and Redesign. The socio-economic complexities which impinge on policy makers and agency managers are great. An inherent opportunity in the midst of such complexities is the continued responsibility and necessity to analytically question, refine and re-define the agency's mission, mandates, scope, functions, and responsibilities. In a complex environment such as in Texas, to not do is an invitation to irrelevance. Juvenile probation policy, programs, services and operations cannot afford to be out of step with this complex environment.

Workforce Development. One of the most critical features of a successful organization enterprise is the ability to successfully equip and empower its workforce. Even the most advanced and innovative management strategies are impotent if workers who have the most direct contact with clients are not adequately trained, managed and compensated. TJPC will continue to explore ways to a) enhance the agency's computer -assisted training capability in order to reduce the costs and time associated with meeting the agency's mandate to provide statewide training to juvenile probation personnel, and b) to "raise the bar" on the professional acumen of juvenile probation professionals. Solutions to staffing and human resource issues for the agency must also be addressed in the coming years. The Commission has historically maintained a relatively small number of staff with less than 3% of the agency's entire budget being devoted to administrative costs. As a result, the external demands and subsequent internal operations needs have grown much faster than increased staffing patterns. Not only is it important for Commission staff to understand the statutes, mandates and service delivery systems related to each discipline, but it is also necessary to understand issues and skill sets necessary to administer and provide services therein.

Continued Integration of Innovative Technological Changes Into Business Processes. Another area that requires the agency's innovative focus is in its continued utilization of existing and new technologies to maximize efficiencies in the agency internal operations and its' interface with customers and key stakeholders. The Commission's Management Information Division provides a variety of software programs at no cost to local juvenile probation departments to assist them with their daily operations in addition to providing custom software applications for the agency's internal use. This type of innovation must be supported and enhanced to solve the Rubik's cube inherent in development of systems accountability, research and data-mining, and multi-agency data sharing.

Improved Decision-Making. Perhaps the greatest utility of a well coordinated, well managed and well equipped juvenile probation system is the capacity to give key policy decision-makers the best possible opportunity to make the best possible decisions. TJPC has committed business process and policy apparatus to get critical policy information to key policy makers in a timely fashion. Enhanced feedback from local communities, the general public, recipients of juvenile probation services and all components of local juvenile probation systems will provide decision-makers to make qualitative shifts in direction as issues and demands on the system change. This will result in improved responsiveness to local communities and to the needs of children who come before the purview of juvenile courts in Texas.

Improving and Enhancing Cross-Agency Policies and Procedures. It is no secret that an improvement in the integration and efficiencies of cross-agency policies and procedures is greatly needed. TJPC must continue to work with other agencies to decrease unnecessary and cumbersome bureaucratic processes so that children and their families can access services quicker, more reliably and at a reasonable cost to tax payers.

J. In the following chart, provide information regarding your agency's key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures.

**Texas Juvenile Probation Commission
Exhibit 2: Key Performance Measures for Fiscal Year 2006**

Key Performance Measures	FY 2006 Target	FY 2006 Actual	FY 2006 % of Annual Target
Average Daily Population of Youth Supervised under Deferred Prosecution	11,295	10,930	96.77%
Average Daily Population of Youth Supervised under Court Order Probation	24,052	25,746	107.04%
Average Daily Population of Youth Supervised Prior to Court Proceedings	6,587	7,374	111.95%
Average Daily Population of Youth supervised under Intensive Supervision Probation	3,187	3,286	103.11%
Average Daily Population of Residential Placement	3,365	3,034	90.16%
Mandatory Students in JJAEPs	2,723	2,772	101.8%
Mandatory Student Attendance Days	130,299	130,249	99.96%
Average State Cost per Juvenile Referred	\$802.01	\$899.60	112.17%
Cost per Day for Intensive Supervision Probation	\$15.00	\$13.93	92.87%
Cost per Day for Youth in Residential Placement	\$86.00	\$92.29	107.31%
State Cost per Training Hour	\$7.35	\$23.37	317.96%*
Total Number of Referrals	115,808	102,135	88.19%
Successful Completion of Deferred Prosecution	85%	81%	95.29%
Successful Completion of Court Ordered Probation	87%	83%	95.4%
Number of Youth Committed to TYC	1,300	2,738	210.62%

* Calculation methodology changed to account for training hours provided rather than training credit hours accrued.

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III. History and Major Events

The Texas Juvenile Probation Commission was created in 1981, replacing the Community Assistance Program. The Commission’s primary mission, when created, was to ensure access to juvenile probation services throughout the state. This was accomplished in 1984, when for the first time all Texas counties had juvenile probation services in place. In 25 years, the agency’s essential functions have expanded and evolved concurrently with the growth and complexity of the juvenile justice system. Today, the Commission performs a wide-range of programmatic, financial, monitoring and investigatory oversight functions. The Commission has continued to focus on and value its long-standing partnership with local juvenile boards and juvenile probation departments. While the Commission has many significant milestones and accomplishments, the agency continues to respond to challenges and to seek out new and innovative ways to enhance juvenile probation services for the children and families of Texas. The charts and text below provide an overview of agency history, major events and landmark occurrences in our history.

Then and Now: 25 Years of Accomplishments

In the past 25 years, the Texas Juvenile Probation Commission has effectively carried out the statutory duties, mandates and responsibilities established by the legislature. The following chart provides a comparative look at the expansion of the system over the years.

1981	2006
★ No juvenile probation services in 32 counties	★ Juvenile probation services available in all counties in the state
★ No state standards for juvenile probation, detention facilities or secure post-adjudication facilities	★ Comprehensive state standards for juvenile probation services, detention facilities, secure post-adjudication facilities, Title IV-E programs, abuse, neglect and exploitation, and JJAEPs with on-going monitoring
★ No professional certification of juvenile probation and detention officers	★ Professional certification requirements for all probation and detention officers
★ No systematic training of juvenile probation practitioners	★ Extensive statewide training of juvenile probation practitioners provided by Commission staff
★ No system of fiscal accountability for local use of state funds	★ System of fiscal accountability for local use of state funds established with on-going monitoring
★ No intensive supervision programs for serious juvenile offenders	★ Intensive supervision programs for serious juvenile offenders offered in 109 departments
★ No automated information system	★ Statewide automated juvenile probation information system which provides detailed monthly data from the departments to the Commission
★ 29 juvenile detention centers; 12,353 juveniles held in adult jails	★ 57 juvenile detention centers; state compliant with federal rules requiring the removal of juveniles from adult jails
★ 2 secure post-adjudication facilities	★ 33 secure post-adjudication facilities
★ No juvenile justice alternative education programs available for expelled youth	★ 34 juvenile justice alternative education programs available for expelled youth
★ No mental health screening for juveniles	★ Mental health screening required for all juveniles
★ No federal funding received	★ \$32 million in federal funding received for residential placements and juvenile services through Title IV-E reimbursements

The Early Years of Juvenile Probation (1981-1994)

The Commission's early years were characterized by the development of the probation system infrastructure and the establishment of minimum standards to bring uniformity and efficiency statewide.

- ★ When the Commission was created in 1981, 32 counties in the state did not offer juvenile probation services, 107 counties did not have juvenile boards and no state standards for juvenile probation existed.
- ★ The Commission's initial focus was the development of statewide standards and ensuring the availability of probation services to all juveniles in the state.
- ★ The early years were a time of "firsts":
 - Juvenile probation services became available to all juveniles in the state in 1984.
 - The Border Children's Justice Project was implemented in 1985 to address crime problems unique to the Texas/Mexico border.
 - The Juvenile Statistical Information System was developed by the Commission in 1985 to allow juvenile probation departments to collect data.
 - Texas became compliant with federal rules requiring the removal of juveniles from adult jails in 1986.
 - Intensive supervision pilot programs funded by the Commission began in 1988.
 - The Foster Home Program which provided funding to develop and certify foster homes as an alternative to secure detention began in 1985.

A Time for Reform (1994-95)

By the mid-1990's, probation caseloads were high, secure placements were scarce and there was a public perception that there were few options to ensure accountability for the criminal behavior of juveniles. The Texas Legislature responded to public concerns with sweeping reforms that dramatically affected the statutory mandates and responsibilities of the Commission.

- ★ In 1995 the juvenile justice system was in a state of crisis. The perception was that juveniles were not being held accountable for their behavior and that increased resources were necessary to provide adequate secure residential and program capacity.
 - TYC experienced a length of stay and capacity crisis, leading state and local juvenile justice practitioners to agree that TYC lengths of stay were insufficient to deter future criminal behavior or rehabilitate youth.
 - In 1993, the State Auditor found that residential lengths of stay for youth on probation were often longer than stays for TYC youth whose probation had been revoked.
- ★ The years between 1984 and 1994 were also a time of increasing juvenile crime.
 - Juvenile arrests increased 63%
 - Referrals to juvenile probation departments increased 62%
 - The number of violent felony referrals increased 137%
 - The number of homicide referrals increased 127%
 - The number of violent youth committed to TYC increased 245%
 - The number of juveniles certified as adults increased 300%
- ★ The 74th Texas Legislature passed significant reforms to the juvenile justice system in 1995; additional reforms to the system were passed by the 75th and 76th Texas Legislatures.

Reforms to the Juvenile System Increased Focus on Juvenile Sanctions and Accountability

The major reforms from 1995-1997 resulted in the implementation of enhanced programs and services as well as statutory changes to the Family Code that centered on juvenile and parental accountability. Key mandates included the establishment of a statewide facility registry, a repository of juvenile history records and the administration of new programs. In addition, the Legislature:

- ★ Established Progressive Sanction Guidelines for juvenile dispositions based on offense severity and prior contact with the system.
- ★ Authorized the court to place a juvenile on probation for a period of time that may continue after their 18th birthday (determinate sentence probation).
- ★ Established the statewide collection of juvenile criminal history records by the Texas Department of Public Safety (DPS).
- ★ Expanded use of fingerprinting and photographing of juvenile offenders.
- ★ Expanded determinate sentencing options for serious and habitual juvenile offenders.
- ★ Increased punishments for serious and repeat juvenile offenders.
- ★ Expanded and strengthened sex offender registration and supervision requirements.
- ★ Increased parental accountability.
- ★ Streamlined the process to certify juveniles to stand trial as adults and lowered the age that most violent juveniles can be tried as an adult to age 14.
- ★ Created the Safe Schools Act (Chapter 37 of the Texas Education Code).

Reforms Also Increased Juvenile Justice Funding and System Capacity

The legislature supported the reforms and enhanced juvenile justice system capacity through significant appropriations during the 74th – 76th Legislative biennium. The Legislature:

- ★ Increased TYC capacity, allowing for increased lengths of stay in TYC facilities.
- ★ Significantly increased program and supervision capacity in the juvenile probation system.
- ★ Appropriated \$37.5 million in bond funds for construction of 1,000 local post-adjudication beds.
 - A one-time appropriation for facility construction.
 - 1,114 beds were actually constructed with the funds.
- ★ Provided funding for secure post-adjudication placements.
- ★ Funded juvenile probation and ISP officers to lower caseloads.
- ★ Provided funding for officer salary increases to reduce turnover rates.

- ★ Created Juvenile Justice Alternative Education Programs (JJAEP) and provided funding for mandatory students.
- ★ Created early intervention and prevention programs and facilitated collaboration between health and human services and juvenile justice agencies.

Reforms Impacted System, Decreasing Referrals at a Time of Juvenile Population Growth

State leadership demonstrated its commitment to the children and families of Texas through the enactment of laws to improve public safety and the appropriations of funds to enhance system capacity. The reforms impacted the system by reducing juvenile arrests and referrals and increasing accountability at a time that the juvenile population was actually on the rise.

- ★ Between 1995 and 2001:
 - The juvenile age population increased 15%
 - Juvenile arrests decreased 21%
 - Referrals to juvenile probation departments decreased 15% while referrals for felony offenses decreased 32%
 - The number of homicide referrals decreased 77%
- ★ In 1995, projections based on probation system trends and juvenile population growth estimated that referrals for felony offenses would grow to 53,133 in 2001. The actual number of felony referrals in 2001 was 23,411.
 - The lower number of felony referrals reflected a decline in juvenile crime and arrests and translated into TYC incarceration costs avoided.
 - In 2003, the Criminal Justice Policy Council estimated that \$350 million in state probation supervision and TYC incarceration costs were avoided between 1995 and 2001.

The Impact was the Result of a Strengthened Juvenile Probation Infrastructure

The overall impact of the legislative reforms and increased funding was felt most significantly on the local level. The Texas Juvenile Probation Commission allocated funds to counties to build facilities and to implement various juvenile justice programs across the state.

- ★ Resources directed to the juvenile probation system between 1995 and 1999 significantly strengthened the community infrastructure, allowing for increased supervision and services.
- ★ With the implementation of disposition guidelines, juveniles received more consistent and immediate responses to their behavior.
- ★ Reduced turnover rates for juvenile probation and detention officers lowered caseloads and increased officer experience levels.
 - Funding for officer salary adjustments received in 2001 was instrumental in reducing turnover rates.
- ★ The strengthening of the juvenile probation infrastructure impacted juvenile recidivism rates.
 - The two year re-referral rate for juveniles disposed to supervision prior to the reforms in 1994 was 56% versus 52% for juveniles disposed to supervision after the reforms in 1997. Re-referral could have been for any offense including violations of the conditions of probation.
 - The two year re-referral rate for juveniles disposed to supervision in 2003 was 50%. 36% of juveniles had a subsequent adjudication within two years while only 7% of juveniles had a subsequent TYC commitment.

With System No Longer in Crisis, Focus Shifted to Prevention and Early Intervention Programs

The stabilization of the juvenile justice system from 1997-2000 led to a shift in focus. The Commission's legislative mandates and duties began to relate to prevention and early intervention programs and strategies.

- ★ Between 1997 and 2000, at least 83 prevention programs for at-risk youth were funded by the state.
 - Programs were provided by 16 different state agencies.
 - In addition to the creation of new programs, many existing programs were expanded.
- ★ The emphasis on delinquency prevention programs facilitated joint programs and cooperative agreements between juvenile probation and other agencies serving juveniles.
- ★ Federal funding for prevention and juvenile justice programs also increased during this time period.
- ★ The creation of the Prevention and Early Intervention Division of the Texas Department of Protective and Regulatory Services (TDPRS) in 1999 consolidated 17 prevention and early intervention programs to enhance coordination and program performance.

A Reduction In Resources (2003-2005)

In 2003-2005, a state budget crisis resulted in cuts in state funding by as much as 12%. Funding once available for prevention, probation and placement programs was eliminated or reduced. Although legislative reforms have continued to impact referrals, the reduction in resources has caused the probation infrastructure to begin to show signs of erosion.

- ★ Between fiscal year 2001 and fiscal year 2005, there was an increase in juveniles referred and under supervision for felony violent, sex and weapon offenses.
- ★ The proportion of state juvenile probation funding for non-residential and residential services decreased 20% between 2001-2005, from 34.4% of total state funding in 2001 to 27.4% in 2005.
 - Referrals for violent felony and felony weapon offenses increased 14%
 - The number of felony sex offenders under supervision increased 74.3%
 - The number of violent felony offenders (non-sex offenders) under supervision increased 21%
 - The number of juveniles under supervision for felony weapon offenses increased 33.5%

The Impact Texas Youth Commission Reforms (2007)

The revelation of serious systemic issues in the Texas Youth Commission (TYC) has had a significant impact on the legislative mandates and duties of the Texas Juvenile Probation Commission (TJPC). The limitations on the commitment of misdemeanor offenders and the curtailment of TYC jurisdiction have had a significant impact on community-based juvenile justice practitioners. As a result, TJPC was appropriated additional resources to provide funding and to develop new diversionary and rehabilitative programs to fill the gap. In addition, the Commission's statutory responsibilities to protect the health and safety of youth in the juvenile justice system were expanded.

During the critical 2007 session the legislature took the following steps:

- ★ Strengthened the Commission's ability to investigate allegations of abuse, neglect and exploitation in juvenile justice facilities and programs;
- ★ Granted subpoena power and authorized agency investigators to be commissioned as peace officers;
- ★ Criminalized certain conduct with persons detained in secure juvenile pre- and post-adjudication facilities; and
- ★ Appropriated \$22.5 million in additional funding for enhanced community-based services and programs and \$35.4 million for the placement of youth that would have previously been eligible for commitment to the Texas Youth Commission.

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IV. Policymaking Structure

A. Policymaking Board Members.

Texas Juvenile Probation Commission Exhibit 3: Policymaking Board

Member Name	Term / Appointment Dates / Appointed By	Qualification	City
Cheryl Shannon, Chairperson	5 Year Term Appointed May 28, 2004 by Governor	District Judge	Dallas
Jean Boyd, Vice-Chairperson	5 Year Term Appointed May 11, 2005 by Governor	District Judge	Fort Worth
Bob "Ed" Culver	5 Year Term Appointed January 16, 2004 by Governor	County Commissioner	Canadian
Keith Kuttler	5 Year Term Appointed May 17, 1996 by Governor 5 Year Term Reappointed August 30, 2002 by Governor	Public Member	Bryan
Rene Ordonez	5 Year Term Appointed January 13, 2006 by Governor	Public Member	El Paso
Barbara Punch	5 Year Term Appointed August 30, 2002 by Governor	Public Member	Missouri City
Ray West	5 Year Term Appointed January 13, 2006 by Governor	County Commissioner	Brownwood
Lea Wright	5 Year Term Appointed January 13, 2006 by Governor	Public Member	Amarillo

B. Describe the primary role and responsibilities of your policymaking board.

The Board of the Texas Juvenile Probation Commission governs the operations of the Texas Juvenile Probation Commission which assists local juvenile boards, juvenile probation departments and juvenile justice practitioners across the state by acting as a conduit for legislative appropriations and providing services such as contract and grant management, legal assistance, technical assistance and training, promulgate, monitor and enforce statewide standards, certification of standards, strategic planning and policy development and research and statistics. The Board employs the Executive Director, sets policy and guides the agency by setting rules and standards.

C. How is the chair selected?

The chair is selected by the Governor in accordance with Texas Human Resources Code, Section 141.016 and serves a two-year term.

D. List any special circumstances or unique features about your policymaking board or its responsibilities.

Not Applicable

E. In general, how often does your policymaking board meet? How many times did it meet in FY 2006? In FY 2007?

Typically, the board is scheduled to meet on the third Friday of every other month. In fiscal year 2006, the board met five times and five times in fiscal year 2007.

F. What type of training does your agency's policymaking body receive?

All new appointees receive the comprehensive "New Board Member Orientation" training conducted by Commission management prior to attending their first meeting. Training includes, but is not limited to, the role and function of the agency, programs operated by the agency, current agency budget expenditures and the results of any formal audits conducted on the agency. Prior to each new biennium, training is provided on funding formulas for disbursement to county juvenile probation departments and changes in legislation affecting the juvenile justice system. Members are also required to attend training on the Public Information Act, conflict of interest issues, ethics and any other training as outlined in Section 141.0145 of the Human Resource Code.

G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.

Not Applicable

H. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?

The Commission contracts with a Certified Public Accounting firm that conducts the internal audit function and reports directly to the board. At the commencement of each fiscal year, the firm presents an annual audit plan for the board's approval. All audit results are reported back at the next scheduled board meeting. In addition, the agency conducts a Customer Satisfaction Survey of all county juvenile probation departments that assesses the quality of service provided to the juvenile probation departments. The agency also participates and receives high scores on the Survey of Organizational Excellence (See Attachment 24) completed by internal agency staff biennially. Results from the above surveys and audits conducted by the State Auditor, State Comptroller and the Texas Building and Procurement Commission are shared with the board as well.

I. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

Agency board members names are posted on the agency's website and the public is able to contact them directly. The board has established rules by which an individual may provide public testimony on any item posted on the meeting agenda. Agency staff may also provide input received from other sources. Items approved by the board are incorporated into the operations of the agency if applicable.

J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart.

**Texas Juvenile Probation Commission
Exhibit 4: Subcommittees and Advisory Committees**

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee
Budget	4 members Kuttler (Chair), Culver, West, Wright Appointed by Chair	Oversee agency budget	Human Resources Code Section 141.024(b)
Program and Planning	4 members Culver (Chair), Kuttler, Punch, Vacant Appointed by Chair	Planning and programmatic oversight	Human Resources Code Section 141.041 Government Code Section 772.001 Government Code Section 2056.002
TJPC / TYC Joint Board	4 members Kuttler (Chair), Culver, West, Wright Appointed by Chair	Strategically plan with the Texas Youth Commission	Human Resources Code Section 141.0471
Variance	4 members West (Chair), Boyd, Ordonez, Vacant Appointed by Chair	Consider applications for variances of standards	Title 37 Texas Administrative Code Section 349.2(b)
Executive Director Evaluation	3 members Shannon (Chair), Boyd, Punch Appointed by Chair	Conduct formal executive director evaluations	Human Resources Code Section 141.020

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V. Funding

A. Provide a brief description of your agency's funding.

The Texas Legislature appropriates funds to the Juvenile Probation Commission from General Revenue, federal funds, appropriated receipts and interagency contract for the transfer of funds from the Foundation School Fund No. 193. Total appropriations for fiscal years 2008-2009 are \$328,281,839.

Appropriation	Amount	Percent of Total Budget
General Revenue	\$246,732,347	75%
Federal Funds/Title IV-E Foster Care Program	\$56,066,840	17%
Appropriated Receipts (Unexpended balances from local juvenile probation departments and conference fees)	\$2,490,000	0.7%
Interagency Contracts (Foundation School Fund No. 193 to fund the Juvenile Justice Alternative Education Program)	\$22,992,652	7%

B. List all riders that significantly impact your agency's budget.

The following are the agency's riders in the General Appropriations Act for the 2008-09 biennium:

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	<u>2008</u>	<u>2009</u>
a. Acquisition of Information Resource Technologies	\$24,696	\$46,400
(1) Laptop and Server Scheduled Replacement		
b. Transportation Items	\$25,000	\$0
(1) Additional Vehicle		
Total, Capital Budget	<u>\$49,696</u>	<u>\$46,400</u>
Method of Financing (Capital Budget):		
General Revenue Fund	<u>\$46,696</u>	<u>\$46,400</u>
Total, Method of Financing	<u>\$46,696</u>	<u>\$46,400</u>

4. **Appropriation of Federal Title IV-E Receipts.** The provisions of Title IV-E of the Social Security Act shall be used in order to increase funds available for juvenile justice services. The Juvenile Probation Commission shall certify or transfer state funds to the Texas Department of Family and Protective Services so that federal financial participation can be claimed for Title IV-E services provided by counties. The Juvenile Probation Commission shall direct necessary general revenue funding to ensure that the federal match for the Title IV-E Social Security Act is maximized for use by participating counties. Such federal receipts are appropriated to the Juvenile Probation Commission for the purpose of reimbursing counties for services provided to eligible children.

5. **Juvenile Boot Camp Funding.** Out of the funds appropriated above in Strategy B.1.2, Harris County Boot Camp, the amount of \$1,000,000 annually may be expended only for the purpose of providing a juvenile boot camp in Harris County.
7. **Funding for Progressive Sanctions.**
- a. Out of the funds appropriated above in Strategy A.1.2. Progressive Sanctions Levels 1-3, \$10,200,000 in fiscal year 2008 and \$10,200,000 in fiscal year 2009 can be distributed only to local probation departments for funding juvenile probation services associated with sanction levels described in §§ 59.003(a)(1), 59.003(a)(2), and 59.003(a)(3) of the Family Code, or for salaries of juvenile probation officers hired after the effective date of this Act. These fund may not be used by local juvenile probation department for salary increases, employee benefits, or other costs (except salaries) associated with the employment of juvenile probation officers hired after the effective date of this Act.
 - b. Out of the funds appropriated above in Strategy B.1.3, Level 5 Post – adjudication Facilities, \$ 4,394,436 in fiscal year 2008 and \$4,394,436 in fiscal year 2009 can be used only for the purpose of funding secure post-adjudication placements for (1) juveniles who have a progressive sanction guideline level of 5 or higher as described by §§ 59.003(a)(5), 59.003 (a)(6), and 59.003(a)(7); (2) are adjudicated for a felony offense that includes as an element of the offense the possession, carrying, using, or exhibiting of a deadly weapon; (3) the juvenile court’s order of adjudication contains a finding that the child committed a felony offense and the child used or exhibited a deadly weapon during the commission of the conduct or during immediate flight from commission of the conduct; or (4) are adjudicated for a sex offense of the grade of felony that requires registration under the Texas Sexual Offender Registration Program.
- The Juvenile Probation Commission shall reimburse a county juvenile probation department a specified number of placements under this section, as determined by the Juvenile Probation Commission, after the requirements for reimbursements as outlined herein have been met to the satisfaction of the Juvenile Probation Commission.
- c. The Juvenile Probation Commission shall maintain procedures to ensure that only those juvenile offenders identified above are submitted for reimbursement of secured post-adjudication placements under this section. The Juvenile Probation Commission shall no later than March 1 of each fiscal year submit an expenditure report for the prior fiscal year reflecting all secured post-adjudication placement costs to the Legislative Budget Board and the Governor.
9. **Local Post-adjudication Facilities.** Out of the funds appropriated above in Strategy B.1.4, Local Post-Adjudication Facilities, the amount of \$4,147,038 in fiscal year 2008 and \$4,147,038 in fiscal year 2009 may be used only for the purpose of funding local post-adjudication facilities. The agency shall fund these facilities based on historical occupancy rates, rather than the number of beds in the facility.
10. **Juvenile Justice Alternative Education Programs (JJEAP).** Out of the fund transferred to the Juvenile Probation Commission pursuant to Texas Education Agency (TEA) Rider 35 and appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs, the Juvenile Probation Commission shall allocated \$1,500,000 at the beginning of each fiscal year to be distributed on the basis of juvenile age population among the mandated counties identified in Chapter 37, Texas Education Code, and those counties with populations between 72,000 and 125,000 which choose to participate under the requirements of Chapter 37.

An additional \$500,000 shall be set aside in a reserve fund for each fiscal year of the biennium to allow mandated and non-mandated counties to apply for additional funds on a grant basis.

The remaining funds shall be allocated for distribution to the counties mandated by § 37.011(a) Texas Education Code, at the rate of \$79 per student per day of attendance in the JJAEP for students who are required to be expelled as provided under § 37.007, Texas Education Code, and are intended to cover the full cost of providing education services to such students. Counties are not eligible to receive these funds until the funds initially allocated at the beginning of each fiscal year have been expended at the rate of \$79 per student per day of attendance. Counties in which populations exceed 72,000 but are 125,000 or less, may participate in the JJAEP and are eligible for state reimbursement at the rate of \$79 per student per day.

The Juvenile Probation Commission may expend any remaining fund for summer school programs in counties with a population over 72,000 which are funded as mandated counties in Chapter 37. Funds may be used for any student assigned to a JJAEP. Summer school expenditures may not exceed \$3.0 million in any fiscal year.

Unspent balance in fiscal year 2008 shall be appropriated to fiscal year 2009 for the same purposes in Strategy D.1.1.

The amount of \$79 per student day for the JJAEP is an estimated amount and not intended to be an entitlement. Appropriations for JJAEP are limited to the amounts transferred from the Foundation School Program pursuant to TEA Rider 35. The amount of \$79 per student per day may vary depending on the total number of student actually attending the JJAEPs. Any unexpended or unobligated appropriations shall lapse at the end of fiscal year 2009 to the Foundation School Fund No. 193.

The Juvenile Probation Commission may reduce, suspend, or withhold Juvenile Justice Alternative Education Program funds to counties that do not comply with standards, accountability measures, or Texas Education Code Chapter 37.

11. **Funding for Additional Eligible Students in JJAEPs.** Out of funds appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs, a maximum of \$500,000 in each fiscal year (for a maximum of 90 attendance days per child), is allocated for counties with a population of at least 72,000, which operate a JJAEP under the standards of Chapter 37, Texas Education Code. The county is eligible to receive funding from the Juvenile Probation Commission at the Rate of \$79 per day per student for students who are required to be expelled under § 37.007, Texas Education Code, and who are expelled from school district in a county that does not operated a JJAEP.
15. **Unexpended Balances – Hold Harmless Provision.** Any unexpended balances as of August 31, 2008, in Strategy A.1.1, Basic Probation Services (estimated to be \$200,000), and in Strategy B.1.1, Community Corrections Services (estimated to be \$200,000), above are hereby appropriated to the Juvenile Probation Commission in fiscal year 2009 for the purpose of providing funding for juvenile probation departments whose allocation would otherwise be affected as a result of reallocations related to population shifts.
16. **Appropriation: Refunds of Unexpended Balance from Local Juvenile Probation Departments.** The Juvenile Probation Commission (JPC) shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held as of the close of each fiscal year by local juvenile probation departments. All fiscal year 2008 and fiscal year 2009 refunds received from local juvenile probation departments by JPC are appropriated above in Strategy B.1, Community Corrections Services. Any Basic Probation refunds received in excess of \$650,000 in fiscal year 2008 and \$650,000 in fiscal year 2009 are hereby appropriated to JPC

for the Level 5 Secure Correction Placement Program. Any Community Corrections refunds received in excess of \$500,000 in fiscal year 2008 and \$500,000 in fiscal year 2009 are hereby appropriated to JPC for the Level 5 Secure Corrections Placement Program.

18. **Special Needs Diversionary Programs.** Out of the funds appropriated above in Strategy B. 1.5, Special Needs Diversionary Programs, \$1,974,034 in fiscal year 2008 and \$1,974,034 in fiscal year 2009 shall be used for specialized mental health caseloads. The agency shall use these funds to work in coordination with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) and local mental health services agencies to provide specialized supervision caseloads to youth with mental illness.
19. **Community Corrections Funding and Residential Facilities.** From funds appropriated above in Strategy B.1.1, Community Corrections Services, the Juvenile Probation Commission shall distribute \$11,268,335 in fiscal year 2008 and \$11,268,335 in fiscal year 2009 in General Revenue Funds to local juvenile probation departments for enhanced community-based services including, but not limited to, sex offender treatment, intensive supervision, and specialized supervision.

From funds appropriated above in strategy B.1.1, Community Corrections Services, the Juvenile Probation Commission shall distribute \$15,646,500 in fiscal year 2008 and \$19,710,000 in fiscal year 2009 in General Revenue Funds to local juvenile probation departments for youth placement in secure or non-secure residential facilities at a rate not to exceed \$90 per youth per day as a diversion from the Youth Commission. These funds may be used only for placement of youth who have been adjudicated for: a violent felony offense; a non-violent felony offense with one or more prior adjudications; or a misdemeanor offense or violation of misdemeanor probation with two or more prior adjudications. These funds may not be used for purposes other than secure or non-secure residential facilities.

These funds shall not be used by local juvenile probation departments for salary increases or costs associated with the employment of staff hired prior to September 1, 2007. These funds shall not be used to supplant existing expenditures associated with programs, services, and residential placement of youth within the local juvenile probation departments.

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C. Show your agency's expenditures by strategy.

TJPC expenditures by strategy identifies the goals and objectives of the agency and the cost associated with achieving the specific outcome. The contracted expenditures include programs funded by the Criminal Justice Division of the Governor's Office and the agency's internal auditor.

**Texas Juvenile Probation Commission
Exhibit 5: Expenditures by Strategy for Fiscal Year 2006 (Actual)**

Goal / Strategy	Total Amount	Contract Expenditures Included in Total Amount
Goal 1.1.1./Basic Probation	\$26,939,526.89	-
Goal 1.1.2./Progressive Sanctions Level 1-3	\$18,832,931.55	-
SUBTOTAL:	\$45,772,458.44	-
Goal 2.1.1./Community Corrections Services	\$33,209,968.56	\$30,900.00
Goal 2.1.2./Harris County Boot Camp	\$1,000,000.00	-
Goal 2.1.3./Level 5 Post-Adjudication Facilities	\$4,450,441.57	-
Goal 2.1.4./Local Post-Adjudication Facilities	\$4,147,037.00	-
Goal 2.1.5./Special Needs Diversionary Programs	\$1,909,605.94	-
SUBTOTAL:	\$44,717,053.07	-
Goal 3.1.1./Probation Assistance	\$41,611,326.30	-
Goal 4.1.1./Juvenile Justice Alternative Education Program	\$8,028,984.63	-
Goal 5.1.1./Central Administration	\$1,086,875.57	\$28,425.00
Goal 5.1.2./Information Resources	\$22,803.40	-
Subtotal	\$1,109,678.97	\$59,325.00
Grand Total	\$141,239,501.41	\$59,325.00

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D. Show your agency's objects of expense for each category of expense listed for your agency in the General Appropriations Act FY 2007-2008.

**Texas Juvenile Probation Commission
Exhibit 6: Objects of Expense by Program or Function Fiscal Year 2007**

Object-of-Expense	Basic Probation	Progressive Sanctions 1-2-3	Community Corrections Services	Harris County Boot Camp	Level 5 Post-Adjudication Facilities
Salaries and Wages	\$541,540.00	\$400,286.00	\$1,426,491.00	\$23,908.00	\$101,613.00
Other Personnel Costs	\$17,381.00	\$13,449.00	\$43,156.00	\$850.00	\$3,614.00
Professional Fees and Services	\$10,150.00	\$7,750.00	\$22,100.00	-	-
Fuels and Lubricants	\$1,500.00	-	-	-	-
Consumable Supplies	\$10,500.00	\$8,500.00	\$14,618.00	-	-
Utilities	\$6,452.00	\$3,894.00	\$11,733.00	-	-
Travel	\$22,645.00	\$14,818.00	\$37,267.00	-	-
Rent - Machine and Other	\$9,566.00	\$6,833.00	\$22,411.00	\$364.00	\$455.00
Other Operating Expense	\$25,538.00	25,461.00	66,297.00	-	-
Grants	\$28,667,971.00	\$18,993,571.00	\$34,370,074.00	\$1,000,000.00	\$4,394,436.00

Object-of-Expense	Local Post-Adjudication Facilities	Special Needs Diversionary Program	Juvenile Justice Alternative Education Program	Federal Programs Foster Care	Totals
Salaries and Wages	\$95,636.00	\$47,818.00	\$159,393.00	\$159,801.00	\$2,956,486.00
Other Personnel Costs	\$3,401.00	\$1,701.00	\$5,440.00	\$57,010.00	\$146,002.00
Professional Fees and Services	-	-	-	-	\$40,000.00
Fuels and Lubricants	-	-	-	-	\$1,500.00
Consumable Supplies	-	-	\$2,900.00	-	\$36,518.00
Utilities	-	\$415.00	\$2,506.00	-	\$25,000.00
Travel	-	\$1,653.00	\$6,117.00	-	\$82,500.00
Rent - Machine and Other	-	\$1,729.00	\$3,642.00	-	\$45,000.00
Other Operating Expense	-	\$2,002.00	\$7,235.00	-	\$126,533.00
Grants	\$4,147,038.00	\$1,974,003.00	\$8,951,455.00	\$30,000,030.00	\$132,498,578.00

Grants	Amount
Basic Probation Services	\$28,667,971.00
Progressive Sanctions Levels 1-3	\$18,993,571.00
Community Corrections Services	\$34,370,074.00
Harris County Boot Camp	\$1,000,000.00
Level 5 Post-Adjudication Facilities	\$4,394,436.00
Local Post-Adjudication Facilities	\$4,147,038.00
Special Needs Diversionary Programs	\$1,974,033.00
Title IV-E Federal Program	\$30,000,000.00
Juvenile Justice Alternative Education Program	\$8,951,455.00
Grand Total	\$132,498,578.00

E. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines.

**Texas Juvenile Probation Commission
Exhibit 7: Sources of Revenue for Fiscal Year 2006 (Actual)**

Source	Amount
General Revenue	\$90,334,638.72
Interagency Contract/Texas Education Agency – JJAEP Funds	\$8,187,641.00
Interagency Contract/Criminal Justice Division	\$350,189.93
Federal Funds/Title IV-E Program	\$41,125,366.76
Account Receivables/Refunds	\$1,150,000.00
Account Receivables/Conference Fees	\$80,470.00
Account Receivables/Law Books/Conference Materials	\$11,195.00
Total	\$141,239,501.41

F. If you receive funds from multiple federal programs, show the types of federal funding sources.

**Texas Juvenile Probation Commission
Exhibit 8: Federal Funds for Fiscal year 2006 (Actual)**

Type of Fund	State / Federal Match Ratio	State Share	Federal Share	Total Funding
Title IV-E Federal Funds	N/A	N/A	\$41,125,366.76	\$41,125,366.76
CJD Grant-Project Aspect	10/90	\$35,018.98	\$315,170.82	\$350,189.83
Total				\$41,475,556.59

G. If applicable, provide detailed information on fees collected by your agency.**Texas Juvenile Probation Commission
Exhibit 9: Fee Revenue for Fiscal Year 2006**

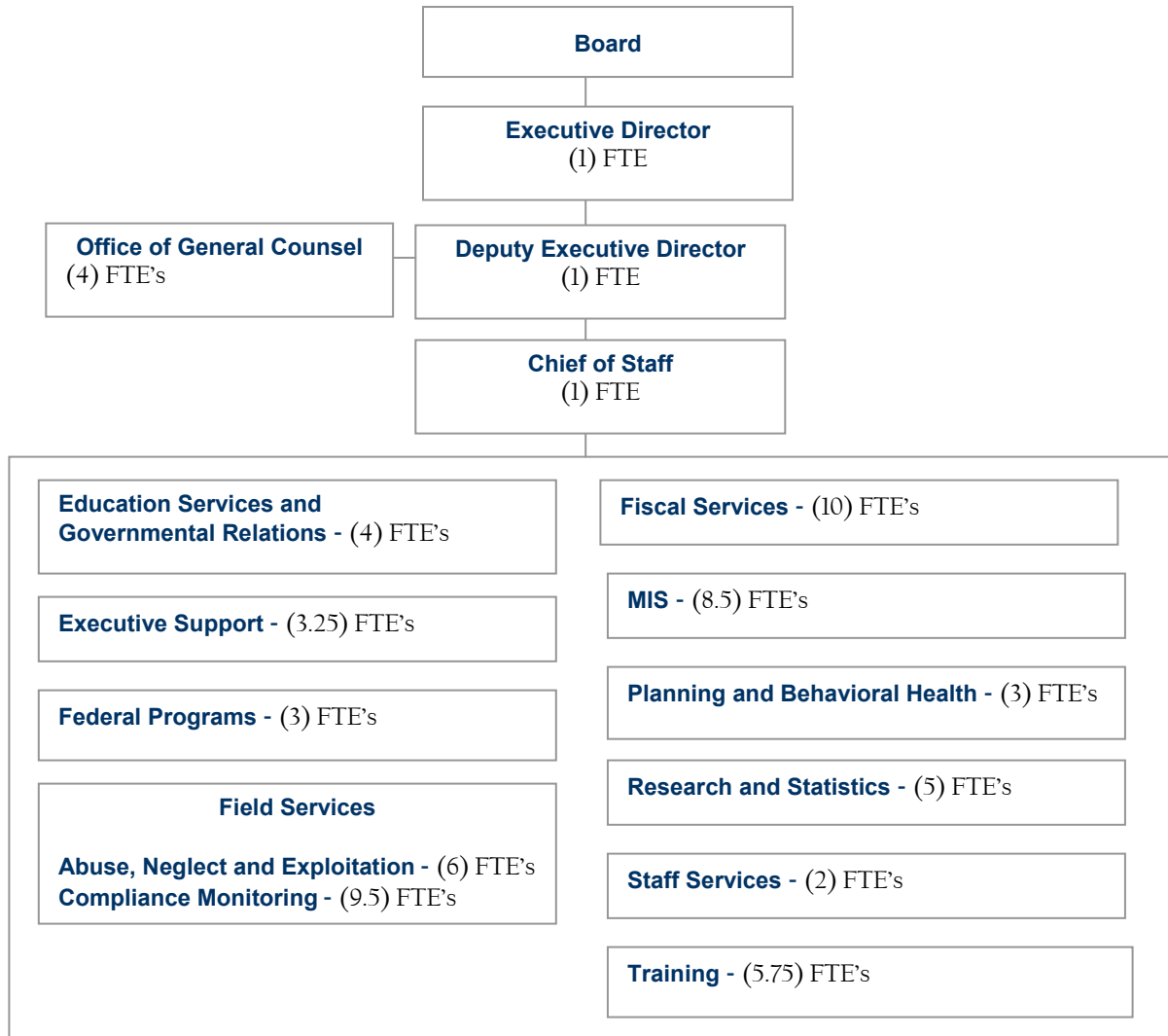
Fee Description / Program / Statutory Citation	Current Fee / Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited
Law Books	\$18.35	21	\$385.35	General Revenue
Law Books	\$44.87	215	\$9,647.05	General Revenue
State Sales Tax (for books sold @ \$18.35=\$1.25)	6.25%	21	\$26.25	General Revenue
Local Sales Tax (for books sold @ \$18.35=\$0.40)	2%	21	\$8.40	General Revenue
State Sales Tax (for books sold @ \$44.87=\$4.13)	6.25%	215	\$887.95	General Revenue
Local Sales Tax (for books sold @ \$44.87=\$1.00)	2%	215	\$215.00	General Revenue
Conference Fees	Range from \$85.00-\$150.00	600	\$80,470.00	General Revenue
Training Material	\$22.94	1	\$22.94	General Revenue
State Sales Tax (for training @ \$1.56)	6.25%	1	\$1.56	General Revenue
Local Sales Tax (for training @ \$0.50)		1	\$0.50	General Revenue
Grand Total:			\$91,665.00	

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VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division.

67 Full-Time Employees as of September 1, 2007



B. If applicable, fill in the chart below listing field or regional offices.

Not Applicable

C. What are your agency's FTE caps for fiscal years 2006 – 2009?

Fiscal Years 2006 and 2007 62
 Fiscal Years 2008 and 2009 67

D. How many temporary or contract employees did your agency have as of August 31, 2006?

The Commission had a total of 8 temporary employees throughout fiscal year 2006.

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program.

**Texas Juvenile Probation Commission
Exhibit 11: List of Program FTEs and Expenditures for Fiscal Year 2006**

Program	FTEs as of August 31, 2006	Actual Expenditures
Basic Probation Services	14.5	\$45,772,458.44
Community Corrections Services	12.0	\$42,807,447.13
Special Needs Diversionary Programs	0.5	\$1,909,605.94
Federal Foster Care Program	7.0	\$41,611,326.30
Juvenile Justice Alternative Education Programs	4.0	\$8,028,984.63
Subtotal	38.0	\$140,129,822.44
Fiscal	7.0	\$482,469.00
Management Information Systems	7.0	\$337,728.00
Training	4.5	\$289,482.00
Subtotal	18.5	\$1,109,679.00
Total	56.5	\$141,239,501.44

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VII. Guide to Agency Programs

Complete this section for each agency program (or each agency function, activity, or service if more appropriate). Copy and paste the questions as many times as needed to discuss each program, activity, or function. Contact Sunset staff with any questions about applying this section to your agency.

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Education Services
Location / Division	Education Services Division
Contact Name	Linda Brooke, Director of Governmental Relations and Education Services
Actual Expenditures, FY 2006	\$8,227,135.00
Number of FTEs as of August 31, 2006	4

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Education Services Division is to provide oversight of the juvenile justice education programs and to facilitate educational services for youth on probation or in pre- and post-adjudication juvenile facilities. The major activities of the Education Services Division include:

- ★ **Standards and Policy development.** Develop and implement policy and standards for the operation of juvenile justice alternative education programs (JJAEPs);
- ★ **Program Monitoring.** Conduct formalized monitoring of applicable standards for the operation of JJAEPs. Prepare detailed and comprehensive reports on findings and recommendations;
- ★ **Administration of Funding.** Verify the completeness of JJAEP contracts for payment, the number of student attendance days and approve the amount to be paid;
- ★ **Fiscal Monitoring.** Conduct both desktop and on-site fiscal monitoring to ensure that accurate payments have been made for appropriate JJAEP students and the number of days in attendance;
- ★ **Data Collection.** Coordinate and collect monthly data reflecting JJAEP activity. Data collection and review is conducted by unit staff to assure timely reporting;
- ★ **Data Analysis and Reports.** Conduct data audits to ensure the accuracy of data submitted. Prepare and participate in the development of technical reports, studies and specialized research projects;
- ★ **Liaison.** Participate in interagency activities with state and local agencies in matters concerning the coordination of plans and services; and
- ★ **Training and Technical Assistance.** Provide training on education and juvenile justice related subjects to the staff of the Commission, the probation field personnel (i.e., JJAEP staff, probation staff, judges and prosecutors), and educators. Technical assistance provided to the field involves compliance issues, legal issues and programmatic issues.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Education Services Division has monitored 100% of all JJAEPs in the state for compliance with standards and contracts. Compliance Monitoring, Enforcement and Tracking System (COMETS) is the system utilized to track all (programmatic and fiscal) reports issued, monitoring scores, responses and corrective action.

JJAEP Performance and Accountability Report. The Commission is required to produce a report on JJAEP performance every other year. The last report produced was May 2006 (See Attachment 25).

JJAEP Information Tracking. The system used to track all required data and reports required by the Division. The data tracking is used to ensure that programs have submitted timely and complete data to the Commission.

Performance measures relating to this function include: number of mandatory students entering JJAEP, number of discretionary students entering JJAEP; number of non-expelled students entering JJAEP; number of mandatory student attendance days in JJAEPs; and the percent of eligible JJAEP students improving in TAKS.

**Performance Statistics for JJAEPs
Fiscal Year 2006**

Number of Mandatory Students Entering JJAEP	2,772
Number of Discretionary Students Entering JJAEP	4,119
Number of Non-Expelled Students Entering JJAEP	638
Number of Mandatory Student Attendance Days in JJAEPs	130,249
Percent of Eligible JJAEP Students Improving in Texas Assessment of Knowledge and Skills (TAKS)	15%

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

In 1995, the 74th Texas Legislature enacted Chapter 37 of the Texas Education Code. This Chapter entitled "Discipline; Law and Order," was designed to enable school districts to remove disruptive or dangerous students from the regular classroom and to assure students would remain in an educational setting. In 1995, the 74th Texas Legislature made pivotal changes to the juvenile probation and public education systems. For the first time the two systems were required to work together in partnership, requiring school districts, juvenile probation officials and law enforcement to work in partnership to implement legislation addressing student education. This legislation required juvenile boards in counties with a population of 125,000 or greater to operate a Juvenile Justice Alternative Education Program (JJAEP) for expelled students. The juvenile boards were given one year to plan, develop local memoranda of understanding with local school districts and implement the programs. Tremendous flexibility was given by the Legislature to the juvenile boards for development of programs for working with this highly disruptive and high risk population of students. Currently, there are 26 counties that fall under this mandate to operate JJAEPs. In fiscal year 2007, there were an additional eight counties that choose to operate JJAEPs.

In 1997, the 75th Texas Legislature provided funding to the Commission to fund the placement of students who are required to be expelled (referred to as mandatory students) and attend the JJAEP. The attendance days of these youth was reimbursed at the rate of \$59 per attendance day. The Legislature also required the Commission to develop basic standards for the operation of JJAEPs.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Education Services Division’s function impacts the 34 JJAEPs that are currently in operation. The Unit communicates with the Chief Juvenile Probation Officer (CJPO) and JJAEP Administrator in each of these counties regarding the operation and funding of JJAEPs. During the 2006/07 school year there were more than 7,000 student entries into JJAEPs. Without JJAEPs these students would otherwise be expelled with no educational services.

Mandatory JJAEP Counties		
Bell	Fort Bend	Nueces
Bexar	Galveston	Smith
Brazoria	Harris	Tarrant
Brazos	Hidalgo	Taylor
Cameron	Jefferson	Travis
Collin	Johnson	Webb
Dallas	Lubbock	Wichita
Denton	McLennan	Williamson
El Paso	Montgomery	
Discretionary JJAEP Counties		
Atascosa	Hardin	Hopkins
Bowie	Hays*	Karnes/Wilson
Hale	Hill	

* Hays County became a Mandatory JJAEP County beginning with school year 2006.

The JJAEP Performance Accountability Report published in May 2006 provides a comprehensive analysis of the JJAEPs (Attachment 25).

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Commission’s Education Services Division consists of two full-time program specialists, one administrative assistant and one director.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Commission received \$7,500,000 for fiscal year 2005 and \$8,177,641 for fiscal year 2006 to fund JJAEPs according to the Texas General Appropriations Act. The Commission's Riders No. 9 and No. 10 below details how these funds are to be dispersed each year.

9. *Juvenile Justice Alternative Education Programs (JJAEP).* Out of the funds transferred to the Texas Juvenile Probation Commission pursuant to Texas Education Agency (TEA) Rider 37 and appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs, the Texas Juvenile Probation Commission shall allocate \$1,500,000 at the beginning of each fiscal year to be distributed on the basis of juvenile age population among the mandated counties identified in Chapter 37, Texas Education Code, and those counties with populations between 72,000 and 125,000 which choose to participate under the requirements of Chapter 37.

An additional \$500,000 shall be set aside in a reserve fund for each year of the biennium to allow mandated and non-mandated counties to apply for additional funds on a grant basis.

The remaining funds shall be allocated for distribution to the counties mandated by the §37.011(a) Texas Education Code, at the rate of \$59 per student per day of attendance in the JJAEP for students who are required to be expelled as provided under § 37.007, Texas Education Code, and are intended to cover the full cost of providing education services to such students. Counties are not eligible to receive these funds until the funds initially allocated at the beginning of each fiscal year have been expended at the rate of \$59 per student per day of attendance. Counties in which populations exceed 72,000, but are 125,000 or less, may participate in the JJAEP, and are eligible for state reimbursement at the rate of \$59 per student per day.

The Texas Juvenile Probation Commission may expend any remaining funds for summer school programs in counties with a population over 72,000 which are funded as mandated counties in Chapter 37. Funds may be used for any student assigned to a JJAEP. Summer school expenditures may not exceed \$3.0 million in any fiscal year.

Unspent balances in fiscal year 2006 shall be appropriated to fiscal year 2007 for the same purposes in Strategy D.1.1.

The allocations made in this rider for the JJAEP are estimated amounts and not intended to be an entitlement and are limited to the amounts transferred from the Foundation School Program pursuant to TEA Rider 44. The amount of \$59 per student per day may vary depending on the total number of students actually attending the JJAEPs. Any unexpended or unobligated appropriations shall lapse at the end of fiscal year 2007 to the Foundation School Program.

The Texas Juvenile Probation Commission may reduce, suspend, or withhold Juvenile Justice Alternative Education Program funds to counties that do not comply with standards, accountability measures, or Texas Education Code Chapter 37.

10. *Funding for Additional Eligible Students in JJAEPs.* Out of funds appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs, a maximum of \$500,000 in each year (for a maximum of 90 attendance days per child), is allocated for counties with a population of at least 72,000 which operate a JJAEP under the standards of Chapter 37, Texas Education Code. The county is eligible to receive funding from the Texas Juvenile Probation Commission at the rate of \$59 per day per student for students who are required to be expelled under § 37.007, Texas Education Code, and who are expelled from a school district in a county that does not operate a JJAEP.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The Education Services Division is the only entity within the Commission responsible for providing services or functions to JJAEPs. There is no duplication. The Commission is unaware of any external agency that provides similar services.

The Texas Education Agency (TEA) is the state agency responsible for the administration of primary and secondary public education. However, at this time they do not perform similar services (i.e., standards, monitoring or funding) to school district disciplinary alternative education programs. The Commission does coordinate with TEA in areas such as special education, textbooks, attendance audits and other legal and policy issues.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Commission has historically collaborated with the TEA in standards development, special audits and sharing of information and data. There is no duplication of effort. The Commission has also worked collaboratively with TEA, education resource centers and other education associations to provide training to JJAEP staff and joint trainings to school district personnel. The Commission has entered into a memorandum of understanding Concerning Interagency Coordination of Special Education Services to Students with Disabilities in Residential Facilities.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Education Services Division works jointly with the 34 juvenile departments that operate JJAEPs. The Commission works in partnership with departments in establishing standards of operation for JJAEPs, providing training and technical assistance, monitoring for compliance and dispersing of funding to the programs.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

The Commission administers two contracts to allocate the funds above, JJAEP Program (Reimbursement) and the JJAEP Discretionary Grant.

The JJAEP Program (Reimbursement) grant provides reimbursement to the juvenile board of a county with a population greater than 125,000 to operate a JJAEP subject to the approval of the Commission. This program is designed to provide an educational setting for students that have been expelled from public school.

The JJAEP Discretionary Grant is a competitive grant intended to assist counties with a population below 125,000 in the basic operation of a JJAEP and to provide for program enhancement to JJAEP's in counties with a population of 125,000 or more. Dedicated funding in the amount of \$500,000 has been set aside for JJAEP per fiscal year. The JJAEP is designed to provide an educational setting for students that have been expelled from public school.

JJAEP Funding Distribution

Mandatory County	FY 2005	FY 2006
Bell	\$64,959.00	\$43,129.00
Bexar	\$664,340.00	\$621,989.12
Brazoria	\$239,481.00	\$291,519.00
Brazos	\$30,739.00	\$30,503.00
Cameron	\$397,188.50	\$376,658.97
Collin	\$168,976.00	\$126,909.00
Dallas	\$1,247,563.00	\$1,221,123.00
Denton	\$78,647.00	\$116,053.00
El Paso	\$144,609.00	\$93,928.00
Ft. Bend	\$85,432.00	\$260,839.00
Galveston	\$118,405.64	\$104,902.00
Harris	\$1,343,548.00	\$1,679,258.00
Hidalgo	\$582,979.00	\$470,820.00
Jefferson	\$73,219.00	\$25,901.00
Johnson	\$133,576.00	\$104,548.00
Lubbock	\$42,834.00	\$138,490.00
McLennan	\$86,376.00	\$30,857.00
Montgomery	\$281,135.00	\$279,584.00
Nueces	\$228,389.00	\$192,104.00
Smith	\$56,345.00	\$50,976.00
Tarrant	\$526,398.00	\$608,762.00
Taylor	\$96,642.00	\$75,638.00
Travis	\$166,392.92	\$202,147.00
Webb	\$520,911.00	\$376,951.00
Wichita	\$29,382.00	\$74,163.00
Williamson	\$62,717.00	\$94,577.00
Total	\$7,471,184.06	\$7,692,329.09

Discretionary County	Disbursed FY 2005	Disbursed FY 2006
Atascosa	\$45,000.00	\$45,000.00
Hale	\$45,000.00	\$40,000.00
Hardin	\$45,000.00	\$45,000.00
Hays	\$45,000.00	\$37,000.00
Hill	\$45,000.00	\$32,509.00
Hopkins	\$45,000.00	\$45,000.00
Houston	\$38,248.07	\$42,156.00
Karnes/Wilson	\$45,000.00	\$45,000.00
Total	\$353,248.07	\$331,665.00
Total Disbursed	\$7,824,432.13	\$8,023,994.09

The Commission has conducted fiscal audits of every JJAEP during fiscal year 2007. Fiscal audits ensure that students funded via the JJAEP Program (Reimbursement) grant meet eligibility criteria outlined in the contract and that only actual days of attendance are funded. In addition to fiscal audits, JJAEPs receive on-site programmatic audits to ensure programs are operating within the rules under the Texas Administrative Code Chapter 348 and COMETS.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

JJAEPs serve many students who are not under the jurisdiction of the court. JJAEP administrators do not believe the placement of students in JJAEPs for “non- delinquent” behavior is an appropriate setting. Limiting the JJAEP placement to only those youth under the juvenile court’s jurisdiction is a recommended solution.

Students served in JJAEPs are both academically behind and have behavioral issues. Summer school would provide a structured setting, allowing students to gain academic credit and give school officials the opportunity to work with the student on behavioral issues.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Not Applicable

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Transition Medicaid Program/ Medicaid and Chip Eligibility
Location / Division	Federal Programs Division / Planning and Behavioral Health Division
Contact Name	Erin Espinosa, Program Specialist
Actual Expenditures, FY 2006	\$652,958.00
Number of FTEs as of August 31, 2006	.25

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of this function is to ensure that all Medicaid and Children's Health Insurance Program (CHIP) eligible youth being served in the juvenile justice system are able to access benefits. TJPC staff collaborates with the Health and Human Services Commission (HHSC) and related agencies to maintain current knowledge of Medicaid programs and eligibility guidelines. Agency staff also provides information and guidance to local juvenile departments and the general public regarding access procedures.

Most recently, TJPC in collaboration with HHSC and the Texas Youth Commission (TYC) has initiated an initiative whereby juveniles who are returning to a home that is eligible for Medicaid and/or CHIP from a non-eligible setting (e.g., secure post-adjudication facility or TYC) are enrolled in services upon discharge from the facility. This policy strategy will decrease the time it takes for the juvenile to access needed medical and mental health services and increase the likelihood that the juvenile will have a successful transition back into the community. Under this program, facility staff or a juvenile probation officer files an application or renewal form with the Central Benefits Office (CBO) at HHSC no later than 15 days prior to the projected release of the juvenile from the facility. Staff at the CBO then processes the application/renewal and initiates enrollment upon the juvenile's discharge from the facility. Currently, this Transition Medicaid Program is being piloted in Harris, Bexar, Dallas and Hays County with statewide roll out anticipated in October 2007.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Transition Medicaid Program is a pilot program in its third month of implementation. However, estimates are available regarding the potential impact of this program based on the average percentage of IV-E eligible expenses reported on enhanced claims and the number of juveniles who resided in non-Medicaid eligible settings in 2005 based on two criteria: (1) residing in detention for a period of longer than 30 days or (2) disposed to a secure post-adjudication facility. In both scenarios a youth's Medicaid would expire due to residing in an ineligible setting resulting in the need for the youth to reapply for Medicaid coverage upon their return to the community.

In calendar year 2005 the number of youth effected by (1) and (2) above was:

- ★ Detention longer than 30 days: 5,451
- ★ Secure post adjudication facility: 4,645

In fiscal year 2005, the average eligibility rate for Title IV-E Reimbursements was 49.0641%. Therefore, it can be assumed that approximately half of the youth who meet criteria “(1)” and “(2)” noted previously would be Medicaid eligible resulting in as many as 4,692 youth who would potentially benefit from this program.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

In 1994, TJPC undertook an initiative to increase Medicaid eligibility among youth being served by local juvenile departments. Staff worked closely with the Health and Human Services Commission in reviewing definitions of eligible populations. It was determined that many youth being served in the community by the local juvenile department could be eligible for benefits. Eligible groups include youth living with a relative other than a parent, independent children (youth born on or after 10/1/83 and living with a non-relative), youth temporarily absent from their homes but for whom the parent maintains managing conservatorship and most pregnant girls.

This effort resulted in children placed outside the home under the continuing jurisdiction of the juvenile court being added as an eligible population in the Texas Medicaid State Plan in December 1996. A requirement that TJPC pay the state share of the Medicaid premium for youth determined eligible for benefits as a result of this change was included as part of this decision. TJPC staff worked with Department of Human Services and the Department of Protective and Regulatory services to create an automated system for this billing process. TJPC also contracted with DHS for eligibility processing under this program.

The implementation of the first phase of the CHIP program in June 1998 absorbed all “independent children” which included those youth placed outside the home by the juvenile court. This change eliminated the requirement for TJPC to pay a state match for Medicaid premiums and prompted the implementation of the TJPC Medicaid Program.

TJPC has continued to work closely with the Health and Human Services Commission and related agencies to ensure that all eligible children are able to access benefits. The current Transition Medicaid Program pilot is an example of this effort.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Medicaid is a jointly funded state-federal health care program, established in Texas in 1967 and administered by the Health and Human Services Commission. Medicaid is an entitlement program, which means that the federal government does not, and a state cannot, limit the number of eligible people who can enroll and Medicaid must pay for any services covered under the program. Medicaid serves primarily low-income families, non-disabled children, related caretakers of dependent children, pregnant women, elderly and people with disabilities.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Essentially, there are three ways a juvenile may access Medicaid or CHIP when they are involved in the juvenile justice system in Texas. The first program initiated in 1998 as a result of a collaborative effort between TJPC and HHSC is the TJPC Medicaid Program. For this program, HHSC has dedicated two Medicaid specialists to process applications for

juveniles who are removed from the home by a local juvenile probation department and placed in an eligible residential setting (e.g., foster or group home). The foster home or the juvenile probation officer can file an application on the juvenile's behalf for the TJPC Medicaid Program. See Attachment 26 for an overview of the case-flow for the TJPC Medicaid Program.

The second way a juvenile may access Medicaid is through the Title IV-E program. All juveniles who are placed in a IV-E eligible setting and who have been certified as IV-E eligible are automatically enrolled in Medicaid as well. See Attachment 27 for an overview of how juveniles in the Title IV-E program access Medicaid services.

The new Transition Medicaid Program is the third way a juvenile can access Medicaid. Under this program, facility staff or the juvenile probation officer files an application or renewal form with the Central Benefits Office (CBO) at HHSC no later than 15 days prior to the projected release of the juvenile from the facility. Staff at the CBO then processes the application/renewal and initiate enrollment upon the juvenile's discharge from the facility. See Attachment 28 for an overview of the transition for the Medicaid Program.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The Commission does not receive any Medicaid funding.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The Transition Medicaid Program is a collaborative effort between TJPC, TYC and HHSC. TJPC staff provides training and support for local juvenile probation departments on how to file an application or renewal for Medicaid and/or CHIP. HHSC processes the applications and renewals and administers the Medicaid and CHIP programs.

Medicaid is a state and federal cooperative initiative that provides medical coverage to eligible persons. The purpose of Medicaid in Texas is to improve the health of people who might otherwise go without medical care. The HHSC Medicaid Office is responsible for statewide oversight of the Texas Medicaid Program.

Eligible youth under the jurisdiction of the juvenile court are provided access to this program via collaborative efforts of the TJPC with the Texas HHSC and related agencies. Children determined to be eligible via Title IV-E and the TJPC Medicaid programs are able to receive medical benefits through HHSC.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

All Medicaid or CHIP related paperwork is submitted by local juvenile probation staff and processed by HHSC as a course of its standard operating procedures.

Due to the delay (currently 4-6 months) in the eligibility determination process for Title IV-E for juvenile justice youth, local juvenile probation departments are encouraged to pursue Medicaid benefits for children via TJPC Medicaid program to ensure children's timely access to medical care. Once a child is determined to be eligible for Title IV-E (and included Medicaid benefits), the TJPC Medicaid case must be closed and the Title IV-E Medicaid activated.

If it is determined that the youth is not eligible for the Title IV-E Program, he/she would continue to be covered on Medicaid through the TJPC Medicaid Program.

In order for children to continue to receive benefits upon discharge from placement and return to the home, they can be added back to an existing case, or the responsible adult may apply for benefits through the local Medicaid office. This process can be problematic due to systemic conversion problems encountered with agency systems (i.e., Texas Integrated Eligibility Redesign System) and HMO issues. The optimal conversion would result in no lapse of medical coverage for youth; however, this is often not the case, there have been instances of lengthy lapses of coverage (i.e., up to 12 months) during which children were unable to access medical services.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The TJPC works in partnership with local juvenile boards and juvenile probation departments to support and enhance juvenile probation services throughout the state by providing funding, technical assistance, and training; establishing and enforcing standards; collecting, analyzing and disseminating information; and facilitating communications between state and local entities. The TJPC also works with local and regional DFPS and HHSC staff in resolving any issues that may arise in regards to the Title IV-E and TJPC Medicaid Programs and how they relate to youth under the jurisdiction of the juvenile court.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Although federal Medicaid regulations do not require termination of the juvenile's Medicaid case or benefits, Texas has chosen to terminate a juvenile's case upon placement in a non-eligible setting. Such termination results in an interruption in coverage for these juveniles upon their return to the community. Additionally, if the juvenile is severely mentally ill during their time in a non-eligible setting, and has to be hospitalized in a medical institution for treatment, the process of terminating the juvenile's case causes delay in services within the medical institution until an application for emergency Medicaid is completed and granted. An option to suspend rather than terminate eligibility upon entry into a non-eligible setting would eliminate these barriers.

The Commission works closely with HHSC, DFPS and the local juvenile probation departments to ensure that any issues that may possibly affect a child's Medicaid benefits are quickly resolved. Allowing TJPC access to the following HHSC databases would help ensure that all children eligible for Medicaid are able to access benefits:

- ★ The Bureau of Vital Statistics' Birth Verification System (BVS) is a system developed and maintained by the Department of State Health Services (DSHS). The BVS database includes birth records of people who were born in Texas. HHSC and DFPS eligibility staff have access to this database and use it as a source to verify age, relationship, and citizenship. Providing BVS access to juvenile probation departments and the Commission would allow review of documentation of a child's age and citizenship, both of which are current requirements for Medicaid and at times can be difficult to obtain from family members.
- ★ The Texas Integrated Eligibility Redesign System (TIERS) and System for Application, Verification, Eligibility, Referral and Reporting (SAVERR) are used by HHSC staff to document information pertinent to determining eligibility for benefits (e.g., TANF, Medicaid, etc.) through HHSC. Providing read only access to appropriate Commission staff to these systems would:
 - Allow TJPC to verify whether a Medicaid application has been processed;
 - Provide TJPC with current information regarding the youth's Medicaid status (whether active or closed);
 - Allow verification of changes in a youth's location and if changes have been accurately and timely updated to ensure continued access to Medicaid benefits;
 - Allow access to information regarding the youth's home of removal used to make Title IV-E eligibility determinations; and
 - Access to BVS, TIERS, and SAVERR would provide the most current information to be used to help ensure that all eligible youth are able to access their Medicaid benefits.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Not Applicable

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Preparation for Adult Living (PAL) Program
Location / Division	Federal Programs Division
Contact Name	Denise Askea, Unit Coordinator of Federal Programs
Actual Expenditures, FY 2006	\$1,305,916.00
Number of FTEs as of August 31, 2006	.25

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Texas Juvenile Probation Commission (TJPC) assists local juvenile probation departments in accessing Preparation for Adult Living (PAL) services for juvenile probation youth through an interagency agreement. These services are federally funded and are intended to provide youth in foster care with the fundamental skills an adult needs to live independently. These services were historically provided only to youth in the conservatorship of the Texas Department of Family and Protective Services (TDFPS). The Commission has been able to access these same services for youth under the jurisdiction of the juvenile court via an interagency contract with TDFPS.

Preparation for Adult Living (PAL) services are designed to provide eligible juvenile justice youth with skills and resources needed to prepare them for adult living, as well as acquaint them with other community resources available to them. PAL services are provided regionally and although there may be slight differences in the service delivery, the following core elements must be included in the training:

- ★ Personal and interpersonal skills (interpersonal skills, building self-esteem, sexual responsibility, leisure activities, etc.);
- ★ Job skills (job search and interviewing skills, obtaining/maintaining employment, etc.);
- ★ Housing and transportation (locating, securing, maintaining, moving, etc.);
- ★ Health (personal hygiene, first aid, health and nutrition, substance abuse, health insurance, etc.);
- ★ Planning for the future (legal issues, educational planning, parenting skills, community resources, etc.); and
- ★ Money management (budgeting, banking, consumer credit, etc.).

During the current fiscal year, the maximum number of juvenile probation youth allowable under the interagency contract (20 youth) have received these services. The Commission will seek to increase the number of youth eligible to receive services for the next contract period.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

In 2005, nine youth under the jurisdiction of the juvenile court were referred for PAL services; in 2006, 11 youth were referred. The number of youth under the jurisdiction of the juvenile court who have access to these services has been limited by DFPS to a maximum of 20 per year. As previously mentioned, the Commission is seeking to increase this number during the next fiscal year. In addition to the juvenile probation youth who received the life skills training classes, at least two youth received additional aftercare services.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The PAL program was established in 1986 to help older youth in foster care prepare for their departure from state care. Through the PAL program, youth acquire skills and resources they will need to be healthy, productive adults. Supportive services and benefits are provided to eligible youth up to age 21 (and in some cases up to age 23 for certain educational/vocational needs) to assist them when they leave foster care. The program is funded primarily by the Chafee Foster Care Independence Program (CFCIP), with state and local communities providing a 20% cash or in-kind match. PAL program policy requires that each youth 16 and older who is in paid substitute care receive services to prepare for adult living.

The Chafee Foster Care Independence Act of 1999, Pub.L. 106-169, increased services and support to youth in foster care to assist in preparing for adulthood and making the transition to adult living. The CFCIP provides services to help youth get an education, receive vocational services, find employment, access medical services, obtain housing and establish relationships with supportive and caring adults to improve outcomes for the youth's transition to adult life.

In 2000, the Commission entered into an interagency agreement with TDFPS to make PAL services available to IV-E eligible youth under the jurisdiction of the juvenile court. The current contract allows for a maximum of 20 Title IV-E eligible youth under the jurisdiction of the juvenile court to be served per fiscal year.

In 2004, TDFPS received federal funding to create a new program that helps youth reach their educational goals after they age out of the state's foster care system. The Education and Training Voucher (ETV) program provides additional money for youth, who have left TDFPS care and are going to school, to help cover expenses such as rent, computers, day care, and transportation. The program supplements the state's PAL program and a tuition waiver program at state-funded universities, colleges, junior colleges and vocational schools. In 2006, the ETV program served 435 child welfare youth.

In 2006, TDFPS began the Transitional Living Services Initiative, which is a systematic approach to improving services for youth who age out of the state's foster care system. As a result, TDFPS:

- ★ Expanded a program called Circles of Support which pairs foster youth with families, friends and professionals to discuss their strengths, hopes, dreams and goals, etc.;
- ★ Modified Medicaid coverage so that annual recertification for 18-21 year olds is not required;
- ★ Developed and provided training for caseworkers on transition planning, resources and services for youth leaving foster care;

- ★ Finalized an agreement for cooperative activities between TDFPS and the Texas Workforce Commission; and
- ★ Launched the Texas Youth Connection website which contains resources for youth transitioning out of foster care.

Although these services would be beneficial to youth in foster care who are under the jurisdiction of the juvenile court, they are currently not available for this population.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

In 2006, 7,279 Texas Department of Family and Protective Services (TDFPS) youth ages 16 - 20, participated in the PAL program. An additional, 812 TDFPS youth ages 14-15 received PAL services. Funds from the federal Chafee Foster Care Independence Act enabled TDFPS to provide aftercare room and board assistance for 902 TDFPS young adults and case management services for 1,513 TDFPS young adults aged 18 - 21 who exited foster care.

This program enables eligible youth in foster care under the jurisdiction of the juvenile court to access some of the services provided to children in TDFPS conservatorship. To be determined eligible to participate in the PAL life skills training classes, juvenile justice youth must be 16 years of age or older and meet all Title IV-E eligibility requirements, including placement in a Title IV-E eligible facility. If these youth age out of a Title IV-E facility, they may be eligible for aftercare room and board services if all other eligibility criteria are met and funding is available for the juvenile justice population. Our current contractual agreement limits service provision to a maximum of 20 juvenile justice youth per year.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Federal Programs Division coordinates and collaborates with TDFPS PAL staff at the state level for access to these services. Federal Programs Division staff generates a list of youth deemed eligible for PAL services each month. Local juvenile probation departments are notified of eligible youth in their jurisdiction and are directed to make a referral to the regional PAL coordinators. The list of eligible youth is also forwarded to the PAL staff at the state office who communicates with regional PAL staff regarding eligible youth in their specific region. Upon completion of services, the regional PAL coordinator forwards documentation of completion to the juvenile probation department.

The Commission is pursuing additional strategies and processes to obtain documentation from TDFPS to obtain a more accurate accounting of juvenile justice youth served and the specific services received. These new procedures will allow the Commission to evaluate the reasons youth referred may not be receiving these services.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for PAL from federal funds. TJPC does not receive any funds for this program.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

PAL and aftercare services are available to all youth in the state foster care system, both Title IV-E and state paid care. Services for children in the TDFPS foster care system are more expansive than those allocated for youth under the jurisdiction of the juvenile court. All children in TDFPS conservatorship receive services as opposed to only Title IV-E children. TDFPS youth as young as 14 years of age may receive services; juvenile justice youth must be 16 to be eligible for services. TDFPS youth are eligible for additional services including transitional, aftercare, educational and training vouchers, that are not currently made available to juvenile justice youth.

Services for juvenile justice youth can only be accessed via the coordination and interagency agreement between the Commission and TDFPS. These services are limited to Title IV-E eligible youth and the number served has contractual limitations.

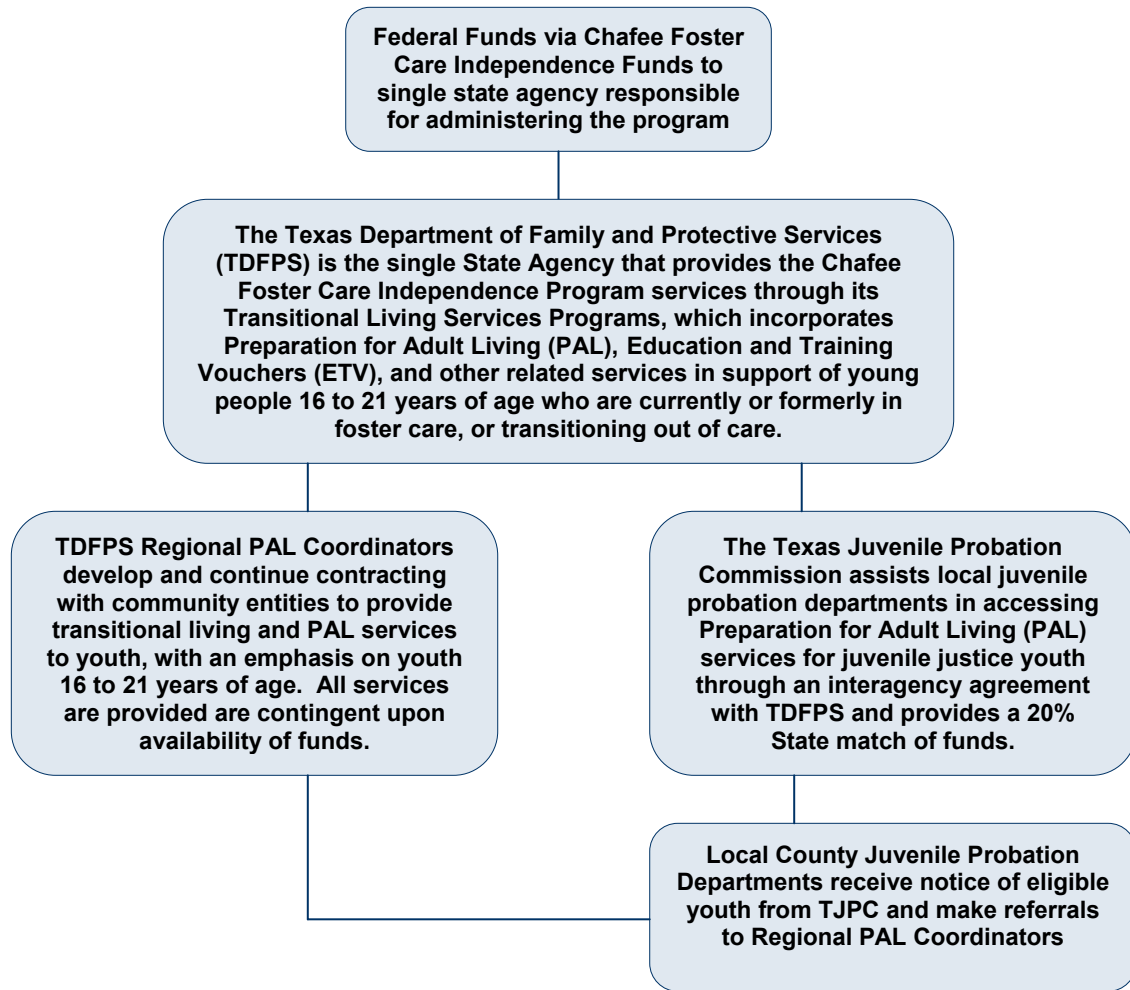
I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Commission has entered into an interagency contract with TDFPS to access PAL and aftercare services for juvenile justice youth. The contract specifies the services to be performed by both the Commission and TDFPS, stipulates the financial obligations for services delivered to juvenile probation youth and specifies the allowable number of youth to be served during the contract period. There is no duplication of services, since the populations served are different for each agency.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Commission coordinates at the state level with TDFPS PAL service personnel who in turn coordinate with their regional PAL coordinators. PAL services are provided by private contractors at the regional level. These individual contractors deliver PAL services to children and track progress in completion of the program.

The Commission functions as a liaison between the local juvenile probation departments and TDFPS to access this program for juvenile justice youth. The chart on the following page illustrates the relationship between the entities involved in the delivery of PAL services to juvenile justice youth.



K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

- ★ Current statute defines eligible youth as those in custody of TDFPS. Federal law allows a broader definition. Statutory change to include “youth under the jurisdiction of the juvenile court” to current language would enable more juvenile justice youth to access these valuable services.
- ★ Enact statutory changes to allow for a free exchange of information regarding program components, requirements, outcomes, performance measures, etc.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Not Applicable

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Title IV-E Federal Foster Care
Location / Division	Federal Programs Division
Contact Name	Cindy Weisinger, Director of Training and Federal Programs
Actual Expenditures, FY 2006	\$37,856,402.00
Number of FTEs as of August 31, 2006	2.5

B. What is the objective of this program or function? Describe the major activities performed under this program.

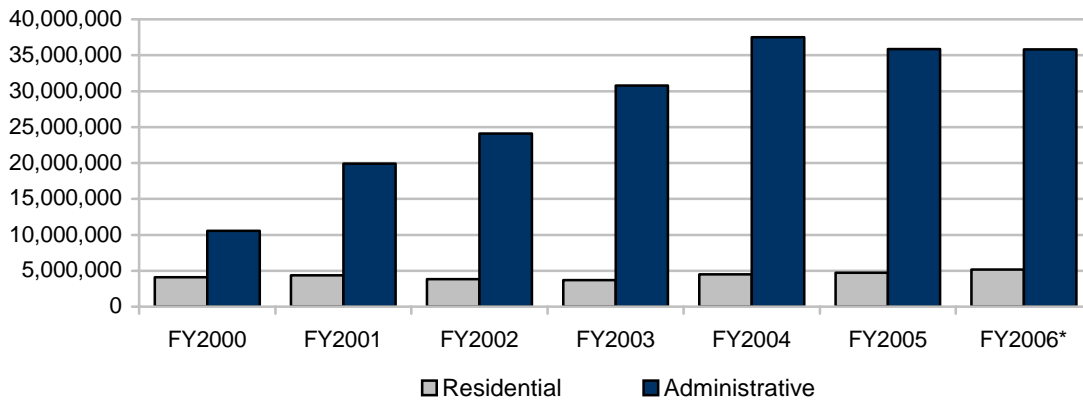
The Commission assists local juvenile probation departments in accessing federal funds to provide and enhance services to children who have been referred to the juvenile justice system and their families. These funds enable juvenile probation departments to improve the effectiveness of juvenile probation services and provide alternatives to the commitment of juveniles by providing financial aid to establish and improve probation services. The major activities performed to assist juvenile probation departments in the development and implementation of the Title IV-E Program include:

- ★ Coordination and collaboration with state and federal partners in the implementation and oversight of the program;
- ★ Provision of training and technical assistance, development of program policies and procedures, and evaluation of programs and monitoring to ensure compliance with state and federal regulations of local juvenile probation departments in the development and implementation of their programs; and
- ★ Maintenance of a knowledge base and awareness of federal law as it relates to Title IV-E and implementation of program requirements in the juvenile justice system.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

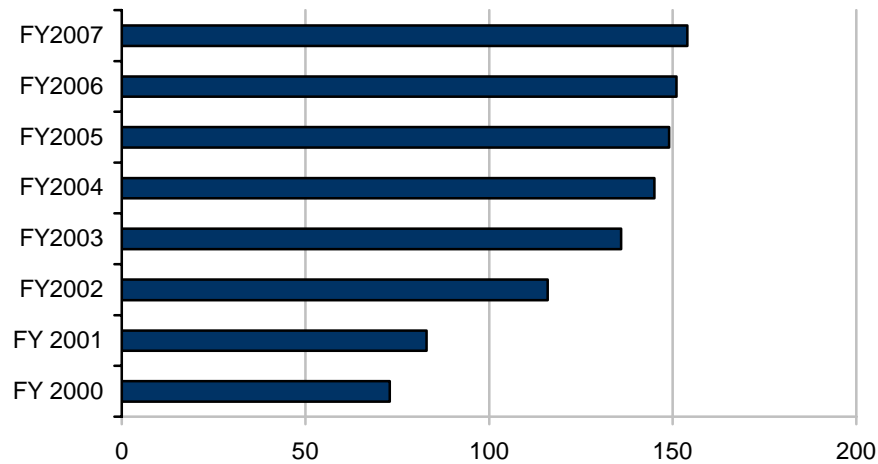
The Federal Programs Division has assisted local juvenile probation departments in accessing federal reimbursement funds for children placed in foster care and for certain administrative costs associated with the administration of the Title IV-E program. Since implementation of the program in 1992, participation has grown from six departments to 154 in fiscal year 2007, with annual reimbursements projected to reach \$46 million.

Title IV-E Reimbursements by Fiscal Year



* All administrative claims for fiscal year 2006 have not been paid.

**Number of Departments Participating in Title IV-E Program by Fiscal Year
(Total number out of 168 juvenile probation department's in Texas)**



D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Title IV-B and IV-E are the primary sources for federal funds for state child welfare services, foster care, and adoption assistance. The Adoption Assistance and Child Welfare Act of 1980 (Pub.L. 96-272) amended Title IV-B to institute financial incentives for states to provide certain protections for children in foster care under Section 427 of the Act. Public Law 96-272 also established Part E of Title IV of the act, "Federal Payments for Foster Care and Adoption Assistance." The foster care component of the Aid to Families with Dependent Children (AFDC) was transferred to the new Title IV-E, effective on October 1, 1982. At this time, these financial incentives were only available to the states' child welfare agencies.

In 1992, the Texas Juvenile Probation Commission contracted with the (then) Texas Department of Protective and Regulatory Services to access these funds for juvenile justice youth placed in foster care. The initial congressional intent was to provide incentives to state child welfare agencies to provide certain protections to children in foster care, to promote safety, permanency, and child and family well being. Children being served in the juvenile justice system met the same eligibility definitions and these youth are now afforded the same protections and benefits as the child welfare population.

A general dissatisfaction with the performance of state child welfare systems in achieving the original goals of Public Law 96-272 (safety, permanency, and child and family well-being) was the impetus for The Adoption and Safe Families Act (ASFA) enacted in 1997. This legislation sought to strengthen the child welfare system's response to a child's need for safety and permanency at every point along the continuum of care. This law places the child's safety as the paramount concern in the delivery of child welfare services and decision making, clarifies when efforts to prevent removal or reunify a child with his/her family are not required, and requires criminal record checks of prospective foster and adoptive parents. To promote permanency, ASFA shortens the time frames for conducting permanency hearings, creates new requirements for states to finalize a permanent placement and establishes time frames for filing petitions to terminate parental rights for certain children in foster care.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Local juvenile probation departments, youth and families are directly impacted by this program. Title IV-E provides reimbursement to juvenile probation departments for expenses related to supervision and/or placement of youth who meet specific eligibility criteria. A child must be deprived of parental and financial support consistent with 1996 AFDC guidelines in order for expenses related to their supervision and care to be reimbursable. Additionally, certain procedural guidelines must be met. During fiscal year 2007, 154 out of 168 departments contracted to participate in the Title IV-E program with reimbursements projected to reach \$46 million.

To be eligible to access Title IV-E funds, a department must contract with the Commission who in turn contracts with the Texas Department of Family and Protective Services (TDFPS) to pass-through funds received through this federally funded program. The contract requires that the department comply with specific programmatic requirements and allow the Commission to monitor case files and other documentation to ensure compliance.

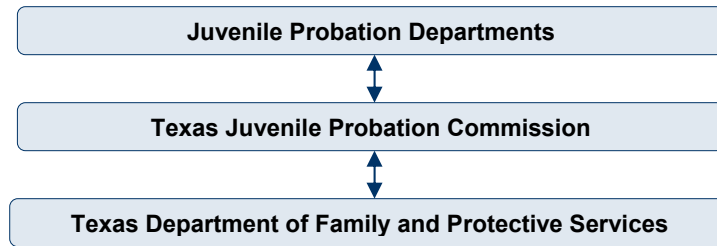
Reimbursement funds are required to remain and be utilized within the local juvenile probation department to increase or enhance services for youth and families. Examples of allowable expenses include residential treatment, development of community services, referrals to community resources, or any number of services to address the needs of the children and families they serve. The contractual agreements with juvenile boards stipulate that reimbursements shall not be used for placement of children in secure pre-adjudication detention facilities, post-adjudication correctional facilities or for any costs related to secure placement.

Program requirements ensure a high level of service delivery to the children placed in foster care. Provision of services to the family while the child is in placement is also required and is intended to improve the family circumstances that contributed to the need to remove the child from the home. Prior to implementation of the Title IV-E program by the Commission, services for families of children in foster care were not considered a priority. Therefore, children were returned to the same environment and circumstances from which it was deemed best that they be removed.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

TDFPS, as the designated Texas child welfare agency, is the conduit between the federal partners and the Commission in the administration of the Title IV-E program. The Commission has entered into an interagency agreement to access these funds on behalf of local juvenile probation departments. Each individual juvenile board contracts with the

Commission to participate in the Title IV-E Program. The Federal Programs Division of the Commission is the direct link between the local juvenile probation departments and TDFPS as illustrated below:



The Federal Programs Division consists of three full-time Federal Program Specialists who work as a team in the administration of Title IV-E and other federal programs. Title IV-E Basic training sessions are provided on a quarterly basis for juvenile probation departments to assist them in implementing the program and to enhance their ongoing program operation. Child welfare systemic changes regarding the program are incorporated and adapted to the juvenile justice system operation. An annual conference serving an average of 250 attendees is facilitated by division staff to provide relevant skills and information related to working with children in foster care for the professional and personal development of juvenile probation staff. In addition to formal training, division staff provide technical assistance to departments on a daily basis.

As the link between the child welfare agency and the juvenile departments, the Federal Programs Division receives and processes all documentation for Title IV-E. This includes all foster care assistance applications, notifications of any changes in a child's status, re-determinations of eligibility and other documentation required by federal and state regulations. Applications are reviewed for compliance with eligibility requirements prior to submission to TDFPS for a final eligibility determination. In fiscal year 2006, 628 foster care assistance applications and 43 foster care assistance reviews for re-determination of eligibility were reviewed and processed. To date, in fiscal year 2007, 505 foster care assistance applications and 48 foster care assistance reviews have been processed and reviewed. It is expected that the number of applications will increase in fiscal year 2008 due to new contractual provisions requiring all participating departments to apply for benefits for all children who meet Title IV-E eligibility criteria. Previously, it was at the discretion of the local juvenile probation department whether or not to apply. The Federal Programs Division processes a variety of additional documents related to services being provided for IV-E eligible youth.

The Commission is currently field testing an electronic application process that will increase the accuracy of the applications submitted as well as enhance the efficiency of the eligibility determination process. The projected date for statewide use of the Title IV-E Program System (TPS) is September 1, 2007. This system was developed in-house by the Management Information Systems Division.

To ensure compliance with program standards, the Federal Programs Division monitors juvenile probation departments' Title IV-E programs. Individual case files are reviewed for compliance with state and federal regulations. These standards and requirements are outlined in the Title IV-E Compliance Resource Manual (CRM) (See Sample in Attachment 29). For the current biennium, 60 juvenile departments were monitored to ensure compliance with Title IV-E program standards. During the monitoring process, a department may be cited for non-compliance. Corrective action plans are required for any program activities found to be in non-compliance. These plans are approved and verified through the COMETS system. In addition to the Commission conducting monitoring of local juvenile probation department programs, local case records are monitored by state and federal partners for compliance with program requirements. The Commission has taken an active part in monitoring by these partners to enhance our knowledge and understanding of programmatic requirements which enable us to improve our oversight and guidance of local program operations.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for Title IV-E Federal Foster Care from federal funds.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

In addition to the Commission, other state agencies access Title IV-E funding. TDFPS is the designated single state agency in Texas for the Title IV-E program. TDFPS also utilizes this funding for children being served through the child protective system. Children in both systems experience similar living situations such as poverty, physical abuse, chemically dependent parents, and neglectful supervision, but children in the juvenile justice system have the added component of a criminal violation. Circumstances in the home often result in the child's removal. Similar services are provided for children and families being served through both systems. A primary difference is the age groups being served. Most children served by TDFPS are younger than 10 years old, whereas children served within the juvenile justice system must be between the ages of 10-17.

The Texas Youth Commission (TYC) also accesses Title IV-E funding for youth committed to its care. Like the Commission, TYC accesses these funds via an interagency contract with TDFPS that requires compliance with state and federal regulations. The youth committed to the care and custody of TYC are serious or habitual offenders. These are often youth who have previously been placed on juvenile probation but whose rehabilitation has not been successful in the probation system and have, therefore, been committed to the care of the state. TYC places the majority of these youth in its own facilities and a smaller number are placed in Title IV-E child welfare residential facilities.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Commission's Title IV-E Program is exclusively for youth under the continuing jurisdiction of the juvenile court. This population does not generally overlap with youth being served by TDFPS or TYC. An interagency contract between the Commission and TDFPS outlines the expectations with respect to the administration of this program and in consideration of state and federal regulations.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Local juvenile boards who wish to implement this program in their jurisdiction must enter into a contract with the Commission, who in turn acts as the liaison between the juvenile board and the single state agency (TDFPS) to access Title IV-E funds. The Commission interacts with the federal partners in an unofficial capacity in its involvement in federal eligibility and Child and Family Services Reviews (CFSR). The Commission also interacts with regional juvenile probation associations regarding juvenile justice matters which may include issues relating to the operation of Title IV-E.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

There are numerous complications in processing eligibility applications due to a lack of information or inconsistencies between information provided to the local juvenile department and information in the various eligibility databases TDFPS has access to, i.e., birth verification systems, Medicaid and other benefit eligibility systems and the TDFPS service database system (IMPACT). Allowing the Commission access to this information would significantly increase the efficiency of processing eligibility applications.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Regulation is necessary to ensure quality care for children and compliance with state and federal standards. The Commission monitors for standards compliance on a regular basis. The facility must respond to any non-compliance with a corrective plan. Sanctions for failure to comply are outlined in the Commission's Title IV-E standards.

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Abuse, Neglect and Exploitation Investigations in Juvenile Justice Programs and Facilities
Location / Division	Field Services Division
Contact Name	Kevin DuBose, Unit Coordinator
Actual Expenditures, FY 2006	\$3,838,439.00
Number of FTEs as of August 31, 2006	5

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Commission has a well-defined set of protocols and procedures for the prevention, reporting and investigation of allegations of abuse, neglect and exploitation (ANE) occurring in juvenile justice programs and facilities (See Attachment 30). Additionally, the Commission's standards define a disciplinary system including sanctions to be imposed on certified juvenile probation and detention officers involved in instances of abuse, neglect or exploitation in addition to any criminal prosecution by local authorities.

The Commission has implemented a variety of prevention protocols, procedures and mandatory standards related to educating the public and juvenile justice professionals in an effort to prevent and reduce incidents of abuse, neglect and exploitation of youth in the system. In addition to the mandates of the state law regarding abuse, neglect and exploitation, the Commission has implemented strict standards regarding reporting requirements for juvenile justice programs and facilities. The Commission provides multiple methods for reporting including a toll free phone line, dedicated email address and website reporting. In addition, the Commission is revising current rules to require reporting mechanisms to be made available to all juveniles in residential facilities.

The Commission has strict standards applicable to the investigation of all allegations of abuse, neglect and exploitation. These standards detail the requirements of Commission investigations as well as the mandatory internal investigations conducted by local departments, programs and facilities. Contractual requirements further ensure full cooperation at the county level.

- ★ **Commission Investigation.** Upon receipt of an allegation of abuse, neglect or exploitation, the Commission is statutorily required to notify local law enforcement.¹ The Commission works closely with local law enforcement entities from the inception of the case to ensure the integrity of any criminal investigation. Investigators continue to work collaboratively with law enforcement throughout the investigation. All allegations of abuse, neglect and exploitation received by the Commission are investigated by the Commission's five investigators. Investigators have in-depth training in investigative and interviewing techniques such as the Office of Juvenile Justice and Delinquency Prevention Child Abuse and Exploitation Investigative Techniques, Reid Technique for interview and interrogations, detecting deception, statement analysis, handwriting analysis, Hogg Foundation trainings on restraint issues, the federal Prison Rape Elimination Act (PREA) and legal training on all aspects of Texas law related to abuse, neglect and exploitation. At the conclusion of an investigation, findings are shared with authorized parties including the victim and the governing juvenile boards.

¹ Texas Family Code Section 261.402.

- ★ **Local Internal Investigation.** Juvenile justice programs and facilities are required by Commission standards to complete an internal investigation for all allegations of abuse, neglect or exploitation. Mandatory investigative elements are required and Commission investigators review all investigation reports and supporting evidence.
- ★ **Administrative Leave.** As soon as an outcry or allegation of abuse, neglect or exploitation is made, the alleged perpetrator is required to be placed on administrative leave or reassigned to a position having no contact with probationers, residents or students until the conclusion of the internal investigation.²
- ★ **Contract Provisions.** TJPC executes a State Financial Assistance Contract with every juvenile board in the state. This contract requires all staff members of the juvenile probation department and any programs and facilities to cooperate with the Commission during the investigations of abuse, neglect and exploitation.³ The Commission has access to all department, program, and facility files and records.

At the conclusion of the Commission's investigations, certified probation and detention officers who are found to have abused, neglected or exploited a juvenile face disciplinary sanctions from the Commission through informal and formal administrative hearings and may also face applicable criminal charges brought by local law enforcement and prosecutors.

- ★ **Sanctions.** All sanctions against certified juvenile probation and detention officers are reviewed and approved by the Commission's governing board at regular board meetings. Sanctions fall into four broad categories and are based on the facts of the individual case.
 - Written reprimand
 - Probation – With Conditions
 - Suspension of Certification – With Conditions
 - Revocation of Certification for Life. An officer whose certification is revoked may not be certified thereafter.
- ★ **Public Notification.** Notice of disciplinary actions for certified probation and detention officers is posted on the Commission's website.⁴
- ★ **Criminal Prosecution.** The Commission notifies local prosecutors of all cases where the Commission makes a "reason to believe" finding that abuse, neglect and exploitation occurred and probable cause exists to believe a criminal offense has occurred. The Commission works cooperatively with local law enforcement and prosecutors to help insure full prosecution of criminal cases.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Texas Juvenile Probation Commission Abuse, Neglect and Exploitation Investigations Unit received and investigated 1,016 allegations of abuse, neglect and exploitation during fiscal years 2005 and 2006. For the same time period, the unit also reviewed and collected data pertaining to 1,141 Serious Incidents (i.e., attempted suicides, escapes, serious injuries and youth-on-youth assaults).

² Title 37 Texas Administrative Code Chapter 341 (Section 341.15); Chapter 343 (Section 343.3); and Chapter 348 (Section 348.17).

³ State Financial Assistance Contract General Grant Requirements – IV Programmatic Components. The contract is available on TJPC website:

<http://www.tjpc.state.tx.us/publications/standards/Grants06/TJPCGRANTS206.pdf>

⁴ http://www.tjpc.state.tx.us/about_us/divisions/legislative/FinalOrdersDecisions.htm

In addition, from September 1, 2004 through August 31, 2006, Commission investigators trained 1,042 juvenile justice personnel, accounting for approximately 3,830 training hours specific to the subject of abuse, neglect and exploitation.

The Legal Division is responsible for disciplining certified probation and detention officers who have been the subject of an ANE investigation. This authority is provided for in Texas Administrative Code (TAC) Chapter 37, Part 11, Chapter 349, Subchapter D. ANE cases submitted to the Legal Division are reviewed to ensure that the rule requirements for investigations have been satisfied and that there is sufficient evidence to proceed. A committee, comprised of members of management reviews each case and makes a recommendation on the disciplinary action, if any, to be taken. If the committee recommends disciplinary action, the Enforcement Attorney sends the petition, informal offer and notice of opportunity for hearing via certified mail to the officer's last known address. If a hearing is requested or no response is received from the officer, a hearing will be held and the Enforcement Attorney will present the case on behalf of the Commission at the hearing, wherein an investigator will provide testimony. The Hearing Examiner then considers the case and issues a Proposal for Decision, which is mailed to the parties and presented to the Commission's Board, who makes the final decision as to the appropriate discipline, if any, to be rendered. Sanctions include written reprimands, suspensions, and revocations.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

In 1997, the 74th Texas Legislature authorized the Commission to conduct administrative investigations of reports of abuse, neglect and exploitation in all secure pre-adjudication detention and post-adjudication correctional facilities. In 1999, the 75th Texas Legislature expanded the Commission's scope of authority to include all programs operated by a juvenile probation department, juvenile board or private vendor under juvenile board authority, including juvenile justice alternative education programs. In 2007, the 80th Texas Legislature authorized the Commission to employ licensed peace officers for the purpose of also conducting criminal investigations as related to allegations of abuse, neglect and exploitation.

Throughout its brief history, the Commission has experienced an increase in the number of allegations of abuse, neglect and exploitation and thus the continuing need for a dedicated investigation unit. September 1, 1997, marked the first year the Commission conducted investigations of abuse, neglect and exploitation. During the inaugural year, the monitors assigned to the Commission's Field Services Division responded to 133 allegations of abuse, neglect and exploitation. Although fiscal year 1999 saw only a slight increase in the number of reported allegations, the numbers rose sharply during the beginning of fiscal year 2000 and the need for staff dedicated to conducting investigations became apparent. By the conclusion of fiscal year 2000, the Investigation Unit was established and was comprised of two investigators who responded to 436 allegations and 586 incidents of attempted suicide, escape, serious injury and one suicide. As of July 2007, with one month remaining in the fiscal year, the Unit has received 483 allegations of abuse, neglect and exploitation, an increase of 263% since fiscal year 1998. An additional 647 reports of attempted suicide, escape, serious injury, and youth on youth physical and sexual assault were reported to the Unit in fiscal year 2007. It should be noted that agency staff provide constant training on ANE reporting; as training increased, reporting increased.

Initially, many of the policies, procedures and administrative rules developed by the Commission's Investigation Unit were patterned after those developed by the Texas Department of Family and Protective Services, the state agency who had in the past been responsible for conducting investigations in juvenile justice departments, programs and facilities. The use of the established rules and procedures provided a solid framework on which the unit has been able to build. However, distinct differences between the two systems presented major obstacles to the Commission. As the unit has

evolved, the policies, procedures and administrative rules have been customized for the juvenile justice field and continue to be refined in order to best meet the needs of an ever changing and advancing system.

Conducting investigations of allegations of abuse, neglect and exploitation within the juvenile justice system remains the primary mandate and principle focus and function of the Commission's Investigation Unit. However, the unit is also responsible for collecting and tracking data concerning attempted suicides, escapes, serious injuries, youth-on-youth physical and sexual assaults. The Commission is also responsible for monitoring for compliance with related rules in the Texas Administrative Code and the development of curriculum and training for juvenile justice professionals in the areas of identifying and reporting abuse, neglect, exploitation, internal investigations and the 2003 Prison Rape Elimination Act. Each of the unit's responsibilities are interconnected to form a comprehensive system that provides for the safety and protection of the juveniles we serve.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Commission provides oversight for local juvenile justice departments, programs and facilities. Currently, the scope of the Commission's investigative authority extends to 52 pre-adjudication facilities, 32 post-adjudication facilities, three secure holdover facilities, 168 locally operated juvenile probation departments and judicial districts. In addition, the Commission maintains that same investigative authority in 34 juvenile justice alternative education programs.

In 2006, the average daily population of secure pre- and post-adjudication facilities was 3,111 residents. The total number of juveniles served in all secure facilities was 38,059. There were 3,634 certified juvenile probation and detention officers in 2006.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

See flowcharts in overview report (Attachment 30).

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for Abuse, Neglect and Exploitation Investigations from Indirect Administration.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Investigative jurisdiction is determined based on Texas Family Code Sections 261.103, 261.404, 261.405, 261.406 and 261.409. Current Texas Administrative Code standard 343.3 (b)(2) requires the reporting of allegations of ANE to the appropriate agency.

If an allegation of abuse, neglect or exploitation occurs outside a facility under the jurisdiction of the juvenile board (e.g., in the home, in a facility licensed by another agency or in a school other than a juvenile justice alternative

education program, etc.), the alleged incident shall be reported to the appropriate agency and local law enforcement in accordance with Texas Family Code Section 261.101. Alleged incidents in programs or locations that are not under the jurisdiction of the juvenile board shall be reported accordingly to the appropriate agency. Allegations of abuse, neglect and exploitation that originate from the home are reported to the Texas Department of Family and Protective Services.

Allegations originating in substance abuse treatment facilities and mental health facilities are reported to the Department of State Health Services. The Texas Youth Commission (TYC) contracts with several secure post-adjudication facilities under the authority of local juvenile boards. The contracting facility is required to report allegations to the Commission even if the allegation involves a youth contractually placed in the facility by TYC. The Commission maintains authority to conduct investigations in secure facilities under the auspices of a juvenile board, regardless of any ANE investigation conducted by the TYC.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

No current memoranda of understanding or interagency contracts exist with any of the aforementioned agencies. The Commission's investigative policy requires investigators to report allegations to the aforementioned agencies and appropriate law enforcement jurisdictions. However, an expired memorandum of understanding and current informal interagency agreement between the Commission and TYC establishes dual investigative jurisdiction and cooperation between the agencies in allegations involving TYC youths contractually placed in locally operated secure post-adjudication facilities. In addition, Texas Administrative Code standards require local probation departments and secure facilities to report allegations to the appropriate agencies.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Besides the mandate establishing the Commission's investigative authority in juvenile justice departments, programs and facilities, Commission investigators work closely with Chief Juvenile Probation Officers, facility and program administrators and internal investigators. Cooperation between Commission and internal investigators is helpful in conducting comprehensive investigations of ANE.

The Commission notifies local law enforcement agencies of allegations of ANE originating from departments, programs and facilities within their jurisdiction. If requested, internal investigators and Commission investigators yield to law enforcements criminal investigation in an allegation of ANE. However, occasionally, Commission investigators and local law enforcement investigators conduct joint investigations. In every instance, Commission investigators make all information gathered during the course of the administrative investigation available to law enforcement.

The Commission notifies local prosecutors of all cases in which the Commission makes a "reason to believe" finding that abuse, neglect and exploitation occurred and probable cause exists to believe a criminal offense occurred. The Commission works cooperatively with local law enforcement and prosecutors to help ensure full prosecution of criminal cases.

Occasionally, an allegation crosses investigational jurisdiction lines. Some facilities are registered with the Commission and the Texas Department of Family and Protective Services or a youth placed in a facility registered with the Commission may also be in the care and custody of the Texas Youth Commission. In all such cases, the Commission retains investigative authority but may defer the primary investigation to the other agency. Regardless of which agency takes the lead investigative role, the Commission works to ensure that the youth is protected and that the safety and security of the community is maintained.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The Commission's ANE investigations unit benefited from House Bill 2884 during the 80th Texas Legislature. Per this new law, the Commission may employ commissioned peace officers to conduct criminal investigations. In addition, Texas Penal Code Section 38.114 has been modified to encompass juvenile detention officers, thus criminalizing the introduction of contraband by said staff in secure juvenile justice facilities. Texas Penal Code Section 39.04 has been modified to encompass juvenile probation officers in the state staff sexual misconduct legislation.

Texas Penal Code Section 39.04 has some inconsistency in that a TYC staff who engages in staff sexual misconduct with a resident is a felony of the second degree. Staff employed in locally operated departments, programs and facilities are only subject to a state jail felony for engaging in the same acts. Specifically, the inconsistency exists in Texas Penal Code Section 39.04 (a) (2).

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Commission investigators provide technical assistance and information to members of the public, including parents, departments, programs, facilities and work cooperatively with other state agencies. This technical assistance helps ensure victims, family members, and other persons understand the abuse, neglect and exploitation reporting and investigative processes at the Commission.

The Commission makes several informational brochures available in English and Spanish to facilitate the reporting of abuse, neglect and exploitation of juveniles (See Attachment 31). Additionally, a brochure is available in English and Spanish that details the process and procedures for complaints pertaining to local juvenile probation programs and services.⁵

⁵ <http://www.tjpc.state.tx.us/publications/forms/2004/TJPCFS0904.pdf>

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Not Applicable

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

**Texas Juvenile Probation Commission
Exhibit 12: Information on Allegations and Investigations of
Abuse, Neglect or Exploitation Involving Certified Officers and Registered Facilities
Fiscal Years 2005 and 2006**

	FY 2005	FY 2006
Total number of certified officers	5,086	5,799
Total number of contracting departments	168	168
Total number of juvenile justice alternative education programs	33	34
Total number of registered facilities	99	89
Total number of on-site investigations conducted	85	68
Total number of allegations received from the public	611*	464*
Total number of investigations initiated by agency	611*	464*
Number of allegations pending from prior years	0	0
Number of allegations found to be non-jurisdictional	1	3
Number of allegations found to be without merit	396	292
Number of allegations resolved	611*	464*
Average number of days for allegation resolution	67	74
Allegations resulting in disciplinary action:	36	56
administrative penalty	0	0
reprimand	0	0
probation	0	4
suspension	0	2
revocation	0	8
other	0	0

* This number includes cases referred to TYC for investigation

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Compliance Monitoring
Location / Division	Field Services Division
Contact Name	Scott Friedman, Director of Field Services
Actual Expenditures, FY 2006	\$24,957,354.00
Number of FTEs as of August 31, 2006	9.5

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Compliance Monitoring Unit's (CMU) primary objectives are to improve the effectiveness of juvenile probation programs, facilities and services (i.e., community-based and residential programs) and to help ensure that secure juvenile facilities provide a healthy, safe and rehabilitative environment for juveniles (See Attachments 20 and 32)

Major Activities

- ★ Formalized monitoring (both scheduled and unannounced site visits) with applicable Texas Administrative Code rules (standards) for the State's locally administered juvenile probation services, secure pre-adjudication detention facilities, secure hold-over facilities, and secure post-adjudication correctional facilities. As of August 2007, the applicable Texas Administrative Code Chapters include: 341, 343, 349 and 351;
- ★ The CMU monitoring reports are administered via the agency's Compliance Monitoring, Enforcement and Tracking System (COMETS) (See Attachment 20);
- ★ Preparation and issuance of professional monitoring reports that reflect juvenile justice jurisdictions' overall standards compliance status and/or on-going corrective measures. Reports are administered via the Commission's COMETS system (See Attachment 33);
- ★ Ensure that all identified standards non-compliances are rectified via an appropriate response procedure (e.g., corrective action, contest, waiver or variance) (See Sample Non-Compliance Citation Report in Attachment 34). This activity is also administered via COMETS. Monitoring reports are issued and administered via the agency's Compliance Monitoring, Enforcement, and Tracking System (COMETS) which will be discussed further in Section D;
- ★ Initiate and monitor Adverse Action Plans for those jurisdictions that demonstrate a substantial history of continued non-compliance with standards and/or failed corrective action efforts (See Attachment 35);
- ★ Providing informal and formalized technical assistance in order to assist local jurisdictions in meeting and/or exceeding minimal standard compliance levels;
- ★ On-going internal review and research as to the current best practices relating to professional standards for probation services and secure facility operations;
- ★ Facilitating standards revisions through intra-agency and inter-agency communications and the use of internal and external workgroups;

- ★ Established and on-going interpretations relating to the agency’s Administrative Code rules (standards) via formal and informal communications. On-going interpretations are resolved through formalized Requests for Interpretation (RFI) opinions (See Attachment 36) and informal communications. The agency Compliance Resource Manual (CRM) provides substantial intent and application commentary for all standards monitored by the CMU (See Attachment 37);
- ★ On-going development of internal policies and procedures intended to increase efficiencies in the CMU monitoring and standards development functions (e.g., risk-based monitoring models, monitoring workbooks, Compliance Resource Manual, etc.); and
- ★ Assisting the Governor’s Criminal Justice Division in demonstrating the State’s compliance with the Office of Juvenile Justice and Delinquency Prevention’s federal “jail removal” and “co-location” requirements. Assistance comes in the form of the provision of statistical information (aided by the agency’s Research Division) regarding secure facilities and actual on-site monitoring of the few co-located (juvenile and adult inmate populations) within the State.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Monitoring Activity. Beginning in fiscal year 2004, all of the State’s juvenile probation departments and secure juvenile facilities received a comprehensive “benchmark” monitoring visit and report in which their compliance for all applicable standards was measured. Each jurisdiction’s benchmark score was used as the key variable in the establishment of a “risk-based” model to guide the Commission in determining a jurisdiction’s subsequent monitoring schedule (i.e., frequency) and scope of the resulting monitoring visits. The following table provides a categorized summary of all the CMU COMETS-based monitoring reports issues from September 2003 through July 2007 (See Attachment 38).

Chapter	Number of Reports Issued
Chapter 341	226
Chapter 343 Pre-Adjudication	131
Chapter 343 Post-Adjudication	97
Chapter 349	221
Chapter 351	9

Monitoring Report Scores. Each of the COMETS-based reports affixes an overall score for the site-visit’s monitoring as well as attributing sub-level scores for several functional categories. These sub-level scores include a breakdown of how each jurisdiction performed in relation to the three levels of standards. The three levels include Administrative Standards (Level 1), Provision of Services Standards (Level 2), and Health and Safety Standards (Level 3). A sample benchmark report (See Attachment 39) and a companion risk-based report (See Attachment 40) have been included as illustrations of this format. Additionally, state-wide benchmarking overall scores (categorized by TAC Chapter) are being provided in Attachment 41).

Customer Input. At the conclusion of a CMU on-site visit, each monitoring recipient was provided with instructions how to complete an internet-based evaluation instrument on the monitoring process. The instrument consists of six sections that allow monitoring recipients to evaluate the following processes: pre-monitoring visit correspondence and preparation; the entrance interview; the Compliance Resource Monitor; the Compliance Monitoring Process, the Compliance Monitoring, Enforcement and Tracking System (COMETS); and the overall impression of the visit. The sections (excluding the overall impression) were scored on a scale from one to five with one being “Unsatisfactory” and five being “Exceptional”. To score the overall impression of the visit, there are four open-ended questions that allow departments and facilities to give opinions about their impressions (See Attachment 21).

**Information on Regulated Juvenile Probation Departments
Fiscal Years 2005 and 2006**

	FY 2005	FY 2006
Total number of regulated probation departments	168	168
Total number of regulated secure holdover facilities	6	4
Total number of regulated secure pre-adjudication detention facilities	55	52
Total number of regulated secure post-adjudication correctional facilities	38	33
Total number of probation departments monitored	96	12
Total number of secure holdover facilities monitored	0	6
Total number of secure pre-adjudication detention facilities monitored	35	11
Total number of secure post-adjudication correctional facilities monitored	27	10
Total number of non-compliance citation reports issued	4	5
Total number of unannounced facility visits	4	5

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The development of Administrative Code rules (i.e., standards) and the companion technical assistance and monitoring practices have been a prominent and long-standing component of the Agency’s mission. The first probation department specific standards were established in September 1983 with their formal monitoring ensuing shortly thereafter.

Since their inception, the various Commission standards and the Commission monitoring practices have been in a constant state of evolution. For example some early monitoring efforts allowed a local department representative to document standards compliance through the completion of a self-administered questionnaire which was then given a cursory review by the Commission’s monitoring staff. That is a sharp contrast to the highly formalized Compliance Monitoring and Enforcement and Tracking System (COMETS) implemented in September 2003. COMETS is characterized by highly structured mechanisms to help ensure the Commission’s compliance monitoring system is consistent, valid and reliable.

The evolutionary state of the Commission’s monitoring efforts is a direct reflection of the Agency’s commitment to continually research and model best practices in the field of juvenile community supervision and corrections. In recent years the CMU has become much more adept in researching state and federal case law and specialized standards promulgated by various professional organizations. These efforts have led to the development of standards that serve as national models in the area of juvenile supervision and suicide prevention in secure facilities.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The CMU affects the locally administered juvenile probation departments, secure juvenile pre-adjudication detention facilities, secure post-adjudication facilities, short-term detention facilities, juvenile boards, as well as all juvenile probation officers and juvenile detention officers. Collectively, the CMU's standards development and monitoring efforts affect the following persons or entities:

**Number of Juvenile Probation Departments / Facilities
Fiscal Year 2007**

Juvenile Probation Departments	168
Juvenile Pre-Adjudication Detention Facilities	52
Juvenile Post-Adjudication Correctional Facilities	32
Holdover Facilities	3

**Number of Certified Officers and Juvenile Referrals
Fiscal Year 2005 and 2006**

	FY 2005	FY 2006
Certified Officers	5,086	5,799
Juvenile Referrals	103,156	103,959

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The nine member CMU is under the direct oversight of the Director of Field Services. In addition to oversight of the CMU, the Division Director also oversees the Abuse, Neglect and Exploitation Investigations Unit. All nine Compliance Resource Specialists (CRSs) of the CMU report directly to the Division Director on all matters within the overall scope of traditional employee and employer relationships (e.g., leave, disciplinary actions, performance evaluations and actions, travel requests and reimbursements, etc.). However, within the CMU, there is a designated Unit Coordinator who, along with the Division Director, is responsible for providing leadership and guidance to each Compliance Resource Specialists' individual monitoring activities as well individual and team-level specific project assignments.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for compliance monitoring from Indirect Administration.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Even though there are other monitoring or auditing divisions within the agency, there is no duplication of services as the functional areas being monitored are distinctly different. The CMU has made a concerted effort to identify any possible duplication of effort to help ensure the most efficient use of unit and agency resources and to free the local departments from having to be subjected to repetitious monitoring practices.

At the local level, there are a select number of secure post-adjudication correctional facilities registered with the Commission that provide contractual services to the Texas Youth Commission (TYC). These facilities are required to comply with both the Commission's facility standards and TYC's specific contract provisions. While there may be some minor duplication of facility requirements, the respective agencies' various standards application interpretations are often so different that they very seldom have the same effect on facility operations.

Additionally, there are a few national level organizations that provide fee-based program and/or facility accreditation specific to successful standards compliance and performance measure provisions. The most established of these organizations is the American Corrections Association (ACA). However, despite its national prominence in accrediting juvenile justice programs, only three of Texas' 168 juvenile jurisdictions currently have ACA accredited programs. Even though there are significant similarities in some of the ACA's and the Commission's standards, there are several key Commission standards relating to secure facility staff to resident ratios, and direct resident supervision requirements that are much more stringent than the related provisions required by ACA. Additionally, ACA's accreditation process is re-administered on a three year cycle, where at least with regard to secure facility monitoring, the Commission provides annual standards monitoring in addition to unannounced on-site visits.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Field Services Division's Abuse, Neglect and Exploitation Investigation Unit has an existing memorandum of understanding with the Texas Youth Commission (TYC) which facilitated informal quarterly meetings to discuss common secure post-adjudication facilities' standard compliance histories and abuse, neglect, and exploitation allegation investigation. Given that the Division's Director was a participant in these quarterly meetings, CMU specific interest and topics were routinely addressed. The TJPC is currently awaiting the TYC's internal reorganization efforts to re-visit the need for the continued or amended MOU agreement.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Compliance Monitoring Unit's primary clients are county government level juvenile probation departments. This requires the unit's staff to have constant and on-going interactions with county staff as well as local juvenile board and judiciary level contacts. Additionally, the unit's staff is often asked to provide information and/or technical assistance to local county judges, county commissioners, prosecutors, planning representatives, etc.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The unit's objective could be assisted by statewide enhancement of funding for state and local mental health and medical health service providers. Currently, the unit's standards development recommendations specific to mental and medical health services within secure facilities are greatly limited because of funding deficiencies in these two areas. In many regards, the TJPC's standards in these two areas do not parallel recommended national best practices because imposing such standards would impose significant financial obligations on local jurisdictions. The TJPC and local jurisdictions would also greatly benefit from changes in the eligibility criteria of Medicaid to include all juveniles housed in secure juvenile facilities.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

In addition to previously mentioned unit responsibilities, individual members of the Compliance Monitoring Unit participate in several interagency workgroups with various state agencies or state-level workgroups or committees. Some of these interactions are prescribed by statute or legislative directive, while others are cooperative relationships intended to enhance youth services in the State. The workgroups or committees are as follows:

- ★ State Community Resource Coordination Group (Health and Human Services Commission);
- ★ Governor's Office Criminal Justice Division's Monitoring of the Juvenile Justice and Delinquency Prevention Act;
- ★ Senate Bill 325 Restraint and Seclusion Reduction Workgroup (Texas Health and Human Services Commission and the Hogg Foundation); and
- ★ The Texas Violent Gang Task Force

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Regulatory and Registrations Functions. The CMU's standards monitoring activity constitutes a regulatory function and the TJPC's Secure Facility Registry (registry verification and modifications currently overseen by CMU staff) is a "registration" function as described by this Section. The Secure Facility Registry serves multiple purposes, but specific to the CMU's standards monitoring function, the registry provides the agency with a listing of all secure facilities that require monitoring for compliance with Texas Administrative Code (TAC) Chapters 343 and 351. The monitoring population for probation departments is determined by the number of jurisdictions that enter into a State Financial Assistance Contract with the TJPC. These two sample populations are not fixed and typically there are minor fluctuations in the numbers from year to year. The monitoring of probation services and secure pre- and post-adjudication facilities is a statutory requirement (enumerated in both the Texas Human Resources Code, Section 141 and the Texas Family Code, Sections 51.12 and 51.125). Aside from these statutory mandates, the regulation (via standards development and monitoring) of these programs and facilities is necessary to help ensure that minimum services and safeguards are being provided juveniles regardless of where they are served throughout the State.

Regulatory Scope, Procedures, and Sanctions Overview. Specific details as to the scope and procedures for the CMU's actual on-site monitoring activities are detailed in the Compliance Resource Manuals (CRMs) for TAC Chapters 341, 343 and 351. A sample of the CRM and its considerable discussion of the CMU's monitoring scope and procedures details was previously referenced as Attachment 37. The TJPC's COMETS (also previously discussed) also provides a comprehensive listing of the follow-up activities and sanctions available for the TJPC to initiate for jurisdictions that failed to adequately respond to formal citations of standards non-compliance. These provisions are found in the TJPC's Compliance Improvement System (CIS) which is provided as Attachment 42.

Standards Complaint Processing. The CMU does receive complaints from citizens and juvenile system participants. If the CMU receives a complaint that could be construed as an allegation of abuse, neglect or exploitation of a juvenile within the juvenile justice system, then the complainant is immediately referred to the Commission's Abuse, Neglect and Exploitation Investigation Unit. However, if the complaint involves an allegation of standards non-compliance, then the CMU resolves the standards complaint by direct contact with the jurisdiction in question. This contact may take the form of a phone inquiry, a request for relevant documentation, or in the case of secure facilities, an unannounced site-visit may be completed. If a standards non-compliance is confirmed the CMU will issue a Non-Compliance Citation Report (NCCR) via the COMETS system. A copy of an actual NCCR is provided as Attachment 34. Currently the TJPC is in the initial stages of the development of an automated agency-wide complaint tracking system that will help ensure that citizen complaints are assigned to the appropriate agency division (or unit) and that they are addressed in a timely and responsive manner.

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Fiscal Services
Location / Division	Fiscal Services Division
Contact Name	Annie Collier, Director of Fiscal Services
Actual Expenditures, FY 2006	\$15,088,694.57
Number of FTEs as of August 31, 2006	11

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Fiscal Division is responsible for the administration of the agency's appropriated funds in accordance with agency requirements, state and federal laws. The Fiscal Division develops financial management policies for the Commission and 168 juvenile probation departments by developing timely, accurate and useful financial information and reports to support management decisions. The core functions of the division include Procurement, Accounts Payable, Accounts Receivable, Process of Travel Vouchers, Payroll, Monthly Reconciliation/General Ledger Process, Financial Reporting, Independent Audit Review, Property Accounting, Facilities Management, Budgeting, Fiscal Monitoring, Contract Administration and the Financial Management of the Title IV-E Federal Foster Care Program. All noted functions are explained below:

- ★ **Procurement.** Acquires the goods and services needed to carry out the responsibilities of the agency. Directs the agency on the state's procurement policies, regulations and procedures.
- ★ **Accounts Payable.** The accounts payable staff are responsible for processing payments for goods and services and reimbursements to Commission staff for costs incurred as part of agency business. The Fiscal Division is responsible for processing payment to all agency staff.
- ★ **Disbursement of Funds.** The Fiscal Division is responsible for disbursement of funds to the juvenile probation departments. The majority of the payments are disbursed through electronic funds transfer. The remaining are warrant payments through the state comptroller's office.
- ★ **Contract Administration.** The Fiscal Division manages the contracts of each juvenile probation department through a variety of activities throughout the year to ensure compliance. These activities include reviews of budgets, quarterly expenditure reports, budget adjustment requests and local county expenditures.
- ★ **Fiscal Monitoring.** The Fiscal Division conducts a formal review of each juvenile probation department's grant and financial records. The Commission's contract requires the local juvenile probation departments to maintain records sufficient to account for the use of state funds and provides the Commission with reasonable evidence that service delivery is consistent with provisions in the State Financial Assistance Contract and Compliance Resource Manual.
- ★ **Title IV-E Foster Care Fiscal Program.** Title IV-E provides federal reimbursement to the juvenile probation departments for a portion of the costs of children placed in foster homes or other types of out-of-home care under a court order or voluntary placement agreement. Title IV-E benefits are an individual entitlement for qualified children who have been removed from their homes. A child must be determined to be eligible in

order for their expenses to be reimbursable. The determination of Title IV-E eligibility allows the state to claim federal reimbursement for the child's maintenance costs. The Title IV-E eligibility also allows the state to obtain federal IV-E reimbursement for administrative and training costs associated with the child. The Title IV-E Fiscal Unit reviews and processes these claims and conducts compliance audits required by the federal government.

- ★ **Independent Audit Review.** The Fiscal Division reviews the annual independent audit report required to be submitted by each juvenile probation department in accordance with Generally Accepted Auditing Standards (GAAS), Government Auditing Standards (GAS) and the audit requirements of the Commission for all grant funds.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The effectiveness and efficiency of the Fiscal Division has been addressed in audits conducted by Garza, Gonzalez and Associates (See Attachment 17d), KPMG Accounting Firm that audits the Title IV-E Federal Program (See Attachment 43), the Comptroller's Office and the Texas Building and Procurement Commission.

The following table summarizes the activities of the Fiscal Division.

**Fiscal Activities and Transactions
Fiscal Years 2005 and 2006**

	FY 2005	FY 2006
Title IV-E Federal Funds		
Total Number of Audits	10	20
Total Number of Trainings	15	11
Total Number of Counties	148	149
Amount Disbursed for Administrative Claim Reimbursement	\$35,860,244	\$35,785,774
Amount Disbursed for Foster Care Reimbursement	\$4,711,091	\$5,274,033
TJPC Grants		
Total Number of Disbursement of Funds Transactions	9,713	9,713
Total Number of Field Staff that Attended the Budget Workshop	261	195
Number of Audits	0	9
Amount of Funds Disbursed	\$89,366,989	\$89,297,149
Reimbursements Funds		
Amount of Funds Disbursed	\$9,164,287	\$8,813,384

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Fiscal Monitoring function has increased the agency's ability to determine whether the juvenile probation departments are expending state funds within the guidelines set forth in the State Financial Assistance Contract and Compliance Resource Manual. Fiscal monitoring includes, but is not limited to:

- ★ Comparing budgets to actual costs;
- ★ Obtaining documentation that services were in accordance with the contract;
- ★ Comparing bills with supporting documentation to determine costs were allowable and necessary;
- ★ Review of service provider contracts and documentation to determine if services are being provided; and
- ★ Interview juvenile probation staff to determine if the services are being performed according to the State Financial Assistance Contract and Compliance Resource Manual.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Fiscal Division's function impacts 62 Commission staff and the 168 juvenile probation departments. The Division disburses approximately \$7 million monthly to the departments. The Fiscal Division communicates with the Fiscal Officer of each department which is usually the County Auditor. Each department receives at least three grants contractually administered and monitored by the Fiscal Division. The Title IV-E function of the Division processes reimbursement claims for 154 departments as well as conducts monitoring visits and desk audits.

The Fiscal Division conducts an annual Budget Conference for all 168 departments designed for chief juvenile probation officers and fiscal officers, in addition to trainings related to Title IV-E. The Division provides on going technical assistance throughout the year.

The Division reviews each juvenile probation department's annual independent audit report and communicates with the independent auditors for clarification and recommendations. The Division ensures corrective action is implemented by the department on all findings.

Fiscal staff also corresponds and submits all required reports to the state's oversight agencies (e.g., Comptroller's Office, State Auditor's Office).

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The following attachments will assist in describing the process of administrating and managing the functions in the Fiscal Unit.

- ★ The Grant Compliance Monitoring Visit is a monitoring tool used during the Grant Compliance Monitoring Visit (See Attachment 44).
- ★ The Independent Audit Review Measurement Tool reveals if the county's internal controls are within compliance regarding grant funds (See Attachment 45).

- ★ The Contract Management Process determines whether the cost is generally recognized as necessary for the operation of the performance of the grant (See Attachment 46).

The following attachments describe the reimbursement process for Level 5 Placement Reimbursement Process (See Attachment 47), Post-Adjudication Operation Grant Reimbursement (See Attachment 48), Title IV-E Federal Foster Care Claim Process (See Attachment 49), Title IV-E Administrative Claim Process (See Attachment 50), and Title IV-E Monitoring Tool (See Attachment 51).

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The funding sources for TJPC include General Revenue, federal funds, appropriated receipts, interagency contract that transferred funds from the Foundation School Fund and criminal justice grants (See Attachment 52).

State Aid and Community Corrections funding are allocated to the juvenile probation departments according to the following formulas:

State Aid Funding Formula Methodology. State Aid funds are allocated on a two-tiered formulas based on each county's juvenile-age population. Tier One of the State Aid formula allocates funding in the amount of \$12.00 per juvenile ages 10 to 16 in each county's population. The formula provides for a minimum and maximum funding amount. No county receives less than \$5,200 or more than \$58,000. Funds remaining after the Tier One allocation are allocated under Tier Two. Tier Two allocates the remaining funding according to the county's percentage of total state juvenile-age population.

Community Corrections Funding Formula Methodology. Community Corrections funding is allocated using a three-tiered formula based on a department's juvenile-age population and felony referrals. Seventy-five percent of Community Corrections funding is allocated based on the juvenile-age population (Tier One and Two) while 25% of funding is allocated based on felony referrals (Tier Three).

Tier One of the Community Corrections formula allocates funding to each juvenile probation department based on juvenile-age population. Departments receive funding in the amount of \$ 11.00 per juvenile ages 10 to 16 in the population, not to exceed \$75,000. Population funds remaining after the Tier One allocation are allocated under Tier Two based on a department's percentage of the total state juvenile-age population. Tier Three allocates the remaining 25% of Community Corrections funding based on the department's percentage of the total state felony referrals.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Commission allocates funds appropriated by the Texas Legislature in the form of grants to assist local juvenile boards in operating juvenile probation departments, juvenile detention and correctional facilities, and providing basic and special services to children in the juvenile probation system. The Commission allocates nearly \$200 million biennially to local juvenile probation departments through multiple contracts and grants to each of the 168 local juvenile boards. The agency is mandated pursuant to Section 141.051 of the Texas Human Resources Code to monitor contracts to ensure compliance with financial and performance requirements. The Fiscal Division utilizes its web-based Compliance Monitoring, Enforcement and Tracking System (COMETS) to monitor contract and grant requirements.

The provisions of Title IV-E of the Social Security Act are used to increase funds available for juvenile justice services. Title IV-E funds provide reimbursement for approximately half the cost of non-secure residential placement and related administrative expenses for certain children referred to juvenile probation departments. Children certified as eligible receive automatic Medicaid benefits. These additional funds allow departments to provide an enhanced level of service to all children referred to juvenile probation.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Garza, Gonzalez and Associates (G&G) serve as the internal auditor for the Commission. G&G presents audit reports including a final audit report to the Commission's governing board annually or specialized reports on an as needed basis. G&G also performs desk reviews of the annual independent audit reports submitted to the Commission by local juvenile boards that are subject to the terms and conditions set forth in the State Financial Assistance Contract. G&G's audit reports are accepted by TJPC's governing board and oversight state agencies. The Commission has not had any contracting problems with G&G. The Commission expended \$56,125.00 in fiscal year 2006 for their auditing services.

Positive Solutions Associates' services include the training and implementation of cognitive skills intervention programs for the Commission and juvenile probation department staff (Project ASPECT). The Commission has not had any contracting problems with Positive Solutions Associates. The Commission expended \$108,005.83 in fiscal year 2006 for their services.

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Funding is allocated to juvenile probation departments statewide based on the legislative appropriations. The Commission's State Financial Assistance Contract (Attachment 53) and Independent Audit Requirements (Attachment 54) are attached.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

The juvenile probation departments are subject to on-site financial monitoring or desk audits at any time. Upon receipt of information, audits may be initiated due to the discovery of problem areas resulting from financial data reviews, risk assessments, independent audit findings, budget reasonableness reviews and other factors. Findings will result in a performance rating profile report or a Non-Compliance Citation Report (NCCR).

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Management Information Systems
Location / Division	Management Information Systems Division
Contact Name	Jim Southwell, Director of Management Information Systems
Actual Expenditures, FY 2006	\$10,630,926.80
Number of FTEs as of August 31, 2006	6.5

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Commission's Management Information Systems (MIS) Division is responsible for the planning, management and direction of technology initiatives in support of agency operations. We provide the agency with a diverse set of technology services including development, monitoring, and maintenance of the agency data network, desktop and mobile computer systems and servers. Additionally, software application development done by the division allows for the collection and or dissemination of information and data to and from the agency as needed. The primary objective of MIS is to advance the mission and vision of the agency by:

- ★ Ensuring that the core systems and the network infrastructure are reliable, robust, secure, and capable of handling the increasingly sophisticated types of applications the Commission is using or plans to use in support of agency business. This includes providing sufficient hardware and software resources, training and technical assistance to agency staff and local juvenile departments as well as ensuring that adequate measures are in place to safeguard the agency's information and computer systems;
- ★ Developing flexible, robust, feature-rich software applications for use by agency staff and local juvenile departments via the desktop or the Internet that leverage existing technologies, as well as subject matter expertise;
- ★ Providing excellent technology support, making sure that anyone needing assistance with technology receives it promptly, courteously, and in an accurate manner; and
- ★ Exploring emerging technologies and promoting and assisting with integration of technology with the agency's business processes.

The Commission's MIS division performs the following functions:

Provide application development and maintenance products and services to the Commission and other customers.

- ★ Provide application development and maintenance products and services for the entire product life cycle (including requirements, design, acquisition or development, testing, user acceptance, training, implementation and retirement).
- ★ Manage the portfolio of application development and maintenance projects by risk-based segmentation of the portfolio.
- ★ Manage all projects using approved project management processes and the appropriate development or maintenance life cycle.

- ★ Manage all projects to satisfy customer requirements and achieve all schedule, cost and quality objectives.
- ★ Provide relevant, accurate, timely, and standardized project status information to all customers, including escalation of issues where appropriate.
- ★ Provide effective and timely support for production applications.
- ★ Application Development projects completed by the Commission's MIS Division include:
 - **Juvenile Attorney Assessment Testing System (JAATS)**. This web-enabled system is designed specifically for use by juvenile court judges to test the basic knowledge level in juvenile law of attorneys being considered by the court to be accepted on the appointment list in juvenile cases.
 - **Legal Analysis and Publishing System (LEAPS)**. This web-based application is used to aid in the publishing of the Texas Juvenile Law book. This system is used to record all AG Opinions, Federal Cases, Legislative Changes, and Texas Cases and the corresponding analysis of each item.
 - **Contact Activity Tracking System (CATS)**. This system is a web-based contact log system that is used to keep record of phone calls, emails, office contacts, and interagency contacts by Commission staff.
 - **Automated Certification Information System (ACIS)**. This web-based automated juvenile officer certification processing system, accessed from the Commission's website, is used for submitting online certification and recertification applications, employment exemption requests, extension requests and termination notices by the various juvenile probation departments across the state.
 - **Juvenile Officer Training and Tracking System (JOTTS)**. JOTTS was developed to assist the local Juvenile Probation Departments in tracking the necessary information required for officer certification including basic personnel and training information. Through an electronic interface, JOTTS submits the required information to Commission's Automated Certification Information System (ACIS) for application processing.
 - **Special Needs Diversionary Program (SNDP)**. SNDP is a web-based application that was designed to allow probation departments to submit and maintain information on juveniles participating in the SNDP project.
 - **Why Try**. This system was developed to allow for the tracking of participation by various Juvenile Probation Departments in a special training program for at-risk juvenile offenders.
 - **Computer and Asset Management System (CAMS)**. This system is utilized for managing the technology inventory and assets of the agency – both hardware and software acquisitions are recorded in this application.
 - **Title IV-E In-House and Title IV-E Program System (IV-E and TPS)**. These two applications combine to allow for the tracking of juveniles in residential placement facilities as well as the processing of applications for reimbursement of the cost of care for eligible youth.
 - **Time and Attendance**. This internal system facilitates the recording of staff accrual and use of leave time.
 - **Employee Location System (ELS)**. This application is used internally for tracking the location of staff members throughout the work day.
 - **Regional Training System**. This web application allows for the approval of training hours for upcoming training events and posting of these events on the Commission's website. This includes those sponsored by private training providers and other organizations outside of the Commission. It serves as a clearinghouse for juvenile justice related training opportunities.
 - **Training and Registration Management System (TRMS)**. This system facilitates the registration and tracking of attendance for various training events.

Provide data processing products and services to the Commission and other customers.

- ★ Provide data processing products and services for the entire product life cycle (including requirements, design, acquisition or development, testing, user acceptance, training, implementation and retirement).
- ★ Manage capacity planning effectively based upon current and projected system utilization.
- ★ Effectively interface and exchange data with other entities to accomplish business needs.
- ★ Provide relevant, accurate, timely, and standardized platform status information to customers, including escalation of issues where appropriate.
- ★ Provide effective and timely support for all data processing products and services.

Provide help desk services to the Commission and other customers.

- ★ Provide help desk services for designated production products.
- ★ Provide relevant, accurate, timely and standardized status information to customers.
- ★ Provide collection, tracking and reporting of summary help desk management information.

Provide technical assistance and subject matter training to the Commission and other customers.

- ★ Provide technical assistance services for designated products – office automation and developed software.
- ★ Provide advanced CASEWORKER training to agency staff and local juvenile probation department personnel.
- ★ Provide training and technical assistance to agency staff and local juvenile probation departments and help them determine the best method of capturing juvenile activity; extract accurate information for management reports and troubleshoot problems.
- ★ Provide software and technical assistance to agency staff and local juvenile probation departments to ensure accurate reporting of information to the agency.
- ★ Provide assistance to juvenile probation departments and information technology vendors on the proper configuration of workstations, network systems and printers to allow for optimum performance of the CASEWORKER program.

Effective stewardship of state resources to provide cost effective solutions with appropriate accountability.

- ★ Perform MIS strategic, functional and operational planning to support the MIS mission.
- ★ Develop and manage information technology policies to support the MIS mission.
- ★ Develop accurate and timely state and federal planning documents.
- ★ Develop and manage the customer base to optimize delivery of products and services.
- ★ Manage business activities to provide cost effective products and services and to optimize federal, state and grant dollars.
- ★ Conduct all business to be compliant with statutory requirements, accounting standards, and audit requirements.
- ★ Develop and effectively manage contracts and agreements, including but not limited to, supply and procurement contracts.
- ★ Provide relevant, accurate, timely, and standardized information to state and agency stakeholders.
- ★ Prepare and coordinate the Information Resources Strategic Plan, Biennial Operating Plan and IR Disaster Recovery Plan.

Effective stewardship of MIS technical infrastructure and physical environment.

- ★ Provide architectural definition of technology, standards and rules.
- ★ Effectively manage the configurations of all technical infrastructure items.
- ★ Effectively manage information security and control, and the physical environment.
- ★ Provide a physical environment conducive to accomplishing business needs.
- ★ Provide effective disaster recovery capabilities.

Provide an environment conducive to employee development in furtherance of the MIS mission.

- ★ Communicate to each employee how their efforts relate to the MIS vision, mission, goals, objectives and strategies.
- ★ Create an environment where each employee feels valued in the delivery of the MIS mission and is able to contribute to its ongoing goals and objectives.
- ★ Provide opportunities for job enrichment and advancement.
- ★ Ensure each employee has appropriate skills, tools and training to perform his/her job functions.
- ★ Optimize MIS staffing and utilization to meet business objectives across divisions.
- ★ Provide fair and timely performance feedback and effective two-way employee communications.
- ★ Preserve and manage organizational knowledge to accomplish business needs.

Conduct MIS activities so as to provide a high level of customer satisfaction and support.

- ★ Ensure that all MIS efforts have a customer centric focus and contribute to customer well-being.
- ★ Ensure that all MIS products and services effectively meet customer needs and result in a high degree of customer satisfaction.
- ★ Maintain an effective interface with customers to facilitate communications on all business and technical issues.
- ★ Proactively work with existing and potential customers to determine their current and future product and service needs.
- ★ Maintain sufficient flexibility to deliver on all funded customer requirements.
- ★ Provide relevant, accurate, timely, standardized and summary/roll-up status information to all customers.

Provide a framework in which quality is a value add of every product and service.

- ★ Advocate, communicate and enable the use of quality principles and practices by all MIS staff.
- ★ Ensure the inclusion of quality at all levels of MIS organizational planning.
- ★ Effectively manage and implement MIS organizational improvement and effectiveness initiatives.
- ★ Institutionalize and manage a framework for continuous process improvement throughout MIS.
- ★ Institutionalize and manage a framework for quality assurance for MIS processes, products and services.
- ★ Institutionalize and manage a framework for the assessment of MIS performance on delivering its mission.

Listed below are some of the major systems that were developed and are currently monitored and maintained the MIS Division:

- ★ **CASEWORKER/5.** This system was developed to provide an easy and concise method of collecting, storing, retrieving, and printing juvenile caseload information by juvenile probation departments of Texas. A portion of this information is forwarded to the Commission for inclusion in the agency's Annual Statistical Report, in order to provide accurate information regarding the magnitude and nature of juvenile activity and the juvenile probation system's ability to respond. CASEWORKER gives the juvenile probation departments the capability to print various reports, including: caseload by department and officer, probation fee and restitution current/delinquent reports, and the Commission's statistical reports. A provision to scan the juvenile records and produce ad hoc reports is also included.
- ★ **Agency Financial System (AFS).** This application incorporates the State Aid Management, Funding Allocation, Internal Administrative Disbursement, and Community Corrections systems. This application was designed to allocate, distribute, account, and manage the state aid monies allocated to the Commission. State Aid is distributed to county juvenile probation departments for the purpose of providing juvenile probation and community-based correctional services as enacted by H.B. 1704, 67th Legislature. Payment information is transmitted to the Comptroller via file transfer protocol. Some contract information is available on the agency's public website.

- ★ **Juvenile Justice Personnel (JJP).** This system maintains certification information on juvenile probation, detention, and corrections officers. Submission of certification reporting requirements is provided through a secure, web-based application known as the Automated Certification Information System (ACIS). Additionally, contact information is maintained on other juvenile justice practitioners (i.e., juvenile judges, juvenile board chairs, district attorneys, etc.). Information contained with the database is shared with the Attorney General's Office and other state agencies as requested.
- ★ **Juvenile Case Extract.** This system contains detailed case-level data on children referred to local juvenile probation departments as documented in the Commission's Electronic Data Interchange Specifications, Texas Administrative Code Section 341.150 and reported to the Commission via encrypted electronic transfer on a monthly basis. This data is shared with Legislative officials, Texas probation departments, National Center for Juvenile Justice, probation associations and other states. The information can be shared via hardcopy, magnetic media or email.
- ★ **Statistical Reporting System (SRS).** The application was designed for the purpose of collecting statistical information regarding the nature and magnitude of juvenile delinquency in Texas, and how the juvenile system responded. The Statistical Reporting System accepts extracted case data from local juvenile probation department's CASEWORKER or county systems. The information is submitted monthly to the Commission (via encrypted electronic transfer), and includes all new and changed activity for the previous month.
- ★ **Juvenile Justice Alternative Education Programs (JJAEP).** The 74th Legislature mandates that twenty-two counties operate Juvenile Justice Alternative Education Programs (JJAEP) for certain juvenile offenders. The programs began in 1996. This application was developed in ACCESS by an external contractor. MIS incorporated JJAEP into the CASEWORKER/5 application and developed a web-based application for counties who don't use CASEWORKER/5 to submit their JJAEP data. Information contained within the database is shared with the Attorney General's Office and other state agencies as requested.
- ★ **Compliance Monitoring and Enforcement Tracking System (COMETS).** This system was designed to allow agency staff to conduct an onsite monitoring visit and immediately issue a summary report. This system provides a unified method of scheduling, performing and tracking of the standards monitoring function. The system provides the ability to generate an onsite monitoring report, transmit the report electronically to the Commission, accept corrective actions plans for local departments, and track the progression and verification of those plans.
- ★ **Agency Internet Website.** The agency website is maintained by the MIS division and allows juvenile probation departments to access the latest information on Commission meetings, legislative issues, training calendars, federal funding, agency publications and other important announcements. For those departments using CASEWORKER, it allows access to program updates, tips and techniques, answers to common questions, and the ability to electronically transfer their monthly extract files to the Commission. Web-enabled applications are also utilized for conducting customer surveys, operation of an Automated Certification Information System (ACIS) for certification of juvenile probation and detention officers, as well as functions associated with the Compliance Monitoring and Enforcement Tracking System (COMETS).
- ★ **Juvenile Case Management System (JCMS).** The development of this system is a joint venture between a number of urban counties, the Texas Juvenile Probation Commission and the Conference of Urban Counties. The JCMS is intended to be a comprehensive juvenile justice information and case management system providing for the common data collection, reporting and management needs of Texas juvenile probation departments as well as the flexibility to accommodate individualized requirements.

Building on the foundations established by the State of Texas through the CASEWORKER application and the Juvenile Information System (JIS) developed by Dallas County, the JCMS will establish a foundation for a statewide juvenile justice database that will foster data and information sharing. Through the use of a common integrated juvenile justice system and a shared database, agencies at all levels of government; city, county and state; will be able to enhance services to children and families while advancing public safety. A shared common integrated juvenile justice system and database will also reduce the costs of the administration of juvenile justice programs by providing better tools and information for collaborative case management.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Of the 168 juvenile probation departments, 160 currently use CASEWORKER and TJPC provides technical support to all departments. In fiscal year 2005, there was a total of 3,184 call received to the Commission's CASEWORKER help desk and 2,747 in fiscal year 2006. The MIS Division supports 122 pieces of hardware at the Commission.

In March, 2007, the Texas Juvenile Probation Commission (TJPC) engaged The Department of Information Resources (DIR) IT Security Division to conduct a controlled penetration test to assess network security. The scope of the assessment included all TJPC Internet-connected systems. DIR conducted the controlled penetration testing from the vantage point of an outside attacker, restricting its activity to security reconnaissance, vulnerability analysis, and limited exploits of areas deemed most vulnerable.

The objective of this assessment was for DIR to attempt to access proprietary information and compromise systems. DIR was unable to leverage the vulnerabilities identified to retrieve sensitive proprietary information from the TJPC network or gain control of any systems. TJPC provided fair Internet perimeter security, minimizing the number of service ports open to Internet users. Software on most Internet-accessible devices appeared to be up to date with regard to security patches.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Not Applicable

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Not Applicable

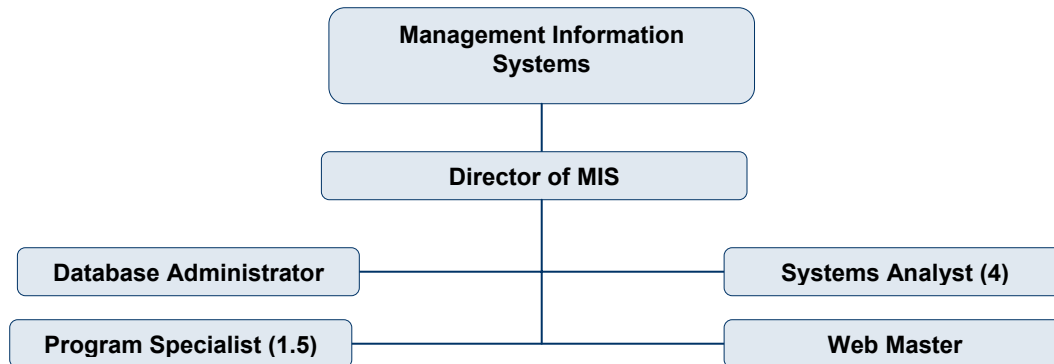
F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The Management Information Systems division is part of the administrative functions of the Texas Juvenile Probation Commission under the general direction of the Chief of Staff. The division currently consists of the Director of MIS, a Database Administrator, two Systems Analysts, two Program Specialists and a Webmaster.

The employees are required to comply with all state and federal laws, in addition to the policies and procedures detailed in the Commission's Personnel Handbook. Each employee is evaluated on an annual basis using the Commission's Employee Performance Evaluation Instrument.

Unit meetings are held as necessary to coordinate activities of the division. The Director of MIS participates in the management meetings for the agency, and each employee attends the agency staff meetings.

**MIS Organizational Chart
as of September 1, 2007**



G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for Management Information Systems from Indirect Administration.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Commission has a mission to work in partnership with local juvenile boards and their local juvenile probation departments to provide a comprehensive range of community based probation services which will ensure public safety, offender accountability, and assistance to offenders in becoming productive, responsible, law-abiding citizens. Two primary strategies used by the Commission to accomplish this mission are to provide financial assistance to promote and supplement local programs and provide technical assistance to the juvenile probation departments of Texas.

The primary functions necessary to accomplish these strategies are the ability to communicate with the local juvenile probation departments; and the ability to process, through the State Comptroller's Office, State Aid disbursements for the operation of local juvenile probation departments. The MIS division is at the heart of the operational effectiveness of these functions. Vital agency operations have been identified as:

- ★ **Voice, Fax, and Data Communications.** Voice and fax communications are the primary methods used to provide technical assistance to local juvenile probation departments. External data communication is necessary to process disbursements with the State Comptroller and receive statistical data from probation departments.
- ★ **Voucher Processing.** The processing of vouchers for State-Aid, IV-E, payroll and agency payables is vital to the operation of the agency.
- ★ **Office Automation.** Word processing, spreadsheet and database functions are necessary for the efficient operation of the agency. Many agency functions are performed using these applications.
- ★ **Email.** The Commission relies heavily on email in order to facilitate communications with local juvenile probation departments, state agencies and the legislature. The Commission provides one e-mail address for each department as a quick and cost-effective means of communicating between local departments and the Commission.
- ★ **Web Applications.** Currently, the Commission maintains a website at <http://www.tjpc.state.tx.us> which allows juvenile probation departments and the public to access the latest information on Commission meetings, legislative issues, training calendars, federal funding, agency publications and other important announcements. For those departments using CASEWORKER, it allows access to program updates, tips and techniques, answers to common questions and the ability to electronically transmit their monthly data extract files to the agency. Web-enabled applications are also utilized for conducting customer surveys, operations of an Automated Certification Information System (ACIS) for certification of juvenile probation and detention officers, as well as functions associated with the Compliance Monitoring and Enforcement Tracking System (COMETS).

The use of web-enabled applications has greatly improved the collection and management of information related to several agency-sponsored programs. These include the Automated Certification Information System (ACIS), Family Preservation Program (FPS), Substance Abuse Prevention and Intervention System (SAPIS), Juvenile Justice Alternative Education Program System (JJAEP), and Special Needs Diversionary Program (TCOOMMI).

- ★ **Statistical Data Submission.** Local juvenile probation departments are required to submit monthly statistical information. This information is the primary source of juvenile activity statistics and plays an important role in decision-making for the agency and the legislature.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Not Applicable

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Legal Services
Location / Division	Office of the General Counsel
Contact Name	Lisa Capers, Deputy Executive Director and General Counsel
Actual Expenditures, FY 2006	\$4,565,944.59
Number of FTEs as of August 31, 2006	3

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Office of the General Counsel provides legal assistance to juvenile boards, juvenile probation departments, prosecutors, law enforcement and other juvenile justice professionals in the form of juvenile law interpretation and technical legal assistance. The division plays a key role in the promulgation and enforcement of standards; certification and disciplinary hearings; IV-E appeals and consultation; legislative analysis and tracking; interagency activities; publishing as well as drafting of contracts between local juvenile boards and the Commission. The Office of the General Counsel also provides juvenile law training to juvenile justice practitioners and other system stakeholders statewide. The Office of the General Counsel performs agency services in more than 17 distinct functional service areas including, but not limited to, the following:

- ★ Administrative Hearings
- ★ Bill Analysis and Tracking
- ★ Child Abuse, Neglect and Exploitation Investigation Review
- ★ Fiscal Contracts and Procurement Matters
- ★ Disciplinary Hearings
- ★ Interagency Workgroups and Activities
- ★ Interim and Field Workgroups
- ★ IV-E Appeals and IV-E Staff Consultant
- ★ Juvenile Law Training
- ★ Legal & Technical Assistance
- ★ Legislative Briefing Materials Development
- ★ Legislative Budget and Appropriations Process
- ★ Legislative Communications
- ★ Promulgation and Enforcement of Administrative Rules
- ★ Public Information Requests Coordination
- ★ Publishing and Legal Conference Planning
- ★ Personnel and Agency Human Resources
- ★ Ethics Advisement
- ★ Litigation Coordination

The Office of the General Counsel fulfills the agency training mandate referenced in Human Resources Code Section 141.043 by providing legal training to juvenile justice practitioners, juvenile boards and probation officers in order to promote compliance with statutory laws and administrative standards and to improve the provision juvenile services throughout the state. The legal division coordinates and sponsors statewide juvenile justice training initiatives and conferences. Attorneys from the division are directly responsible for the development of law-related curriculum as well

as the planning, organization and execution of major statewide conferences. The division also plays a prominent role in the implementation of other agency sponsored regional and county juvenile law training initiatives such as the TJPC Mobile Help Desk. Legal trainings can also be customized to meet the specific needs of a requesting juvenile probation department. The Commission's attorneys are a recognized training resource throughout the juvenile justice system and are called on by various associations and organizations such as the Juvenile Law Section of the State Bar of Texas, Texas Association of Counties, Correctional Management Institute, Texas Justice Courts Training Center, Texas Municipal Courts Education Center and regional training coordinators for their expertise and knowledge of juvenile law issues and procedures. The Commission's law-related conferences also serve an important function by allowing attendees to obtain quality training and accrue continuing education and probation training hours from the Commission and a variety of accrediting agencies such as the State Bar of Texas, Texas Commission of Law Enforcement Officer Standards and Education (TCLEOSE) and the Office of Court Administration. The legal division sponsors or co-sponsors the following major statewide law conferences:

- ★ **Nuts and Bolts Conference.** The Nuts and Bolts Conference is an intensive two-day seminar intended to assist juvenile justice practitioners with the basic fundamental and principals of juvenile law. Conference participants are provided with a synopsis or outline of comprehensive materials on specific juvenile law topics presented by notable judges and juvenile law specialists from around the state. The Nuts and Bolts Conference, which began in 2001 as a review course for attorneys seeking specialization in juvenile law, is well attended each year by more than 200 professionals representing each facet of the juvenile justice system. The Commission co-sponsors this conference annually with the Juvenile Law Section of the State Bar of Texas.
- ★ **Robert O. Dawson Juvenile Law Institute.** The Robert O. Dawson Juvenile Law Institute, now in its 20th year, is the premiere juvenile law conference in the state. This two and one-half day conference provides nearly 600 participants advanced-level juvenile law topics and other matters relating to the protection and safety of children. The Commission is actively engaged with the Juvenile Law Section of the State Bar of Texas in the planning, organization and execution of this annual conference and has served as its primary co-sponsor. In 2005, the Office of the Attorney General served as a Dawson Institute co-sponsor.
- ★ **Post-Legislative Conference.** Since 1997, Texas Juvenile Probation Commission has sponsored a Post-Legislative Conference every legislative session. The conference is held in odd-numbered years following a regular session of the Texas Legislature. This one and one-half day statewide conference provides an overview of the legislative session and highlights bills pertinent to juvenile law. In 2007, the Post-Legislative Conference attracted more than 500 juvenile justice professionals including chief juvenile probation officers and administrators, judges, prosecutors, defense attorneys and probation personnel.
- ★ **Behind Closed Doors Liabilities, Issues and Trends in Juvenile Justice Facilities.** The "Behind Closed Doors" conference was a week-long national conference sponsored by the Texas Juvenile Probation Commission and co-sponsored by the Texas Juvenile Detention Association, Advocacy Inc., and the Texas Youth Commission. First held in 2005, this conference brought together more than 250 participants with national and state level perspectives on current issues, challenges and liabilities in juvenile justice facilities and included a variety of topics including restraint techniques, suicide prevention, overcrowding, mental and medical health needs of incarcerated youth, and programming for youth with special needs. The Commission's legal and field services divisions were instrumental in the conceptual development and planning of this conference. The next Behind Closed Doors is slated for Summer 2008 and will focus on the implementation of the federal Prison Rape Elimination Act.

- ★ **Juvenile Law Section Activities.** The Office of the General Counsel frequently coordinates with the Juvenile Law Section of the State Bar of Texas to enhance the provision legal services throughout the juvenile justice system. Juvenile probation officers are also eligible to participate in the Juvenile Law Section as public members. Attorneys in the legal division have, for many years, been represented on the Juvenile Law Section Council and have served in leadership roles. The Commission and the Section have co-sponsored a variety of law-related conferences, as well as edited or contributed to reports, brochures and other publications. During the past two legislative sessions, the legal division assumed primary drafting and editing responsibilities for the Special Legislative Issue published by the Juvenile Law Section. This newsletter issue is viewed by many as the definitive summation of legislative changes affecting the juvenile justice system.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Office of the General Counsel has staff attorneys who are responsible for answering telephone or electronically submitted juvenile law questions and providing technical legal assistance to the juvenile justice field and agency staff. The agency also performs other administrative functions such as public information request coordination, disciplinary and administrative hearings, and reviews of abuse, neglect and exploitation investigations. The efficiency and effectiveness can be measured in terms of the volume of legal services provided to system stakeholders and members of the public. In the 2006-2007 Customer Satisfaction Survey, agency customers have expressed a positive impression of the Office of the General Counsel and satisfaction with the knowledge, accuracy and courteousness of the legal staff. In fiscal year 2006, the division provided a range of services and achieved the following service activity levels.

TJPC Legal Training Hours Provided	3,600
TJPC Legislative/Legal Help Desk Calls	2,500
E-mail/Technical Assistance	1,050
Open Records Responses	114
Disciplinary Hearings Conducted	8
Administrative Hearings Conducted	1
ANE Legal Case Reviews Conducted	250

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Since 1995, the statutory duties, mandates and responsibilities of the Texas Juvenile Probation Commission have increased significantly. As the juvenile justice system has grown in size and complexity, the Office of the General Counsel has become an essential component to the fulfillment of key agency functions. The division has grown from one General Counsel to include a staff of four attorneys, each with a range of duties. In the last 12 years, the responsibilities of the division have evolved in the following service areas.

- ★ **Standards Promulgation and Enforcement.** The division has been actively involved in the completion of major re-writes or revisions to agency administrative standards in 2001, 2003, 2005 and 2007. Topical areas have included data specifications, certification, pre- and post-adjudication secure correctional facilities, juvenile justice alternative education programs as well as abuse, neglect and exploitation. In 2002-2004, the

division played a pivotal role in the agency reorganization and reengineering efforts that required significant legal input, research and writing to overhaul the agency standards monitoring and enforcement. The Commission is currently involved in another major standards revision effort. Upon passage, the new standards will have an anticipated effective date of September 2009.

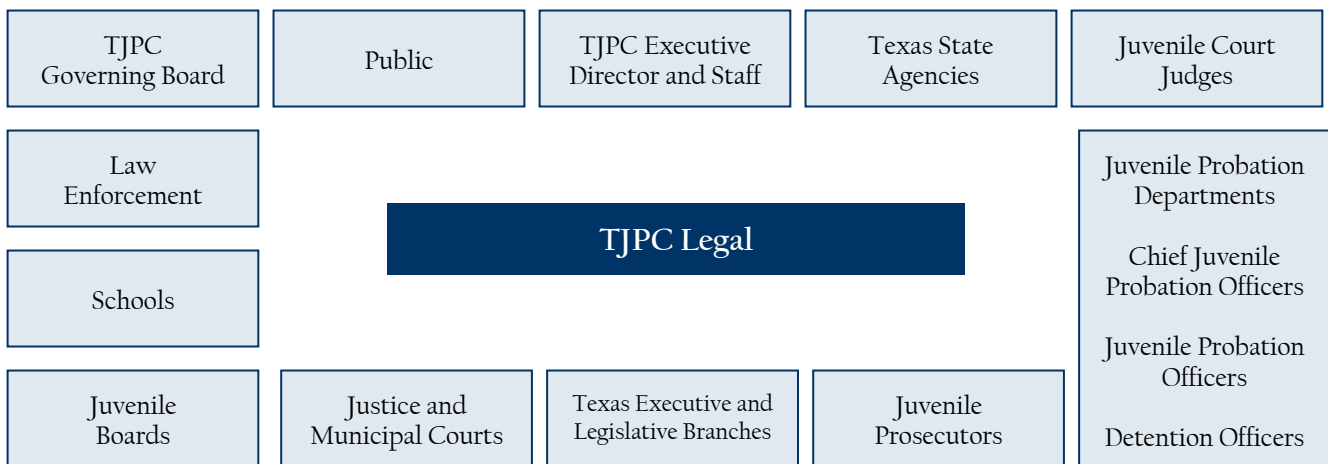
- ★ **Fiscal Contracts and Procurement.** In 2002, the division endeavored to re-write and consolidate all agency contracts in order to enhance the agency fiscal monitoring capacity. The legal team was closely involved in providing research, writing and technical assistance in the development of the Compliance Resource Manual (CRM), a multi-chapter, two-volume resource document that details the expected outcomes, mandatory requirements and interpretations of all agency grant requirements. The revisions to agency contract and grants accompanied the agency administrative re-writes of Title 37 Texas Administrative Code, Chapters 341-351 in 2002-2003. This contract format is currently being utilized by the agency during each biennium.
- ★ **Legal Review of ANE Cases.** The Commission was mandated in 1997 to investigate allegations of child abuse, neglect and exploitation (ANE) in all pre- and post-adjudication secure correctional facilities. Since that time, the duties of the legal division, with regard to the ANE cases, have increased dramatically and in proportion to the increased volume of allegations referred to the agency.
- ★ **Public Information Coordination.** In 2000, the division was designated by the Commission's Executive Director to serve as public information coordinator for the agency. The Commission maintains a range of documents generated in connection with the investigation of abuse, neglect and exploitation allegations, complaints, financial and programmatic audits and other matters under the Commission's authority. A lead attorney has been designated as the agency's Public Information Officer and is charged with the duty of interpreting the Public Information Act and laws governing the confidentiality of juvenile and investigative records. The attorney is also responsible for coordinating agency responses and ensuring that all agency staff receive training.
- ★ **Publications and Training.** The Office of the General Counsel has also been actively involved in a number of training initiatives on Progression Sanctions, officer trainings, Inter-County Transfer, justice courts, juvenile records and sex offender registration. The division provided in fiscal year 2006 in excess of 3,600 legal training hours at conferences and regional trainings. The Office of the General Counsel also accomplishes its training mandate through the publication of brochures, manuals and other materials. The division is best known for the publication of the most comprehensive legal treatise on juveniles, *Texas Juvenile Law*. First published by the Commission in 1984, this book is considered the essential guide to the juvenile justice system. Originally authored by the late University of Texas Law Professor Dr. Robert O. Dawson, this multi-chapter 1000-page book provides detailed commentary on case law and statutes governing juvenile law. In addition to TJPC website sales, the Commission distributes, as a service to juvenile justice practitioners across the state, complimentary copies of the book to juvenile board chairs, juvenile court judges, chief juvenile probation officers, prosecutors, facility administrators, educational service centers, appellate courts, the Texas Supreme Court and Court of Criminal Appeals. One copy is also distributed to each department for every 15 juvenile probation officers and every 25 juvenile detention officers employed by the department. In 2004, a separate book was published for municipal and justice of the peace court judges and practitioners. In 2007, the Office of the General Counsel assumed full responsibility for the authorship and publishing of the *Texas Juvenile Law, 7th Edition* which is anticipated in August 2008.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The key functional services provided by the division impact a wide range of system stakeholders including juvenile probation departments, judges, prosecutors, defense attorneys, law enforcement and other juvenile justice practitioners as well as members of the public.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The functional activities of the Office of the General Counsel are administered to a range of constituents, including 9 TJPC Commissioners, 62 agency staff, 168 juvenile boards, more than 400 designated juvenile courts, 5,799 probation officers and detention officers in 87 pre- and post-adjudication facilities, various state and local entities as well as members of the public. The diagram below illustrates the juvenile justice system stakeholders served by the legal division.



G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for Legal Services from Indirect Administration.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Internally, there are no other programs or divisions that provide identical or similar services or functions. Externally, the Office of the Attorney General, Juvenile Crime Intervention and Prevention Office provides similar, although not identical, services. The Juvenile Crime Intervention Section of the Office of the Attorney General provides training and publications in the areas of juvenile justice including gang activity in Texas, school crime, Penal Code offenses and

punishments related to juveniles. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is a federal program that assists practitioners and communities in implementing evidence-based prevention and intervention programs that can make a difference in the lives of children and communities. While the two aforementioned entities focus on juvenile justice, the services they provide differ from those specific services provided by the Office of the General Counsel as described in Subsection B.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The services provided by the Texas Juvenile Probation Commission and the Office of the General Counsel do not duplicate those provided by the Juvenile Crime Intervention and Prevention Office, the Texas Youth Commission or OJJDP. Specifically, the services of each agency are aimed at the juvenile-aged population at different stages within the system. For example, the Attorney General's Juvenile Crime Prevention and Intervention Office assists law enforcement and other entities with information and prevention strategies; the Texas Juvenile Probation Commission focuses on enhancing probation-related programmatic and placement services and the Texas Youth Commission provides corrections programs and services. The Office of Juvenile Justice and Delinquency Prevention is a component agency of the U.S. Department of Justice that supports states in implementing effective programs for juveniles. As such, there are currently no MOU's, agreements, or interagency contracts that relate to similar services. TJPC and TYC, however, are required to engage in cooperative activities pursuant to legislative mandate.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Not Applicable

K. If contracted expenditures are made through this program, please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The administrative rules relating to officer certification are in the process of being revised to allow the Commission to have much broader power with regard to regulating officer certification. Currently, certification is for a two-year period and administrative rules allow only for discipline of certified officers. Thus, the Commission does not have disciplinary jurisdiction over an officer whose certification has expired. Revisions to the certification system will address this gap.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

The Office of the General Counsel is responsible for disciplining certified probation and detention officers who have been the subject of an abuse, neglect, exploitation (ANE) investigation, violated the officer code of ethics contained in the Texas Administrative Code (TAC), or failed to meet the minimum eligibility requirements provided for in TAC. It is necessary to have the ability to discipline certified officers in order to ensure the safety of the juveniles with whom the officers interact and to maintain the integrity of the officers' profession by maintaining minimum eligibility standards.

ANE cases submitted to the legal division are reviewed to ensure that the rule requirements for investigations have been satisfied and that there is sufficient evidence to proceed. A committee comprised of the members of management reviews each case and makes a recommendation on the disciplinary action, if any, to be taken. If the committee recommends disciplinary action, the Enforcement Attorney sends the petition, informal offer and notice of opportunity for hearing via certified mail to the officer at his last known address. If a hearing is requested or if no response is received from the officer, a hearing will be held and the Enforcement Attorney will present the case on behalf of the Commission at the hearing; including offering the documentary evidence, examining and cross-examining witnesses, and opening/closing arguments. The hearings examiner then considers the case and issues a *Proposal for Decision*, which is mailed to the parties and presented to the Commission's Board, who ultimately make the decision as to the appropriate discipline, if any, to be rendered. Sanctions include written reprimands, suspensions and revocations.

In addition to the responsibilities relating to ANE cases, the Office of the General Counsel also responds to complaints made against juvenile boards. When the Commission receives a complaint about a juvenile board, the legal division reviews the circumstances surrounding the complaint to determine whether the juvenile board has violated the rules or standards of the Commission. If it is determined that the juvenile board has violated the Commission's rules or standards, the juvenile board is notified in writing of the violation and given an opportunity to propose its own means of achieving compliance. If compliance cannot be achieved in a manner mutually agreeable to the juvenile board and the Commission, the legal division gives the board written notice of its intent to refuse, reduce, or suspend state aid, under authority of the Texas Human Resources Code, Section 141.085.

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

**Texas Juvenile Probation Commission
Legal Services
Exhibit 12: Information on Complaints Against Regulated Persons and Entities
Fiscal Years 2005 and 2006**

	FY 2005	FY 2006
Complaints Resulting in Disciplinary Action:	36	56
Administrative Penalty	0	0
Reprimand	0	0
Probation	0	4
Suspension	0	2
Revocation	0	8
Other	0	0
Number of Complaints Against Juvenile Boards	1	3
External Referral	0	0
Administrative Closure - No Investigative Authority	0	0
Administrative Closure - Local Administrative Remedies	1	3
Internal Referral	0	0
Standards Monitoring Inquiry	0	0
Abuse, Neglect or Exploitation Investigation	0	0

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Planning
Location / Division	Planning and Behavioral Health
Contact Name	Vonzo Tolbert, Director of Planning and Behavioral Health
Actual Expenditures, FY 2006	\$1,534,226.56
Number of FTEs as of August 31, 2006	1

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the TJPC planning function is to: a) maximize the opportunity for agency management and external decision-makers to make the best possible strategic decisions regarding juvenile justice policy, programs and funds; b) enhance the agency's responsiveness and improved performance relative to major organizational issues, demands internal and external to the agency, and rapidly changing circumstances; and c) assist the organization's staff in better fulfilling their roles and meeting their responsibilities.

Major activities performed under this agency function include:

- ★ Initiating and agreeing upon a strategic planning process;
- ★ Identifying organizational mandates;
- ★ Clarifying organizational missions and values;
- ★ Accessing the organizations' external and internal environments;
- ★ Identifying the strategic issues facing the organization;
- ★ Formulating strategies to manage these issues;
- ★ Reviewing and adopting the strategic plan;
- ★ Establishing an effective organizational vision;
- ★ Developing an effective implementation process;
- ★ Developing subsequent action plans; and
- ★ Reassessing strategies and the strategic planning process.

The major planning projects include:

- ★ Survey of Organizational Excellence;
- ★ TJPC-TYC Coordinated Strategic Plan;
- ★ TJPC Strategic Plan;
- ★ Joint TJPC-TEA Juvenile Justice Alternative Education Program Strategic Plan;
- ★ TJPC Strategic Planning and Budgeting Structure;
- ★ TJPC Workforce Plan; and
- ★ TJPC Report on Customer Service.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Texas State Auditor's Office has recently finished a comprehensive audit of the Texas Juvenile Probation Commission. This audit will be officially released in the fall of 2007 and will provide an excellent analysis and overall report on the effectiveness and efficiency of the agency internal operations. Additionally, the Commission has a variety of other mechanisms in place that showcase agency performance.

Customer Satisfaction Survey (See Attachment 19). During the last planning cycle in March 2006, the Commission conducted a customer satisfaction survey that was sent to all local juvenile probation departments. The survey was designed and published on the agency's website for easy access, rapid response rates, increased respondent flexibility and cost-effective administration. The key feature of the survey was the measurement of agency performance on each statutory function codified within enabling legislation as well as those prescribed for state customer service requirements. In the survey items, respondents were asked to indicate how strongly they agree or disagree on 81 questionnaire items (i.e., individual questions) that describe their level of satisfaction with TJPC services.

Scores of 400 or higher indicate areas of substantial strength. Scores above 300 suggest that customers perceive the issue more positively than negatively, while customers view the issue for scores below 300 more negatively. Scores below 200 should be a significant source of concern for the organization and should be attended to immediately. Customer Service Quality Element scores were highest for TJPC Internet Site, TJPC Staff, and Management Information Systems. High scores for TJPC Internet Site (Score of 442) indicate that TJPC customers believe the TJPC website is useful and the information published therein is accessible, relevant to their needs, and well organized. Scores on the TJPC Staff (Score of 430) customer service element focus on the overall impressions that customers have developed of TJPC staff and the extent to which they conduct themselves in customer in a customer oriented manner. High scores on this element indicate that customers are quite satisfied with the extent to which TJPC staff: a) are able to answer their questions; b) are courteous; c) are knowledgeable and helpful; d) demonstrate a willingness to assist them with their needs. Scores on the Management Information Systems element (Score of 421) reflects customers' satisfaction with the software development, deployment, technical support, training, and utility in meeting the many management information needs and operations demands in their jurisdictions. No customer service quality element scores were below 350 (the benchmark for acceptable performance in all areas of the agency's customer service operations).

Survey of Organizational Excellence (See Attachment 24). One of the most useful "value added" tools for measuring the agency's effectiveness in managing its scarce resources to address the external demands on the agency has been the Survey Of Organizational Excellence (SOE). The relationship between employee satisfaction and employee performance has been well documented. This is especially true in the agency's capacity to meet performance standards set through the strategic planning and budgeting structure, the General Appropriations Act, and the agency's internal action plan and operations management system. During the last state strategic planning cycle, the SOE was administered on-line to 56 TJPC employees. Of those surveyed, 41 TJPC employees returned completed surveys back to SOE staff. Therefore, the survey participation rate or "return rate" was 73% of those surveyed. High return rates mean that employees have an investment in the organization, want to see the organization improve and generally have a sense of responsibility to the organization. Low response rates can mean several things. There simply may not have been adequate efforts made in making sure certain employees know the importance of completing the survey. Low rates of response may suggest a lack of organization focus or responsiveness. It may also suggest critical levels of employee alienation, anger or indifference to organizational responsibilities. As a general rule, rates higher than 50% suggest soundness. Rates lower than 30% may indicate serious problems. At 73%, the TJPC response rate is considered high.

A review of the scores on the 20 constructs does not indicate any major problem areas at TJPC. In fact, TJPC's scores are at or above the scores for state-wide averages, averages for agencies of similar size (i.e., 26 to 100 employees) and as well as agencies with a similar mission (i.e., Public Safety/Criminal Justice). Agency management has developed strategies designed to improve employee satisfaction in the lower-scoring constructs. The construct scores indicate that employees identify TJPC's strengths as strategic orientation, availability (i.e., availability of information critical to their job functions and productivity) quality (i.e., quality principles as part of agency day-to-day operations) adequacy of physical environment and external communication. Agency scores for each of the 20 constructs increased from the previous administration of the survey. The largest gains were made in the functional areas of change oriented (50 point increase), diversity (46 point increase), fair pay (43 point increase), internal (43 point increase), and holographic(40 point increase). There was an average increase of 32.55 points for each construct score.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The Commission's commitment to effective strategic planning has not changed or wavered since the advent of state-wide strategic planning in 1991 (pursuant to the passage of House Bill 2009, 72nd Texas Legislature, Regular Session). The strategic planning methodologies have evolved from the utilization of regional focus groups to more modern web-based survey methodologies which maximize efficiencies, increase stakeholder response rates, and improve response validity and reliability.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Commission's planning function affects the following stakeholders of the juvenile probation/juvenile justice system:

- ★ Employees of Texas Juvenile Probation Commission
- ★ Board members of Texas Juvenile Probation Commission
- ★ Juvenile Probation Departments in Texas
- ★ All youth referred to and served by juvenile probation departments in Texas
- ★ Youth on parole from Texas Youth Commission
- ★ All families of youth referred to and served by juvenile probation departments in Texas
- ★ County government in Texas
- ★ City government in Texas
- ★ Juvenile judges in Texas
- ★ Juvenile prosecutors in Texas
- ★ Juvenile defense attorneys in Texas
- ★ Youth advocates
- ★ Texas Youth Commission
- ★ Universities with criminal justice programs

While these are the primary stakeholders of the juvenile probation system in Texas, the ultimate benefactors of the juvenile probation system (TJPC and local juvenile probation departments) are the children who are referred to juvenile probation departments and the communities in which these children reside. Juvenile law binds the juvenile probation system to the philosophy of balancing the protection of the child with the protection of the public.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The strategic planning functions are administered through one staff member. The Director of Planning and Behavioral Health is responsible for all planning activities of the agency. The MIS Division provides assistance via web-based surveys. The Research and Statistics Division provides statistical research, statistical projections, and shared responsibilities for development and revision of the agency's Strategic Planning and Budgeting Structure. Staff also provides assistance with editing, formatting and publication of the strategic planning document.

Strategic Planning activities are conducted by the agency's Planning and Behavioral Health Division staff in a manner consistent with Instructions for Preparing and Submitting Agency Strategic Plans as directed by the Governor's Office of Budget, Planning and Policy and the Legislative Budget Board. House Bill 2009, 72nd Texas Legislature, Regular Session, 1991, which inaugurated the process, established the requirements and time frame under which Texas completed its first planning cycle. In 1993, Chapter 2056 of the Government Code was amended to consolidate certain planning requirements and to change the required planning horizon from six years to five years (i.e., the second year of the current biennium and the next two biennia). Formal plans must be completed and submitted every two years. However, agencies may engage in planning on a continual basis and may adjust plans internally as changing conditions dictate. In addition, Texas Juvenile Probation Commission and Texas Youth Commission are charged with developing a coordinated strategic plan for juvenile justice in Texas (Texas Human Resource Code Sections 61.0911 and 141.0471).

In order to maintain a consistent strategic planning process, agency staff adhere to the following timelines:

- ★ In April-June of each odd-numbered year, staff collaborate with Texas Youth Commission in developing an action plan of all joint agency activities necessary for completion of the TJPC/TYC Coordinated Strategic Plan.
- ★ In July-September of each odd-numbered year, all Joint TJPC/TYC Coordinated Strategic Plan internal/external assessment activities must be fully planned and implemented. In addition, all internal/external assessment data must be collected, analyzed, and prepared for inclusion into the coordinated plan.
- ★ In October of each odd-numbered year, the staff jointly collaborate with staff of Texas Youth Commission to write, edit and obtain approval from each agency's Executive staff of the TJPC/TYC Coordinated Strategic Plan.
- ★ In October of each odd-numbered year, staff should meet with TJPC Executive staff to set the planning direction and get approval for the agency "plan to plan."
- ★ In October of each odd-numbered year, agency staff should identify and select methods for obtaining stakeholder input for development of the agency strategic plan.
- ★ No later than the last day of November of each odd-numbered year, the TJPC/TYC Coordinated Strategic Plan must be submitted to the TJPC Board for adoption and subsequently submitted to the Legislative Budget Board and Governor's Office of Budget and Planning in December.
- ★ In November-March of each odd-numbered year, agency planning staff should begin conducting surveys, focus groups, interviews, and other data collections methodologies for completion of agency internal/external assessment, including but not limited to the following:
 - Information and data analysis required in the Joint TJPC/TYC Coordinated Strategic Plan;
 - Information and results of the agency Customer Satisfaction Survey;
 - Information and results of the agency's Survey of Organizational Excellence;
 - Information and results of the agency's Workforce Analysis Strategic Plan; and
 - Information and results of the agency's TJPC/TEA Coordinated JJAEP Strategic Plan.

- ★ Throughout January-March of each even-numbered year, internal/external assessment data should be collected, analyzed, summarized and prepared for presentation to Executive staff for inclusion into the agency strategic plan.
- ★ In March of each even-numbered year, the agency Strategic Planning and Budgeting Structure should be completed jointly by planning staff and the Research and Statistics Division, approved by Executive staff, and submitted in accordance with the specifications and instructions of the Governor's Office of Budget and Planning and Legislative Budget Board.
- ★ In April-May of each even-numbered year, a draft of the agency strategic plan should be completed, submitted to Executive staff for review and comment, and subsequently edited.
- ★ No later than the last day of May of each even-numbered year, the strategic plan should be submitted agency's board for review and final approval.
- ★ In June-July the agency strategic plan must be submitted to the Governor's Office of Budget and Planning, Legislative Budget Board, and other recipients as specified in the Instructions for Preparing and Submitting Agency Strategic Plans.
- ★ The planning staff must then collaborate with the agency Fiscal Division for integration of strategic plan data into the agency's Legislative Appropriations request. All planning activities must be conducted in a timely and efficient manner.
- ★ Agency planning policy dictates that all planning activities should be ethical, appropriate for the strategic planning project, and employ reliable methods for eliciting unbiased policy information.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for Planning from Indirect Administration.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Commission "shares" the policy planning and development with local juvenile probation departments, and other key stakeholders of the juvenile probation system. A good example of how this works is described in the most recent agency strategic plan (See Attachment 55):

The first phase of the agency's planning process began with collaboration with the Texas Youth Commission in developing a Coordinated Strategic Plan for the juvenile justice system. Section 141.0471 of the Texas Human Resources Code mandates the plan. A series of structured interviews were held with high-level and knowledgeable juvenile justice practitioners, including juvenile judges, juvenile prosecutors, chief juvenile probation officers, and representatives from law enforcement in five counties. The counties included Bexar, Harris, Hidalgo, Nacogdoches, and Travis. Focus groups were held with parents of TYC youth in Harlingen and Houston. Some parents of Dallas County probationers were also surveyed. The questions for the structured interviews and focus groups were scripted and open-ended, and probed resource and service delivery issues related to changes in availability of services for youth in or at risk of becoming involved in the criminal justice system and their families. Surveys for communities were conducted via email to the 144 local coordinators who work directly with families and at risk youth. Each CRCG in Texas was also surveyed to get their feedback on service needs for youth populations in their communities as well as their impressions of the juvenile justice system.

An added feature to the agency's strategic planning process involves the development of a Joint JJAEP Strategic Plan with Texas Education Agency. Each of the 26 counties operating a mandatory JJAEP and the school district DAEP administrators in the 26 counties were surveyed to determine their level of satisfaction within eleven key dimensions / policy areas relative to day-to-day operations. A thirty-one (31) item questionnaire was developed by a joint TJPC / TEA Strategic Planning Workgroup and administered via a web-based methodology. A strategic planning workgroup of staff from TJPC and TEA met to analyze information produced through the internal / external assessment and define the key policy issues affecting the mandates, mission, service levels, clients, financing, program / organizational structure, and management of JJAEPs in Texas.

The Texas Juvenile Probation Commission also utilized a web-based methodology to survey each local juvenile probation department regarding 14 key construct areas (functional areas): general/overall satisfaction, facilities, staff, communications, internet sites, complaint handling process, timeliness, and printed information, and key strategic issues regarding public policy issues which affect their ability to work with TJPC and provide quality juvenile probation services. Aggregate data was subsequently tabulated to determine the average score for each of the 14 key construct areas, as well as the average scores for each questionnaire item within the key construct areas

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The Commission's enabling statute needs legislative attention in one area related to this function. Section 141.0471 of the Texas Human Resources Code requires TJPC and TYC to develop a coordinated strategic plan on a biennial basis. This planning feature was added as a part of the omnibus juvenile justice bill during the 1995 legislative session as part of House Bill 327. The legislative intent was to require both agencies to collaborate on legislative projects relative to capacity needs, population projections, newly evolving intensive supervision and parole strategies, aftercare (i.e., aftercare from probation placements and TYC institutional commitments), identification of objective criteria for adjudicatory or dispositional decision making to guard against disparate treatment of minority youth, and the development of cross agency outcome measures to evaluate the effectiveness of the juvenile justice system overall. Prior to 1995, both agencies had previously approached each legislative session with policy planning and statistical

projections conducted within individual agency silos. Thus policy analysis and statistical projections were presented by each agency without the benefit of a coordinated efforts spearheaded by an policy analysis entity independent of each agency to translate differences in data projections and underlying public policy assumptions inherent in each Legislative Appropriations Request of each agency. The advent of the Criminal Justice Policy Council resulted in a single policy analysis entity with the capability of systematically reviewing the validity and reliability of data flow and policy information from each agency. While the Criminal Justice Policy Council no longer exists, the Legislative Budget Board now provides data and policy analysis for legislators to receive information to make decisions regarding juvenile justice policy. As a result, the need for the coordinated strategic planning process between the two agencies has been rendered moot by legislative and quasi-legislative public policy oversight and policy development. In addition, key deliverables inherent in the instructions of Section 141.0471 have also been accomplished. The subsequent effect of this legislation at this point in the state's juvenile justice evolution is to involve agencies in work tasks which are much less "value added" to the business of policy development and legislative decision-making.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Not Applicable

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Special Needs Diversionary Program (SNDP)
Location / Division	Planning and Behavioral Health Division
Contact Name	Erin Espinosa, Program Specialist
Actual Expenditures, FY 2006	\$1,974,033
Number of FTEs as of August 31, 2006	.5

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Special Needs Diversionary Program (SNDP) began in fiscal year 2002. This program is designed to increase the availability of effective services to juvenile offenders with mental health needs. SNDP is a collaborative effort between the Texas Juvenile Probation Commission (TJPC), Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI) formerly known as the Texas Council on Offenders with Mental Impairments (TCOMI), Department of State Health Services (DSHS), local juvenile probation departments and their respective mental health and mental retardation centers and is designed to prevent further involvement with the juvenile probation system and possible removal of youth with mental health needs from their homes.

Between January 1 and August 28, 2002, the Diagnostic Interview Schedule for Children (DISC) was used to investigate the prevalence of mental health disorder among probation youth. Juveniles in the prevalence sample were drawn from eight urban counties (Bexar, Cameron, Dallas, El Paso, Harris, Hidalgo, Tarrant and Travis), which together comprised over half of the juvenile population in Texas. The Commission believes this sample was representative of the statewide juvenile probation system. Twenty-one disorders, grouped into diagnostic clusters (Anxiety, Affective, Disruptive and Substance Use disorders) as well as suicide ideation/attempt, were assessed using the DISC. Approximately one-third of the sample (39%) reported at least one mental health disorder using the DISC.

The program design requires that specialized juvenile probation officers work with licensed and qualified mental health professionals in a team approach to provide intensive community-based case management and behavioral health treatment services to juvenile offenders meeting program criteria. Services provided under this program include, but are not limited to, parent mentoring, wrap around case management services, crisis stabilization, medication management, intensive in-home therapy (multi-systemic therapy, cognitive behavioral therapy, etc.), skills training, substance abuse counseling, benefit assistance and case coordination between service providers. Each team serves 12-15 juveniles and their families for a period of four to six months.

SNDP guidelines require that an initial case plan be completed within 72 hours of the juvenile's enrollment into the program. The plan must be completed with participation and input from the juvenile, the juvenile's parent/guardian, the specialized juvenile probation officer and a licensed mental health professional (LMHP), at a minimum. Each team is encouraged to allow the juvenile and family to invite family members and other extended support systems to participate in the creation of the case plan. A formal case plan review must be conducted on a monthly basis with input from the juvenile, parent/guardian, specialized officer and LMHP.

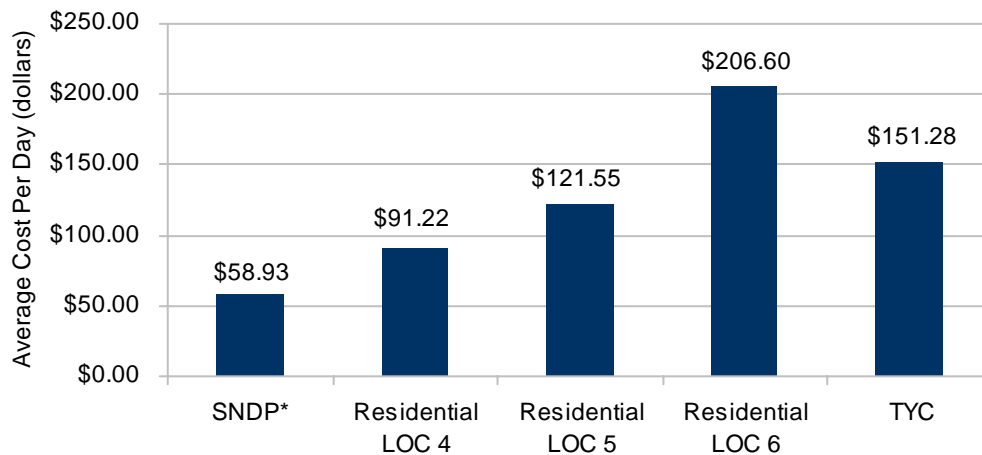
A transition period is built into each juvenile's case management plan no later than two months prior to the juvenile's projected discharge from the program. The intent of this process is to set up aftercare services and to assist the youth and family in becoming less reliant upon the formal supports provided by the probation officer and mental health professional and more reliant upon the informal supports available to them in the community.

At a minimum, each juvenile and family is required to receive three to five contacts a week by the specialized team. Two of those contacts must occur in the home. Visits other than home include office, school, community, detention, court, non-custodial parent and phone visits.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The graph below represents a comparison of the average cost per day for the SNDP, residential level of care rates (4, 5 and 6) and Texas Youth Commission. Compared to residential level of care rates and TYC, the SNDP cost per day was substantially lower. These results illustrate the cost savings to the State in serving youth with severe mental health needs, who are involved with the juvenile probation system, in the community, rather than placing them into residential placement to receive treatment and supervision.

**Comparison of Average Cost Per Day of SNDP,
Residential Level of Care Rates and TYC
for Fiscal Year 2002**



* Estimated cost based on TJPC expenditures for the SNDP and TCCOOMI appropriations for fiscal year 2002.

The table below shows that the number of juveniles served by this initiative has almost doubled since its inception in 2002. When it began, the initiative was projected to serve 830 juveniles per year. This projection was exceeded by 71% in fiscal year 2006.

**SNDP Outcome Overview
Fiscal Years 2002 - 2006**

	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Juveniles Served	764	1,398	1,498	1,514	1,418
Juveniles Starting	764	1,073	1,052	1,062	1,002
Juveniles Discharged	401	949	1,018	1,091	1,002
Percent Completing Program	47%	60%	70%	75%	71%
Average Length of Stay (days)	130	143	144	154	149

Preliminary analysis regarding the outcomes for juveniles who participate in the program indicate that juveniles who successfully complete the program are significantly less likely to be placed out of the home up to two years after participating in the program than juveniles who do not successfully complete. The table below provides an overview of the placement rate by juveniles who completed the program and those who did not one year and two years after their participation in the program.

**Placement Rate by Outcome Over Time
Fiscal Years 2002 –2004**

	Fiscal Year 2002 N = 764		Fiscal Year 2003 N = 1,073		Fiscal Year 2004 N = 1,052	
	1 Year Rate	2 Year Rate	1 Year Rate	2 Year Rate	1 Year Rate	2 Year Rate
Secure	7.8%	12.4%	7.3%	10.1%	7.9%	10%
Completed Program	5.8%	9.8%	2.7%	5.2%	4.2%	6.6%
Other Outcomes	10.5%	16.2%	15.4%	18.8%	16.9%	18.2%
Non-Secure	11.6%	14.1%	13.6%	16.7%	10.8%	13.6%
Completed Program	7.1%	9.8%	4.3%	8%	5.5%	9.0%
Other Outcomes	18.2%	20.4%	30.4%	32.5%	23.8%	24.8%

Further analysis indicates that in all categories, juveniles completing the program have substantially lower commitment rates to TYC than those not completing the program. The table below provides an overview of the completion rates in relation to TYC commitments.

**Completion Rates and TYC commitments
Fiscal Years 2002 –2004**

	Fiscal Year 2002 N = 764		Fiscal Year 2003 N = 1,073		Fiscal Year 2004 N = 1,052	
	1 Year Rate	2 Year Rate	1 Year Rate	2 Year Rate	1 Year Rate	2 Year Rate
Total TYC	7.0%	14.0%	6.3%	13%	5.8%	10.8%
Completed Program	2.0%	9.0%	2%	7.8%	1.3%	5.5%
Other Outcomes	14.0%	21.0%	14.1%	22.3%	16.6%	23.8%

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

In 2001, the 77th Texas Legislature received a series of reports from the Criminal Justice Policy Council which suggested there was a need for more services for mentally ill offenders in the community, particularly adult and juvenile offenders in the probation system. Without appropriate treatment and supervision, these offenders were more likely to recidivate to prison or the Texas Youth Commission (TYC).

To start addressing this need for services, the Legislature in 2001 appropriated \$35 million in new funding for an Enhanced Mental Health Services Initiative. The Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI), formerly known as the Texas Council on Offenders with Mental Impairments, received \$23 million to provide mental health treatment for these offenders, while the Commission reallocated \$4 million from the existing budget and the Community Justice Assistance Division of the Texas Department of Criminal Justice received \$8 million per biennium to fund specialized supervision caseloads for juvenile and adult probationers. Juveniles receiving both mental health treatment and specialized supervision or specialized supervision only are considered part of the Commission's Special Needs Diversionary Program (SNDP).

Bexar, Cameron, Dallas, El Paso, Harris, Hidalgo, Tarrant and Travis counties, representing over 50% of the juvenile justice population in Texas, were identified to receive the first round of funding and began coordinating and providing specialized supervision and mental health services in September of 2001. Cameron and Hidalgo provided only specialized supervision in 2001 but began providing mental health services to a limited number of juveniles beginning in 2002. Angelina, Ellis, Ft. Bend, Hale, Jasper, Jefferson, McLennan, Nacogdoches, Randall, San Patricio, Smith, Tyler and Williamson began providing both specialized supervision and mental health services in calendar 2002.

In November 2003, TCOOMMI required the restructuring of their mental health contracts with the local community mental health centers. This resulted in a significant change in the program model. Several programs were required to terminate the position of the LMPH and replace it with a Qualified Mental Health Professional (QMHP). A LMHP is an individual who is licensed or certified by the state of Texas to diagnose, evaluate or treat any mental, emotional condition or disorder including but not limited to a psychiatrist, psychologist, licensed social worker, licensed professional counselor, and marriage and family therapist. Typically a LMHP has at least a Master's degree from an accredited university. A QMHP is an individual credentialed to provide mental health services who has demonstrated competency in the work to be performed and is determined by the local mental health provider to meet all state and federal guidelines involving their profession. A QMHP may or may not have a Bachelor's degree from an accredited university.

The program was highlighted as an up and coming best practice by the National Center on Juvenile Justice and Mental Health's publication recently for the Office of Juvenile Justice and Delinquency Prevention (OJJDP) entitled, "*Blueprint for Change: A Comprehensive Model for the Identification and Treatment of Youth with Mental Health Needs in Contact with the Juvenile Justice System*". A copy can be download from their website at www.ncmhjj.com. The Program has also been highlighted by the National Health Policy Forum hosted by George Washington University, the National Academy for State Health Policy funded by the W.K. Kellogg Foundation, and the National Policy Academy on Improving Services for Youth with Mental Health and Co-Occurring Substance Use Disorders Involved with the Juvenile Justice System.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The priority population includes juveniles with a DSM-IV Axis I diagnosis other than substance abuse, mental retardation, autism or pervasive development disorder, and either a Global Assessment of Functioning (GAF) score of 50 or less, or being at risk of removal from a preferred living environment due to psychiatric symptoms, or have a determination of special education due to emotional disturbance. The juvenile must also be between 10 - 17 years old and involved with the juvenile probation system. In fiscal year 2005, the most common diagnoses were Attention Deficit Hyperactivity Disorder (17%), Oppositional Defiant Disorder (15%), Conduct Disorder (13%), Bipolar (11%) and Major Depression (11%). Of the juveniles served, it is estimated that 16% (247 juveniles) had a dual diagnosis involving mental health and substance abuse and approximately 1% had a dual diagnosis of Mental Retardation. The average Global Assessment of Functioning (GAF) score was 45.6%.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The SNDP is a collaborative effort between TJPC and TCOOMMI. TJPC provides funding to 19 local juvenile probation departments for specialized juvenile probation officers who are partnered with the TCOOMMI funded mental health professional to provide intensive in-home services to juveniles with a diagnosed mental illness who are at risk of removal from the home. TJPC has one program specialist who collaborates with staff from TCOOMMI regarding ongoing program management, conducts onsite contract compliance monitoring, conducts annual trainings for the 19 sites around the state, and reviews program outputs and outcomes in accordance with the established Memorandum of Understanding between TJPC and TCOOMMI.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for SNDP from general revenue and Indirect Administration

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no programs, internal or external to this agency, that provide identical or similar services or functions to local juvenile probation departments. The Texas Youth Commission (TYC) provides a similar program for youth under its jurisdiction who are exiting facilities on parole status.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

As referenced in section F, the SNDP is a collaborative effort between TJPC and TCOOMMI. TJPC contracts directly with local juvenile probation departments, while TCOOMMI contracts with local Mental Health and Mental Retardation Centers and the Texas Department of State Health Services. Section 614.019, Health and Safety Code requires TCOOMMI and TJPC to cooperatively establish pilot programs that build on existing successful efforts in communities to address prevention, intervention, and continuity of care for juveniles with mental health and substance abuse disorders. To best leverage the efforts and responsibilities related to implementing and managing the SNDP, TJPC and TCOOMMI have mutually agreed to the procedures set forth in a memorandum of understanding (MOU) concerning the implementation and program management of the SNDP.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The SNDP is a collaborative effort between TJPC and TCOOMMI. TJPC contracts directly with local juvenile probation departments, while TCOOMMI contracts with local Mental Health and Mental Retardation Centers and the Texas Department of State Health Services. TJPC works in partnership with local juvenile boards and juvenile probation departments to support and enhance juvenile probation services throughout the state by providing funding, technical assistance, and training; establishing and enforcing standards; collecting, analyzing and disseminating information; and facilitating communications between state and local entities.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Not Applicable

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Data Quality Assurance
Location / Division	Research and Statistics Division
Contact Name	Nancy Arrigona, Director of Research and Statistics
Actual Expenditures, FY 2006	\$1,511,542.10
Number of FTEs as of August 31, 2006	1

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Texas Juvenile Probation Commission collects electronic juvenile offender case data on a statewide basis from all juvenile probation departments. The objective of this function is to ensure that accurate electronic data is submitted to the Commission by local juvenile probation departments. This function involves the following activities:

- ★ Monitor data quality, including electronic audits of data received from local juvenile probation departments;
- ★ Ensure that Monthly Extract Data is reported as required by Texas Administrative Code, Chapter 341;
- ★ Review monthly folder edit checks, which check for errors in data submitted monthly;
- ★ Review and disseminate Quarterly Audits, which check for errors that have not been corrected from the previous quarter;
- ★ Complete annual data verification;
- ★ Complete a Comprehensive Data Audit no less than once annually;
- ★ Provide technical assistance to local juvenile probation departments in the coding and entry of data as well as in the correction of data errors; and
- ★ Conduct an annual conference for juvenile department staff responsible for providing data to the Commission.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

In fiscal year 2004 and fiscal year 2005, the Research and Statistics Division participated in the agency standards benchmarking process, monitoring all juvenile departments in the state for data quality and compliance with data standards requirements during this two year period.

**Data Monitoring
Fiscal Years 2004 and 2005**

Total Number of Departments Monitored	163
Average Data Monitoring Score	93.20%
Number of Departments with Scores of 90% or Higher	127 (77.9%)

The vast majority of data errors found were the result of data entry errors and the vast majority of errors did not significantly impact the data measures reported to the Legislature and the Governor's Office (for example, the date entered into the system was one day after the correct date found in the juvenile's file). Because of the exemplary results of the data standards benchmarking and the type of errors detected during monitoring visits, the Research and Statistics Division no longer monitors data through field monitoring visits.

Extensive data monitoring for accuracy continues to take place through the use of statistical analysis of data, "desk audits," and quarterly and end of year data correction procedures. In addition to the monthly and quarterly data error checks that are incorporated into the monthly data extract process, the Research and Statistics Division conducts a comprehensive data audit at least annually. This comprehensive audit checks each juvenile probation department's data on more than 70 potential problems. These are logical checks to ensure that the information given in one data set does not contradict information given in another data set. This comprehensive analysis examines each set of data received from all the departments in Texas. The results of these audits are sent to the departments asking for correction and/or explanation of any problems. Additional audit elements are analyzed throughout the year and whenever systemic errors arise.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Although there has been no change from the original intent, the scope and extent of data monitoring has increased over the years. At inception, the Research and Statistics Division checked for data irregularities by reviewing aggregate data reported to the Commission each year. In 2000, the Commission began collecting individual level data from all juvenile probation departments in the state and, as part of the data submission process, developed electronic data checking programs to ensure that the data submitted conformed to data specifications and contained all required elements. This data checking was expanded in 2003 to include field data monitoring and more extensive electronic consistency checks of the data.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This function affects all agency staff, legislative staff, juvenile justice practitioners and the public as it relates to the quality of data collected and disseminated by the agency. This function directly affects all designated data coordinators in local juvenile probation departments and probation department staff as they are responsible for the entry and submission of data and compliance with all data and data quality standards.

There are no eligibility requirements for persons affected. Data coordinators must be designated by their department, but no eligibility criteria exists.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The data quality function is ongoing. The timelines for the specific activities of the function are as follows:

- ★ Monthly Extract Data received – Data from juvenile probation departments must be received by the 10th of each month. Delinquency notices are sent electronically to departments who are late with their submission on the 11th day of each month and again at the end of each month.
- ★ Monthly folder edit checks – Errors in the monthly data are reviewed as the data is posted in the system.
- ★ Quarterly Audits – Disseminated in February, May, August and November.
- ★ Annual data verification – Annually, at least six months following the close of the calendar year.
- ★ Comprehensive Data Audit – At least once annually .
- ★ Technical assistance to local juvenile probation departments in the coding and entry of data as well as in the correction of data errors – Ongoing.
- ★ Routine data monitoring – Ongoing.
- ★ Conduct data coordinator’s conference – Annually.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for Data Quality Assurance from Indirect Administration.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no other programs, internal or external to the agency, that provide identical services or functions. The agency Management Information Systems Division maintains the CASEWORKER Help Desk and assists local juvenile probation departments in the entry of data into the CASEWORKER database and the correction of monthly and quarterly data errors. The agency Research and Statistics Division and MIS Division work together to maintain and develop standard data definitions and data submission procedures.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The agency Research and Statistics and Management Information Systems Divisions work together to resolve data questions posed by local juvenile departments and to assist departments in correcting data errors.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Local juvenile probation departments are involved with the agency in the Research Data Quality function. Departments receive training on appropriate and accurate data entry procedures, standard data definitions and data requirements. All departments are invited to attend an annual Data Coordinators Conference which provides information on research and data issues that are of interest to the field and/or that are related to current data quality issues or new data reporting requirements. Departments are provided technical assistance for all data related issues and data reporting. All departments verify the accuracy of local data reported to the agency annually and are required to make corrections to data as needed.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Although not a regulatory program, the Research and Statistics Division Data Quality function monitors the data received from juvenile probation departments in the state monthly and conducts comprehensive data quality checks of all data yearly.

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Research and Data Analysis
Location / Division	Research and Statistics Division
Contact Name	Nancy Arrigona, Director of Research and Statistics
Actual Expenditures, FY 2006	\$6,046,168.41
Number of FTEs as of August 31, 2006	4

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Commission's Research and Statistics Division conducts a variety of research and data analysis projects. The objective of the research and data analysis function is to provide information to and for the Commission, juvenile and criminal justice practitioners, child serving agencies, the Legislature, the Governor's Office, the Legislative Budget Board and the public. The major activities performed under this function include:

- ★ Evaluation of juvenile probation programs and services;
- ★ Analysis of juvenile system trends;
- ★ Analysis of all data collected by the agency including but not limited to juvenile referral, disposition and services data, secure facility data, abuse, neglect and exploitation data, juvenile justice alternative education program data, special grant funded program data, and department staffing and salary data;
- ★ Population projections;
- ★ Impact analysis;
- ★ Development and calculation of agency performance measures;
- ★ Reporting of population and other juvenile probation data to the Legislative Budget Board;
- ★ Development and validation of agency assessment instruments;
- ★ Develop and administer surveys for the juvenile probation field;
- ★ Analysis of data for policy development;
- ★ Fiscal note calculation;
- ★ Fiscal impact analysis and calculation;
- ★ Develop agency contract performance measures; calculate measure performance;
- ★ Assist in the development of agency funding formulas; responsible for all data analysis related to funding formulas and funding calculations;
- ★ Develop Annual Resource Report for departments, provide assistance with questions concerning to completion of the report and analyze data gathered;
- ★ Data analysis for grant submissions and calculation of grant performance measures;
- ★ Assist in the development of databases for the collection of data related to juvenile offenders;
- ★ Review of national and state juvenile programs for use in development of new, evidence based programming for juvenile offenders;
- ★ Development of sampling methodologies for agency programs and field monitoring;
- ★ Assist in the collection of facility registry information;
- ★ Review juvenile offender data elements collected, ensuring all data needed by the agency is collected; make recommendations on all electronic data submission changes and additions;
- ★ Collect all data and develop reports for all legislatively mandated reports;

- ★ Develop procedures for responding to requests for agency data; review all requests for individual level data to ensure appropriate safeguards have been taken to protect the confidentiality of the data;
- ★ Respond to requests for information from the Legislature, Governor's Office, other state agencies and the public;
- ★ Provide technical assistance to the field including an annual conference for all juvenile department data coordinators;
- ★ Interagency coordination and collaboration on data collection, matching and data sharing, including interagency projects and reports and the development of interagency MOU's concerning data sharing;
- ★ Matching of juvenile justice data with data from other child serving agencies, criminal justice agencies and the Department of Public Safety; and
- ★ Development and creation of agency reports, including the Annual Statistical Report.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Research and data analysis is an essential function for the agency, providing information on the workings of the juvenile probation system and allowing for the development of effective and efficient juvenile justice programs and policy. Please see the Commission's website at www.tjpc.state.tx.us for a detailed listing of all official agency research publications.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The function of research and data analysis has been expanded as more accurate data has been collected by the agency. In 2000, the Commission began collecting individual level data on all juveniles referred and disposed to juvenile probation departments throughout the state. This data allows for the detailed analysis of the juvenile probation system, system trends and juvenile offenders. Prior to 2000 and the collection of individual level data, the agency relied on aggregate data collected from juvenile departments and survey data.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The function affects all agency staff, legislative staff, juvenile justice practitioners and the public as it relates to the dissemination of information on the juvenile probation system, juveniles referred to the system and the services they receive. There are no qualifications or eligibility requirements for persons or entities affected.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Research and data analysis functions are sensitive to the needs of the agency and the juvenile probation field as well as requests from the legislature, Governor's Office and the public. Some activities performed under this function are administered according to established timelines and/or specific policies and procedures. These activities and their associated timelines are listed below:

- ★ Performance measure review and revision – Due to the Legislative Budget Board in March of even numbered years.
- ★ Performance measure reporting – Reporting of Key Measures quarterly, all measures calculated annually and reported biennially in the agency Legislative Request for Appropriations.
- ★ Population projections – At least biennially.
- ★ Assistance with agency funding formulas – At least biennially.
- ★ Review and develop agency contract performance measures – Biennially.
- ★ Assist with Facilities Registry – January of each year.
- ★ Prepare and disseminate Annual Resource Report – First quarter of each year.
- ★ All other tasks – Ongoing as needed.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for Research and Data Analysis from Indirect Administration.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are no other programs, internal or external to the agency, that provide identical or similar services or functions.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

There is no duplication and/or conflict with any other agency or program. The agency provides technical assistance to juvenile probation departments seeking to conduct research and data analysis. In addition, the agency provides data to state, local and other statutorily eligible entities, upon request, for research purposes. The agency maintains Research Agreements with all those requesting individual level data and reserves the right to review all research conducted with juvenile probation data received by the Commission.

Memorandums of Understanding covering the sharing of identified data exist between the agency and the Texas Education Agency and the Department of Family and Protective Services, Prevention and Early Intervention Division. Shared data does not result in similar research or data analysis.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Research and Statistics Division works with local juvenile probation departments for the research and data analysis function. Departments are required to submit juvenile referral, disposition and case data to the agency monthly and other data as needed. The agency provides technical assistance to local departments to ensure accurate data. The Commission also provides assistance to local juvenile probation departments preparing to conduct research or data analysis. The Division also works with the National Center for Juvenile Justice, providing juvenile justice data yearly. This data, housed in the National Juvenile Court Data Archive, is used for various federal reports including the annual "Juvenile Court Statistics" report.

K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2006;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Changes should be made to data confidentiality requirements which currently make sharing identified data difficult if not impossible. Currently the agency is not able to gather identified individual level data from state education and health and human services agencies. Because of this, the agency is not able to fully know the needs and/or characteristics of the juveniles referred to and served by juvenile probation departments statewide. Access to child protective services data, substance abuse services information and educational data for those juveniles referred to and served by the juvenile probation system would greatly enhance the agencies ability to plan for and provide adequate programming to juvenile offenders.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

No additional information needed.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Not Applicable

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Certification
Location / Division	Training and Certification Division
Contact Name	Cindy Weisinger, Director of Training and Federal Programs
Actual Expenditures, FY 2006	\$1,152,218.00
Number of FTEs as of August 31, 2006	.75

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the certification function is to grant professional certification to juvenile probation and detention officers employed by local juvenile probation departments. The Texas Juvenile Probation Commission reviews applications for the certification of juvenile probation and detention officers to confirm that applicants meet minimum statutory education, work experience and training requirements.

To become a certified juvenile probation officer, an applicant must possess a bachelor's degree from an accredited college or university, be 21 years of age, have one year of related experience or one year of graduate studies, be of good moral character and have the requisite specialized training. To become a certified juvenile detention officer, an applicant must be 21 years of age, have a high school diploma or its equivalent and receive the required specialized training. In addition, all certified officers must pass a criminal history check that includes National Crime Information Center (NCIC), Texas Crime Information Center (TCIC) and Texas Sex Offender database searches that show no conviction or deferred adjudication for a jailable misdemeanor within the previous five years nor conviction or deferred adjudication for a felony within the previous ten years.

The Commission reviewed 3,981 applications for certification, recertification, extension, exemption and transfer applications in fiscal year 2006. Specific information reviewed includes results of criminal history checks, level of education and training records.

In addition to processing certification applications, a significant amount of time is spent providing technical assistance to juvenile probation departments regarding the Commission's standard requirements for employment and certification of probation and detention officers. Certification staff have amassed an extensive knowledge base and are able to effectively explain the intricate details of these processes.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Commission uses the total number of probation and officers certified as an ongoing measure of the certification/recertification process. In fiscal year 2006, the Commission certified 3,634 juvenile probation and detention officers.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Certification determinations are based on electronic information submitted through the Automated Certification Information System (ACIS) which works in conjunction with the Juvenile Officer Training Tracking System (JOTTS). These systems, developed by the Commission's Management Information System staff, allow local juvenile probation departments to enter training hours accrued by staff into a database as they occur and easily import them into the ACIS electronic certification application.

ACIS has been constantly improved and updated since its implementation in March 2002. JOTTS was implemented in November 2005 to replace the Training and Certification Access Database (TCAD). Prior to the ACIS, TCAD and JOTTS systems, certification applications were submitted to the Commission in a paper format. Automating the submission and approval process has greatly improved the efficiency and effectiveness of the program. Work that previously required three staff members can now be accomplished efficiently and accurately by two Commission staff members who perform these duties in addition to other assigned tasks, together accounting for approximately one staff position.

A related electronic database, the Juvenile Justice Personnel (JJP) system maintains information on juvenile probation and detention officers and other employees of local juvenile probation departments. Contact information is maintained on other juvenile justice practitioners (i.e., juvenile judges, juvenile board chairs, district attorneys, etc.). Information contained within the database is shared with the Attorney General's office and other state agencies upon request.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This function directly impacts an individual's ability to become certified and receive concomitant salary adjustments. The certification system is also accessed by other Commission staff in the performance of their job duties.

The Commission's Field Services staff generate reports from ACIS regarding staff employed by a department including dates of employment, dates of certification and/or recertification, training records and results of criminal history checks. The monitoring process includes review of employment records and other documentation to verify the accuracy of certification information submitted through ACIS.

The Commission's Legal Division and Abuse, Neglect and Exploitation's Investigators provide information related to allegations of sexual assault or other staff misconduct resulting in suspension or revocation to ensure that such individuals are not incorrectly certified or recertified. The Commission's certification database and the abuse, neglect and exploitation (ANE) database are linked to notify certification staff if an individual is designated as a perpetrator in an ANE investigation so that certification eligibility can be determined by legal staff.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Certification applications are submitted electronically by local juvenile probation departments and determinations are made at the state level. Responsibility for the processing of certification applications and related transactions is shared by two Commission staff members. The information is accessed by the Legal Division, Compliance Monitors, Abuse and Neglect Investigators and the Training Division.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for Certification from Indirect Administration.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Not Applicable

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not Applicable

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

- ★ **County Juvenile Probation Departments.** The Commission provides extensive technical support regarding standards and procedures for successful applications for certification. Each county juvenile probation department has designated staff who handle training, certification, or both. These liaisons are in close contact with Commission certification staff regarding technical issues.
- ★ **Department of Public Safety.** The Texas Department of Public Safety (DPS) receives and processes criminal history background checks for county juvenile probation departments. Commission certification staff maintains contact with the Fingerprint Section Supervisor for technical updates. Currently, the Commission is in the process of establishing a system throughout DPS that will allow the Commission to be notified automatically via electronic interface if a certified officer is arrested or convicted of a criminal offense in Texas.
- ★ **Federal Bureau of Investigations.** The Federal Bureau of Investigation (FBI) provides criminal background information to local juvenile probation departments. The FBI also provides the Commission with information regarding states who supply their criminal databases to the criminal justice information system.

- ★ **Local Law Enforcement Agencies.** Local law enforcement offices serve to run TCIC and Sex Offender database checks for local juvenile probation offices.

K. If contracted expenditures are made through this program please provide:

- **the amount of those expenditures in fiscal year 2006;**
- **the number of contracts accounting for those expenditures;**
- **a short summary of the general purpose of those contracts overall;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Not Applicable

L. What statutory changes could be made to assist this program in performing its functions? Explain.

TJPC requires both state and national criminal history background checks (i.e., TCIC and NCIC) prior to certifying any probation or detention officer. TJPC currently does not have access to records at the Texas Department of Family and Protective Services (TDFPS) or the Texas Youth Commission (TYC) related to whether an individual has been alleged or confirmed to have abused, neglected or exploited child. This information can be vital in the Commission's decision of whether the individual is appropriate to be certified and given further access to children and youth. (See Senate Bill 9, Section 13 that discusses this issue and gives the Texas Education Agency access to information at TDFPS).

Currently, TJPC has the authority to discipline certified probation and detention officers for ethical violations and other misconduct, including criminal conduct. The Commission's website currently contains a listing of all certified officers who have been disciplined, including the type of discipline imposed (e.g., warning, suspension, revocation, etc.). The Commission's authority to provide the public notification regarding the discipline of certified officers needs clarification and expansion. Additionally, TJPC has no explicit authority to provide public notice that an investigation is pending on an individual alleged to have committed abuse, neglect or exploitation of a child. This can be a problem if an employee leaves County A during the pendency of an investigation and is hired by County B prior to the completion of the investigation.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

See Certification Guidelines Manual (Attachment 56).

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Certification of juvenile probation and detention officers is necessary to ensure the integrity and professionalism of the system and that individuals meet the minimum requirements established for their respective job duties. Electronic applications for certification are reviewed and approved at the state level. Documentation to support the application is maintained on file at the local probation department and is reviewed as part of the Commission's monitoring process. The department must respond to any identified non-compliance with a corrective action plan. Sanctions for non-compliance are outlined in the Commission's policy and procedures. Complaints against regulated entities are handled by the Commission's legal division.

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

**Texas Juvenile Probation Commission
Certification
Exhibit 12: Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2005 and 2006**

	FY 2005	FY 2006
Total number of certified officers	5,086	5,799
Total number of local juvenile departments	168	168
Number of complaints resolved	36	56
Average number of days for complaint resolution	0	0
Complaints resulting in disciplinary action:	0	0
administrative penalty	0	0
reprimand	0	0
probation	0	4
suspension	0	2
revocation	0	8
other	0	0

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A. Provide the following information at the beginning of each program description.

Name of Program or Function	Training
Location / Division	Training and Certification Division
Contact Name	Cindy Weisinger, Director of Training and Federal Programs
Actual Expenditures, FY 2006	\$12,674,396.00
Number of FTEs as of August 31, 2006	5.5

B. What is the objective of this program or function? Describe the major activities performed under this program.

The objective of the Texas Juvenile Probation Commission's (TJPC) Training Division is to provide free and low cost training to juvenile justice professionals across the state including juvenile board members, juvenile court judges, justice and municipal court judges, juvenile prosecutors, defense attorneys, probation officers, detention officers, law enforcement, students, teachers, state agencies and the public.

The Training Division is involved in a variety of educational activities. Examples of annual conferences hosted or co-hosted by the TJPC Training Division include the Drill Instructors Institute, Intensive Supervision Conference, Chief's Conference, Training Coordinators Conference, Leadership Conference and Sex Offender Supervision Conference.

Basic training for juvenile probation officers and juvenile detention officers is generally provided on a quarterly basis in coordination with the Correctional Management Institute at Sam Houston State University. An updated curriculum for juvenile detention officers is in development and will be implemented in fiscal year 2008.

Workshops designed to enhance the skills and knowledge of juvenile justice staff are offered statewide and on a regional basis throughout the year to ensure that staff have the information needed to perform their employment duties in accordance with the Texas Family Code and TJPC standards. Staff provide or locate experts to provide training in any number of programs, activities, or juvenile justice services upon request from local departments, other agencies or the public.

Training Division staff research and maintain awareness of issues and programs nationwide and invite speakers from other agencies and states to provide training on the implementation of effective programs and services. Training for juvenile populations including female offenders, sex offenders, substance abusers and youth with mental health needs is in high demand. Training is provided on community based programs including intensive supervision services, cognitive skills development, and family preservation alternatives to assist juvenile officers in providing services designed to prevent youth from entering further into the juvenile probation system.

Staff have been trained to implement specific copyrighted programs including Question, Persuade, Refer (QPR), a suicide prevention and intervention technique; Motivational Interviewing, a communication technique to assist offenders in changing behavior; the Kempe Perpetration Prevention Program, techniques for preventing and responding to sexual acting out; and Project ASPECT, a unique cognitive intervention program provided by Positive Solutions, Inc.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The TJPC Strategic Plan includes the following:

Objective 3.1: Probation Assistance

Strategy 3.1.1: Training/Technical Assistance on Community-based Corrections

Provide training and technical assistance to juvenile boards and probation departments, including case management, program planning and delinquency prevention;

Measures reported to the Legislative Budget Board for fiscal year 2006 are:

Output Measures:

- ★ Number of training hours provided – 11,864
- ★ Number of professionals trained – 8,019
- ★ Number of probation and detention officers certified – 3,634

Efficiency Measures:

- ★ State cost per training hour – \$23.37

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

In fiscal year 2003, the TJPC Training Division began development and implementation of a regional training initiative designed to address limited staff, reduced budgets and increased needs for training. This plan involves assisting local juvenile probation department staff to assess training needs and resources and to equip local staff with the skills and knowledge to plan and execute training events.

In addition to guidance and assistance provided by the Training Division staff, the TJPC website has been enhanced to include training notices, curriculum, training aids and related resources. To increase the number of qualified trainers at the local level, TJPC began offering Foundation Skills for Trainers training at the regional level approximately once each quarter.

Throughout fiscal years 2004-2006, TJPC Training Division staff assisted local departments in holding “Mobile Help Desk” regional training workshops. These events, held primarily in small to mid-size departments who often have limited training budgets and resources, offered training on topics such as case management, sex offender registration, reporting abuse and neglect, behavior observation and documentation, and other job specific information. The results and responses were overwhelmingly positive.

In fiscal years 2004 and 2005, TJPC implemented new standards monitoring procedures. Regional training on the implementation of these procedures was held in multiple locations across the state. Other topics including legal updates, fiscal procedures, and administration of the MAYSI-2 mental health assessment instrument are now routinely being provided on a regional basis.

In 2007, TJPC staff have continued to develop the regional training sites through the development of Regional Training Coalitions who have taken on the responsibility of ongoing local training needs and resource assessments and for the planning and organization of the regional training events. TJPC staff continue to provide guidance and oversight in the planning and execution of regional training. Quarterly Foundation Skills for Trainers training will be continued to support the development of qualified trainers at the local level. The TJPC website offers online registration for events, training curriculum, links to training resources and web-based training. Continuing to enhance web-based resources is a priority for fiscal year 2008.

A major overhaul of the agency's training and certification procedures is in process at this time. TJPC plans to implement a competency exam for certification of juvenile probation and juvenile detention officers in September 2009. A standardized basic training curriculum will be implemented as part of this process. A series of workgroup meetings has been held with staff from local departments to obtain their input in the development of these procedures. Existing training curriculum will be updated with comprehensive learning objectives that will form the basis of the exam. The TJPC Training Division staff is meeting with educational institutions and organizations to determine options for establishing testing centers for this exam. Staff will seek expert guidance in the development of an exam and the policy and procedures for this new process. This initiative is a priority for fiscal year 2008.

These two recent statewide initiatives maximize available human and technological resources to make it possible for the limited staff of the TJPC Training Division to ensure that quality training is available to juvenile probation and detention staff statewide.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Texas Juvenile Probation Commission provides free and low cost training to juvenile justice professionals across the state including juvenile board members, juvenile court judges, justice and municipal court judges, juvenile prosecutors, probation officers, detention officers, law enforcement, students, state agencies, and the public.

TJPC was created to ensure that quality juvenile probation services are available in every area of the state. Adequate training for staff responsible for providing these services is critical. Lack of training can result in the inability to perform one's job duties in a safe and satisfactory manner. All juvenile probation and detention officers are required to receive 40 hours of training including training in certain mandatory topics prior to certification as a juvenile probation or juvenile detention officer. Eighty hours of continuing education is required every two years to maintain certification. In fiscal year 2006, 3,634 applications for certification or recertification were processed.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The TJPC Training Division consists of four full-time Trainers, one Administrative Assistant and the Director of Training. The Director of Training is responsible for ensuring that training is made available to meet the needs of the field and in accordance with the goals and mission of the TJPC. The Director is accountable to the Chief of Staff, Deputy Director and Executive Director of TJPC.

Division staff work closely as a team and with other TJPC staff to develop and provide training to juvenile justice staff across the state, judges, and other members of the public. Training Division staff also coordinate with a variety of other federal, state and local agencies and organizations for this purpose. The regional training initiative has been successful in developing regional training “hubs” and staff at the local level with whom TJPC staff work closely to develop and provide training.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources are allocated for Training from Indirect Administration.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

TJPC coordinates with local juvenile probation departments and with organizations including the Texas Correctional Association, Texas Probation Association, Juvenile Justice Association of Texas, and Texas Juvenile Detention Association to maximize resources in the provision of on-going statewide training. Staff also coordinate with other agencies and entities including the National Association of Blacks in Criminal Justice, Texas Youth Commission, Texas Department of Public Safety, Texas Department of Criminal Justice, Criminal Justice Division of the Governors Office, Council on Sex Offender Treatment, Sam Houston State University, Prairie View A&M University and others.

These entities and others, provide training that can assist a juvenile officer in acquiring the knowledge and skills necessary to perform their job duties. This training may consist of skills development, resource awareness, program implementation and personal development topics. TJPC staff also provide this type of training, but differ from other resources in the ability to provide specific training related to program administration and service provision in accordance with legislative guidelines and requirements.

TJPC training staff are uniquely qualified to respond immediately to the training needs of the field resulting from changes to legislation and/or standards or in response to identified procedural crises. The Commission’s close relationships with local staff and extensive knowledge of departmental programs and procedures makes it possible to identify and effectively respond to training needs. Sex offender registration procedures, administration of the MAYSI-2, case management requirements, and reporting abuse and neglect are examples of task specific training provided by TJPC staff that is not provided by other resources.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Training Division assists and coordinates with membership organizations including the Texas Correctional Association, Texas Probation Association, Juvenile Justice Association of Texas, and Texas Juvenile Detention Association to maximize resources in the provision of on-going statewide training. Staff also coordinate with other agencies and entities including the National Association of Blacks in Criminal Justice, Texas Youth Commission, Texas Department of Public Safety, Texas Department of Criminal Justice, Criminal Justice Division of the Governors Office, Commission on Sex Offender Treatment, Sam Houston State University, Prairie View A&M University and others.

These cooperative relationships are not formalized in memorandum of understandings or contracts but have proven very successful in the coordination and provision of training. Coordination is especially important in cases where agencies are serving the same population. Cross-training and co-sponsoring conference with these agencies, including the Texas Youth Commission, Texas Department of Public Safety, Texas Department of Criminal Justice and Department of Family and Protective Services has been effective and beneficial for all.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

TJPC Training Division staff research and access all available resources in the development of training events. Examples of some of the organizations and agencies with whom the Division has worked include:

- ★ **Local Juvenile Probation Departments.** TJPC establishes standards of operation for local juvenile departments, provides training to assist in implementation of these standards, and monitors for compliance. TJPC works in partnership with departments and ensures that opportunities for input from the field are included in the development of standards, funding procedures and other projects. The TJPC Training Division provides training as needed and upon request for departments and has worked closely with local departments to develop a regional training program.
- ★ **National Institute of Corrections (NIC).** NIC provides training, technical assistance, information services, and policy/program development assistance to federal, state, and local corrections agencies. TJPC accesses this resource whenever possible and has worked closely with NIC in the development of the Foundation Skills for Trainers program being provided to local juvenile departments and staff of the Texas Youth Commission and local Community Supervision and Corrections Departments.
- ★ **Office of Juvenile Justice and Delinquency Prevention (OJJDP).** OJJDP provides training and technical assistance to support states, local communities, and tribal jurisdictions in their efforts to develop and implement effective programs for juveniles. TJPC includes this resource when searching for expert training on specific topics (e.g., gender specific programs).
- ★ **Texas Youth Commission (TYC).** TYC provides residential and rehabilitative services for delinquent youth unable to remain in the community. TYC co-hosts statewide conferences with TJPC and other entities and participates in the quarterly Foundation Skills for Trainers events. TJPC and TYC have collaborated in the past to sponsor training by the National Institute of Corrections.
- ★ **Community Justice Assistance Division of the Texas Department of Corrections (CJAD).** CJAD is the agency that oversees the local Community Supervision and Corrections Departments responsible for supervision of adult offenders who are residing in the community. CJAD participates in the quarterly Foundation Skills for Trainers events.
- ★ **Council on Sex Offender Treatment (CSOT).** CSOT sets forth the standards of practice for the sex offender treatment providers in the state. The TJPC Training Division participates in policy development with CSOT and co-sponsors sex offender treatment conferences with them.

- ★ **Risk Assessment Review Committee (RARC).** Created in 1999 in response to statutory changes, this committee includes representatives from the Texas Youth Commission, Texas Department of Public Safety, Texas Department of Criminal Justice and Texas Juvenile Probation Commission. The committee is charged with developing or selecting a risk assessment instrument to predict the level of risk a juvenile sex offender will pose to the community upon release. The committee meets on a monthly basis to review cases and develop policy related to sex offender risk assessment.
- ★ **Correctional Management Institute of Texas at Sam Houston State University (CMIT).** CMIT provides professional development training and technical assistance to criminal justice agencies and serves as a host to a number of conferences, training initiatives and meetings of agencies and professional organizations. TJPC works closely with CMIT in the development and provision of quarterly basic training sessions for juvenile probation and juvenile detention officers. CMIT coordinates trainers for each event, arranges a location for the training and provides materials. TJPC provides guidance in development of curriculum and provides training staff for the event. TJPC and CMIT also collaborate in the provision of Foundation Skills for Training and Training for New Chief Probation Officers.
- ★ **Criminal Justice Division of the Governors Office (CJD).** CJD's mission is to create and support programs that protect people from crime, reduce the number of crimes committed, as well as promoting accountability, efficiency, and effectiveness within the criminal justice system. TJPC coordinates with the CJD in the provision of training on topics such as gang awareness and victim services.
- ★ **Texas Department of Public Safety (DPS).** TJPC coordinates with the DPS regarding sex offender registration and an offender information database. The TJPC Training Division coordinates with the DPS for training on these topics.
- ★ **Professional organizations including the Texas Correctional Association, Texas Probation Association, Juvenile Justice Association of Texas, and Texas Juvenile Detention Association.** TJPC Training Division staff work with these organizations to assist in the planning and provision of training at statewide conferences.
- ★ **National professional organizations including the National Association of Blacks in Criminal Justice, National Organization of Hispanics in Criminal Justice, National Juvenile Detention Association, American Corrections Association, American Probation and Parole Association.** TJPC Training Division staff participate and provide training at national conferences sponsored by these and other national organizations.

K. If contracted expenditures are made through this program, please provide:

- **the amount of those expenditures in fiscal year 2006;**
- **the number of contracts accounting for those expenditures;**
- **a short summary of the general purpose of those contracts overall;**
- **the methods used to ensure accountability for funding and performance; and**
- **a short description of any current contracting problems.**

Positive Solutions Associates' services include the training and implementation of cognitive skills intervention programs for the Commission and juvenile probation department's staff (Project Aspect). The Commission has not had any contracting problems with Positive Solutions Assoc. The Commission expended \$108,005.83 in fiscal year 2006 for their services.

Additional contracted expenditures for professional services in fiscal year 2006 (excluding the State Auditor's Office, Garza and Gonzales, and Positive Solutions) totaled \$37,575.29. These expenses were paid to nine contract trainers as direct honorarium fees or reimbursement of travel as follows:

American Program Bureau	\$5,478.86
Child Welfare League of America	\$2,002.56
Coalition-Texans with Disabilities	\$300.00
Dr. Robert Morris	\$2,086.60
Edward J. Loughran	\$476.05
Eric Trupin	\$1,096.20
Guy Wheeler	\$2,873.11
Jill Young Mata	\$115.03
Jo Ann Jones-Burbridge	\$47.79
Judy Hay-Bailey	\$958.81
Keith Branch	\$510.82
Kristen Moore	\$241.08
Laura Myers	\$630.33
Lenne Ortiz	\$499.30
Lindsey Hayes	\$1,976.88
Mac Fulfer	\$1,749.63
Mark Sassman	\$500.00
Michael Lindsey	\$1,289.82
Michael Nery	\$2,209.65
National Council on Crime Prevention	\$1,228.24
National Council on Crime Prevention	\$1,034.30
Ottis Goodwin	\$631.37
Red Clay & Vinegar	\$4,588.33
Riley Shaw	\$286.86
Ron Quiros	\$451.84
Shelia Gladstone	\$1,250.00
Timothy Menikos	\$184.31
Training Strategies	\$1,490.35
Training Strategies	\$780.62
U.S. Department of Justice	\$606.55
Fiscal Year 2006 Total	\$37,575.29

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Not Applicable

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

Not Applicable

O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not Applicable

VIII. Statutory Authority and Recent Legislation

A. Fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General Opinions from FY 2003 - 2007, or earlier significant Attorney General Opinions, that affect your agency's operations.

Texas Juvenile Probation Commission Exhibit 13: Statutes / Attorney General Opinions

Statutes	
Citation / Title	Authority / Impact on Agency
§ 141.001 Human Resources Code	Purposes
§ 141.0145 Human Resources Code	Training for Commission Members
§ 141.021 Human Resources Code	Personnel Policies
§ 141.024 Human Resources Code	Annual Reports
§ 141.025 Human Resources Code	Public Interest Information
§ 141.041 Human Resources Code	Provision of Probation and Detention Services
§ 141.042 Human Resources Code	Rules Governing Juvenile Boards, Probation Departments, Probation Officers, Programs, and Facilities
§ 141.0421 Human Resources Code	Standards Relating to Local Probation Departments
§ 141.043 Human Resources Code	Training and Assistance to Local Authorities
§ 141.0431 Human Resources Code	Violence Prevention and Conflict Resolution Training
§ 141.044 Human Resources Code	Records and Reports
§ 141.046 Human Resources Code	Inspections and Audits
§ 141.047 Human Resources Code	Interagency Cooperation
§ 141.0471 Human Resources Code	Coordinated Strategic Plan For Juvenile Justice System
§ 141.048 Human Resources Code	Studies
§ 141.050 Human Resources Code	Contract Standards
§ 141.051 Human Resources Code	Contract Monitoring
§ 141.052 Human Resources Code	Medicaid Benefits
§ 141.053 Human Resources Code	Accessibility to Programs and Facilities
§ 141.054 Human Resources Code	Contracts for Out-Of-State Juvenile Inmates
§ 141.061 Human Resources Code	Minimum Standards for Probation Officers
§ 141.062 Human Resources Code	Notice of Certification Examination Results
§ 141.063 Human Resources Code	Analysis of Examination Performance
§ 141.064 Human Resources Code	Revocation or Suspension of Certification
§ 141.082 Human Resources Code	Maintenance of Local Financial Support
§ 141.083 Human Resources Code	Special Rules for Multi-County Jurisdictions
§ 141.084 Human Resources Code	Payment of State Aid
§ 141.085 Human Resources Code	Refusal, Reduction, or Suspension of State Aid

Statutes	
Citation / Title	Authority / Impact on Agency
§ 141.086 Human Resources Code	Funding and Construction of Post-Adjudication Facilities
§ 51.12 Texas Family Code	Place and Conditions of Detention
§ 51.125 Texas Family Code	Post-Adjudication Correctional Facilities
§ 53.01 Texas Family Code	Preliminary Investigation and Determinations; Notice to Parents
§ 53.03 Texas Family Code	Deferred Prosecution
§ 54.0401 Texas Family Code	Community-Based Programs.
§ 54.0411 Texas Family Code	Juvenile Probation Diversion Fund
§ 57.003 Texas Family Code	Duty of Juvenile Board (Victims Programs)
§58.0051 Texas Family Code	Interagency Sharing of Records
§58.0072 Texas Family Code	Physical Records or Files
§ 58.0072(c) and (d), Texas Family Code	Texas Juvenile Probation Commission grant of juvenile justice information
§58.106 Texas Family Code	Confidentiality
§ 58.112 Texas Family Code	Report to Legislature
Subchapter E. Statewide Juvenile Information and Case Management System	Definitions
§58.401 Texas Family Code	
§ 59.011 Texas Family Code	Duty of Juvenile Board
§ 261.401 Texas Family Code	Agency Investigation
§ 261.405 Texas Family Code	Investigations in Juvenile Justice Programs and Facilities
§ 141.049 Texas Family Code	Complaints Relating to Juvenile Boards
Subchapter H. Child Abuse Program Evaluation § 264.701 Texas Family Code	Child Abuse Program Evaluation Committee
§ 2.12 Texas Penal Code	Who are Peace Officers
§ 60.03 Code of Criminal Procedure	Interagency cooperation; confidentiality
Art. 61.10 Code of Criminal Procedure	Texas Violent Gang Task Force
Art. 62.035 Code of Criminal Procedure	Risk Assessment Review Committee; Sex Offender Screening Tool
Art. 4413(51) Code of Criminal Procedure	Interagency Council on Sex Offender Treatment
31 U.S.C. 6501	Cash Management Improvement Act
§ 104.001 Civil Practice and Remedies Code	State Liability for Conduct of Public Servants
Subchapter G. Government Code	Developing Local Mental Health Care Systems For Certain Children
Government Code Chapter 71	Task Force on Indigent Defense
§ 403.021 Texas Government Code	Encumbrance Report
§ 411.137 Texas Government Code	Access to Criminal History Record Information: Texas Juvenile Probation Commission
Government Code Chapter 551	Open Meetings Act
Government Code Chapter 552	Open Records Act
§ 531.016 Texas Government Code	Equal Access to Facilities, Services, and Treatment
§552.010 Texas Government Code	Public Information Reports to TBCP
§606.070 Texas Government Code	Employee Retirement System Report

Statutes	
Citation / Title	Authority / Impact on Agency
§1231.062 Texas Government Code	Biennial Debt Statistics Report
§2054.092 Texas Government Code	Information Resources Strategic Planning
§2052.103 Texas Government Code	Full Time Employee Report
§2054.100 Texas Government Code	Biennial Operating Plan
§2054.120 Texas Government Code	Agency Email Address
§2054.122 Texas Government Code	Coordinated Technology Training
§ 2101.011 Texas Government Code	Agency Financial Report
§2056 Texas Government Code	Comprehensive Strategic Plan
§2056.002 Texas Government Code	Workforce Plan
§2102.0091 Texas Government Code	Report of Periodic Audits
§2101.035 Texas Government Code,	Uniform Statewide Accounting System
§2114.002 Texas Government Code	Report of Customer Service
§2114.003 Texas Government Code	General State Agency Mandates
§2114.006 Texas Government Code,	Compact With Texans
§ 2161.123 Texas Government Code	Historically Underutilized Business Plan
§ 2177.051 Texas Government Code,	Texas Marketplace
§2308.104 Texas Government Code	Performance Measures, Workforce and Economic Competitiveness Plan
§ 29.012 Texas Education Code	Residential Facilities. MOU
§37.0062 Texas Education Code	Instructional Requirements for Alternative Education Services in Juvenile Residential Facilities
§ 37.011 Texas Education Code	Juvenile Justice Alternative Education Program
§ 37.012 Texas Education Code	Funding of Juvenile Justice Alternative Education Programs
Subchapter G. Texas School Safety Center § 37.201 Texas Education Code	Definition
§ 37.203 Texas Education Code	Board
87.105 Texas Education Code	Prairie View A & M University Juvenile Justice Center Advisory Board
§ 81.010 Texas Health & Safety Code	Interagency Coordinating Council for HIV and Hepatitis
§ 461.0123 Texas Health & Safety Code	Reporting of Children Involved in Substance Abuse or From a Family Involved in Substance Abuse
§ 461.017 Texas Health & Safety Code	Advisory Committee on Reducing Drug Demand
§ 533.0415 Texas Health & Safety Code	Memorandum of Understanding on Interagency Training
§ 614.002 Texas Health & Safety Code	Composition of Council (Texas Council on Offenders with Mental Impairments-TCOMI)
§ 614.019. Texas Health & Safety Code	Pilot Programs for Juveniles
TJPC Appropriation Rider #1	Performance Measure Targets
TJPC Appropriation Rider #2	Capital Budget
TJPC Appropriation Rider #3	Restriction, State Aid
TJPC Appropriation Rider #4	Appropriation of Federal Title IV-E Receipts
TJPC Appropriations Rider #5	Juvenile Boot Camp Funding
TJPC Appropriation Rider #6	Residential Facilities

Statutes	
Citation / Title	Authority / Impact on Agency
TJPC Appropriations Rider #7	Funding for Progressive Sanctions
TJPC Appropriations Rider #8	County Funding Levels
TJPC Appropriations Rider #9	Local Post-Adjudication Facilities
TJPC Appropriations Rider #10	Juvenile Justice Alternative Education Programs (JJAEP)
TJPC Appropriations Rider #11	Funding for Additional Eligible Students in JJAEPs.
TJPC Appropriation Rider #12	Use of JJAEP Funds
TJPC Appropriations Rider #13	JJAEP Accountability
TJPC Appropriation Rider #14	Training
TJPC Appropriation Rider #15	Unexpended Balances – Hold Harmless Provision
TJPC Appropriation Rider #16	Refunds of Unexpended Balances from Local Juvenile Probation Departments
TJPC Appropriation Rider #17	Reporting Requirements to the Legislative Budget Board
TJPC Appropriations Rider #18	Special Needs Diversionary Programs
TJPC Appropriations Rider #19	Community Corrections Funding and Residential Facilities

Attorney General Opinions

While Attorney General opinions frequently mention TJPC with regard to juvenile justice issues, there have been no OAG opinions between September 1, 2002 and August 2007 that directly impacted the Commission.

B. Provide a summary of recent legislation regarding your agency by filling in the chart below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation).

Texas Juvenile Probation Commission Exhibit 14: 80th Legislative Session Chart

See Attachment 57 for a copy of the Juvenile Law Section of the State Bar of Texas Special Legislative Newsletter as written and published by the Commission pertaining to juvenile justice related legislation passed by the 80th Texas Legislature.

Legislation Enacted – 80 th Legislative Session		
Bill	Author	Summary of Key Provisions
SB 103	Sen. Juan Hinojosa	See Attachment 58 for SB 103 Summary
SB 228	Sen. Chris Harris	Clean-up bill clarifying that all licensing authorities are subject to 232.002 of the Texas Family Code. Prior version specifically listed which agencies were included. No changes were made for the Texas Juvenile Probation Commission by the revision.
SR 654	Sen. Kirk Watson	Declaring April 24 th Texas Juvenile Justice Day 2007.
HB 425	Rep. Madden	Provides a more comprehensive and quality education to confined juveniles by requiring the Commissioner of Education, in coordination with TJPC, to establish instructional requirements for education services provided by a school district to this population.

Legislation Enacted – 80th Legislative Session		
Bill	Author	Summary of Key Provisions
HB 662	Rep. Dukes	DFPS is to coordinate with the Interagency Coordinating Council for Building Healthy Families to develop a strategic plan for child abuse and neglect prevention services. TJPC has a representative on this council.
HB 2884	Rep. Dutton	See Attachment 59 for HB 2884 Summary
HB 3092	Rep. Hilderbran	Provides that a student who is sent to a residential program or facility operated by TJPC or any other governmental entity, including a juvenile board, is not considered a student of the school district in which the program or facility is physically located, ensuring that the performance of the students in those facilities and programs do not affect the accountability ratings of school districts.
HCR 96	Rep. Joe Driver	Joint interim committee created by the lieutenant governor to study the qualifications and standards necessary to be designated a police agency. The Texas Juvenile Probation Commission was one of the agencies studied by the 80 th legislature.
HCR 168	Rep. Mark Strama	Extending appreciation to the professionals of the juvenile probation system on Texas Juvenile Probation Day at the State Capitol.
HR 3	Rep. Burt Solomons	Rules of the 80 th legislature: appointment of juvenile justice committee who shall have jurisdiction over all matters concerning the Texas Juvenile Probation Commission.

Legislation Not Passed – 80th Legislative Session		
Bill	Author	Summary of Key Provisions / Reason Bill Did Not Pass
SB 38	Sen. Jane Nelson	Council for HIV and Hepatitis was to include one member from various agencies, including the Texas Juvenile Probation Commission. Bill was filed, but did not move.
SB 200	Sen. Jane Nelson	Expanded faith based initiatives and the Texas Juvenile Probation Commission would have been required to have a designated liaison for faith- and community-based initiatives. The bill was filed, but never moved.
SB 477	Sen. Carlos Uresti	Creation of the Office of Inspector General and included the Texas Juvenile Probation Commission as one of the agencies it applied to. The bill was filed, but never moved.
SB 906	Sen. Kenneth Brimer	Texas Juvenile Probation Commission would be one of the licensing authorities subject to Chapter 232.002 of the Texas Family Code. Bill was filed, but never moved.
SB 1289	Sen. Leticia Van de Putte	Study about the alternatives to the juvenile justice system for children who engage in acts of prostitution. A committee would have had to be composed with a members of the Texas Juvenile Probation Commission. Bill was filed, but never moved.
SB 1295	Sen. Royce West	Establishment of community-based programs and the Texas Juvenile Probation Commission would have had to implement the guidelines for the programs. The House passed the bill, but it did not advance further.
SB 1311	Sen. Jeff Wentworth	The Texas Juvenile Probation Commission would have to exchange information about at-risk youth with TYC, DFPS, and TEA. The House passed the bill, but it did not advance further.
SB 1469	Sen. Royce West	Development of Juvenile Justice Alternative Education Programs in counties greater than 125,000. Bill was filed, but did not move.
SB 1503	Sen. Judith Zaffirini	Deleted the Texas Juvenile Probation Commission from among the members to develop behavioral health services for children and in its place establishes the Children's Behavioral Health Council. Bill was engrossed, but did not advance.
SB 1721	Sen. Steve Ogden	The Texas Juvenile Probation Commission was to be included among the agencies subject to interagency sharing of information. Bill was filed, but did not move.

Legislation Not Passed – 80th Legislative Session		
Bill	Author	Summary of Key Provisions / Reason Bill Did Not Pass
HB 105	Rep. Riddle	DPS, in cooperation with various agencies including TJPC, would have designed and implemented a system for registering violent offenders. Bill was filed, but withdrawn from schedule.
HB 289	Rep. Delisi	Would have included TJPC among the list of agencies required to designate a liaison for faith- and community-based organizations. The House passed the bill, but it did not advance in the Senate.
HB 665	Rep. Dukes	Would have included TJPC among the list of participating agencies authorized to share certain client information. Bill was filed, but left pending in committee.
HB 2043	Rep. Phillips	Would have relieved local officials from performing inspections and certifying the suitability of certain juvenile facilities, allowing TJPC to continue to conduct inspections and certifying suitability or unsuitability. TJPC would have been required to inspect certain juvenile facilities annually and to furnish a report to each juvenile court judge presiding in the same county as the inspected facility. The House passed the bill, but it did not advance in the Senate.
HB 2339	Rep. Naishtat	Would have included TJPC among the agencies required to provide a representative to the Children's Behavioral Health Council. Bill was filed, but did not move.
HB 2577	Rep. Puente	Would have included TJPC among the list of agencies authorized to exchange information concerning at-risk youth. Bill was filed, but was left pending in committee.
HB 2807	Rep. Madden	Would have included TJPC in the list of agencies to be consulted by TYC in the creation of an advisory committee to develop a plan to move TYC toward a regionalized structure of smaller facilities. Bill was filed, but was left subject to call.
HB 2835	Rep. Strama	Dealing with the creation of JJAEPs in accordance with TJPC standards. Would have added the executive director of TJPC to the board of the Texas School Safety Center. Bill was filed, but was left pending in committee.
HB 2893	Rep. Hernandez	Would have included TJPC among the agencies included in the Children's Mental Health Council. Bill was filed, but did not move.
HB 3206	Rep. Turner	Would have included TJPC among the list of agencies to be consulted by TYC in the creation of an advisory committee to develop a plan to move TYC toward a regionalized structure of smaller facilities. Bill was filed, but was left pending in committee.
HB 3419	Rep. Eissler	Would have required TJPC to purchase instructional materials for students enrolled in a JJAEP with an allotment not to exceed \$75. TJPC would also have had to require each JJAEP to comply with State Board of Education rules regarding instructional materials. Bill was filed, but left in Calendars.
HB 3677	Rep. Davis	Would have included TJPC among the agencies required to provide a representative to the Children's Behavioral Health Council. Bill was filed, but did not move.
HB 3726	Rep. Gary Elkins	Juvenile board shall appoint a chief probation officer who meets the standards set by the Texas Juvenile Probation Commission. Bill was filed, but did not move.

IX. Policy Issues

Policy Issue #1

A. Brief Description of Issue

There currently is a lack of sufficient funding and resources to address the serious mental health needs of youth incarcerated in locally operated secure pre-adjudication detention and secure post-adjudication correctional facilities in Texas. Youth incarcerated in these facilities have a constitutional right to adequate medical and mental health services when incarcerated by a governmental entity.

B. Discussion

The National Commission on Mental Health and Juvenile Justice has reported that nationally, from 70% to 100% of youth in the juvenile justice system have a diagnosable mental disorder and 20% have a serious mental health disorder. Data also show that juvenile offenders with a mental health disorder re-offend at higher rates than offenders with no mental health disorders (72% of mentally ill juvenile offenders reoffended in two years compared to 54% of offenders with no mental illness). For children in federal, state or local custody (incarcerated for a crime), the obligation for mental health care falls upon the government as a matter of constitutional law and is enforceable under the United States Constitution's due process clauses of the 5th and 14th Amendments. Juvenile offenders in locally operated secure juvenile facilities have a federal right to adequate medical and mental health care where failure to provide it amounts to deliberate indifference to serious medical needs. *Estelle v. Gamble*, 429 U.S. 97, 97 S.Ct. 285 (1976). The basic constitutional rights that must be afforded to incarcerated youth are the right to mental health care for serious mental health needs and this includes:

- ★ Mental health screening to identify serious problems including potential suicides;
- ★ Treatment for serious conditions by mental health professionals;
- ★ Training of officers to deal with mentally ill offenders; and
- ★ Separation of severely mentally ill offenders from general population.

Youth who have mental health needs and who are incarcerated in locally operated secure juvenile facilities present a serious problem for the local counties that must fund the operational costs of local juvenile facilities. Because the counties bear the total financial responsibility for the medical and mental health needs of incarcerated youth, the lack of availability of adequate mental health resources and the corresponding funding jeopardize the continued operation of these local facilities. As the Texas Youth Commission (TYC) reduces its capacity, and because the legislature limited the jurisdiction of TYC to felony offenders, the local county juvenile facilities must now house even more juvenile offenders locally.

C. Possible Solutions and Impact

If locally operated secure juvenile detention and correctional facilities continue to provide inadequate mental health care to incarcerated youth, these local facilities face tremendous liability and may ultimately be forced to close their doors. Department of Justice investigations at juvenile facilities nationally frequently find a lack of mental health assessment and treatment as one of the basic violations of constitutional rights. Facilities that cannot provide the constitutionally required mental health care should not continue to operate and must close their doors or may potentially face litigation which can be costly.

Possible solutions to this problem may include:

- ★ Increased targeted funding to local mental health authorities for serving juveniles incarcerated in local facilities; and
- ★ Increased funding for specialized mental health treatment programs targeted for incarcerated youth.

Policy Issue #2

A. Brief Description of Issue

An analysis should be conducted to determine if parole services for youth discharged from the Texas Youth Commission (TYC) should be provided by local juvenile probation departments statewide to ensure more effective, efficient and consistent supervision of youth in the communities. The structure of the TYC parole system needs extensive analysis and refinement to achieve the overall treatment and rehabilitative goals for the youth incarcerated at TYC who ultimately return to local communities.

B. Discussion

TYC currently contracts for parole supervision with 43 local juvenile probation departments. While the current parole system is fraught with problems, the local juvenile probation departments may be in the best position to provide effective and meaningful parole services to youth in their communities. Local probation officers frequently know the youth and family very well and are familiar with the youth's background and history. Counties that do provide parole supervision for TYC currently will attest to a long list of problems with the current system that must be addressed in order for parole supervision to make any difference with these kids.

A critical component to effective parole supervision, regardless of who provides the supervision, is that all youth incarcerated in TYC must receive adequate and meaningful specialized treatment and services while in TYC custody (e.g., capitol offender, sex offenders, substance abuse, etc.). Youth who are released from institutions having not received adequate programming and rehabilitative services will not be successful on parole, even with the most effective parole supervision programs in place. Funding must follow the paroled offender upon release from the institution in order to provide the continuum of care necessary to ensure successful reintegration into the family and community.

C. Possible Solutions and Impact

The issue of effective parole supervision is a difficult one that will require in-depth analysis and resolution of a long list of problematic issues that have plagued the youth parole system for many years. There are many possible solutions and strategies which include:

- ★ Determination of which entity is best suited to provide effective parole supervision (i.e., TYC staff, contracting with private vendors or with local juvenile probation departments or some combination of these entities);
- ★ Determine the oversight agency for parole supervision;
- ★ Requirement for all incarcerated youth to be provided appropriate specialized treatment while in TYC institutions with funding to maintain the identified treatment being available when the youth is paroled; and
- ★ Provide adequate funding to ensure quality parole supervision services.

Policy Issue #3**A. Brief Description of Issue**

Non-secure residential facilities operated by local juvenile boards that serve only juvenile offenders are arguably not required to meet any state minimum standards for operation.

B. Discussion

The Texas Juvenile Probation Commission (TJPC) currently promulgates and enforces minimum standards for all juvenile secure pre-adjudication detention facilities and secure post-adjudication correctional facilities in the state. The Commission's rulemaking authority in Section 141.042 of the Human Resources Code is explicit and clear as it relates to secure juvenile facilities. Non-secure residential facilities for juveniles operated by juvenile boards and juvenile courts do not come under this authority and currently these facilities are not required to meet any state minimum standards.

Arguably, the standards for residential child care facilities promulgated and enforced by the Texas Department of Family and Protective Services (TDFPS) in Chapter 42 of the Human Resources Code may apply to these treatment facilities. See Human Resources Code Section 42.041. However, most non-secure residential facilities, operated by local juvenile boards, for juveniles are not licensed by TDFPS.

It is important for these non-secure residential facilities meet minimum standards imposed by a state regulatory entity to protect the health and safety of the youth residents.

C. Possible Solutions and Impact

Two possible solutions exist. The first solution would require TJPC to promulgate and enforce new minimum standards for these non-secure facilities. The second solution would be to require TDFPS to promulgate and enforce minimum standards for these facilities or license these facilities as child care facilities under their current standards.

Policy Issue #4

A. Brief Description of Issue

The authority of the Texas Juvenile Probation Commission (TJPC) needs to be expanded and clarified as it relates to:

- ★ Accessing certain information to be considered in certifying probation and detention officers;
- ★ Imposing disciplinary actions and public notifications related to misconduct by certified probation and detention officers who have access to children.

B. Discussion

TJPC requires both state and national criminal history background checks (i.e., TCIC and NCIC) prior to certifying any probation or detention officer. TJPC currently does not have access to records at the Texas Department of Family and Protective Services (TDFPS) or the Texas Youth Commission (TYC) related to whether an individual has been alleged or confirmed to have abused, neglected or exploited a child. This information can be vital in the Commission's decision of whether the individual is appropriate to be certified and given further access to children and youth. (See Senate Bill 9, Section 13 that discusses this issue and gives the Texas Education Agency access to information at TDFPS).

Currently, TJPC has the authority to discipline certified probation and detention officers for ethical violations and other misconduct, including criminal conduct. The Commission's website currently contains a listing of all certified officers who have been disciplined, including the type of discipline imposed (e.g., warning, suspension, revocation, etc.). The Commission's authority to provide the public notification regarding the discipline of certified officers needs clarification and expansion. Additionally, TJPC has no explicit authority to provide public notice that an investigation is pending on an individual alleged to have committed abuse, neglect or exploitation of a child. This can be a problem if an employee leaves County A during the pendency of an investigation and is hired by County B prior to the completion of the investigation.

C. Possible Solutions and Impact

Clarify the Commission's authority in the above areas. Senate Bill 9 provides the Texas Education Agency with authority to place a notice on an educator's public certification records for alleged misconduct. Some similar system or authority would be beneficial to TJPC and should include access to records maintained by the Texas Department of Family and Protective Services, the Texas Youth Commission and other state agencies who employ, license or certify individuals responsible for the care and protection of children and youth.

X. Other Contacts

A. Fill in the following chart with updated information on people with an interest in your agency, and be sure to include the most recent e-mail address.

**Texas Juvenile Probation Commission
Exhibit 15: Contacts**

INTEREST GROUPS (groups affected by agency actions or that represent others served by or affected by agency actions)			
Group or Association Name / Contact Person	Address	Telephone	E-Mail Address
Juvenile Justice Association of Texas David Hagler, President	1400 Veta St. Rm 113 Borger, TX 79007	806.273.0105	membership@jjat.com
Juvenile Law Section Brian Fischer, Chair	State Bar of Texas P.O. Box 12487 Austin, TX 78711-2487	512.427.1463	bjlaw@hotmail.com
National Association of Blacks in Criminal Justice	1801 Fayetteville Street Durham, NC 27707-3129	919.683.1801	office@nabcj.org
Texas Corrections Association Chuck Space, Executive Director	4600 Spicewood Springs Rd Austin, TX 78731	512.346.5820	info@txcorrections.org
Texas Juvenile Detention Association Sal Lopez, President	1821 S.E. Inner-Loop Georgetown, TX 78626	512.943.3292	board@tjda.us
Texas Probation Association Roxane Marek, President	George J. Beto Criminal Justice Center Sam Houston State University Huntsville, TX 77341-2296	936.294.3073	dulock@shsu.edu
INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS (that serve as an information clearinghouse or regularly interact with your agency)			
Group or Association Name / Contact Person	Address	Telephone	E-Mail Address
Casey Foundation William C. Bell, President	5201 East Riverside Drive Austin, TX 78741	512.892.5890	austin@casey.org
Hogg Foundation King Davis, Executive Director	Hogg Foundation for Mental Health – UT Austin P. O. Box 7998 Austin, Texas 78713-7998	512.471.5041	Hogg-Info@austin.utexas.edu
National Institute of Corrections Morris L. Thigpen, Director	320 First St., N.W. Washington, D.C. 20534	800.995.6423	www.nicic.org
Office of the Attorney General Greg Abbott, Attorney General	Office of the Attorney General PO Box 12548 Austin, TX 78711	512.463.2100	greg.abbott@oag.state.tx.us
Sam Houston State University Dr. James F. Gaertner, President	Sam Houston State University Huntsville, TX 77341	936.294.1111	gaertner@shsu.edu
Texas Justice Court Training Center Roger Rountree, Executive Director	701 Brazos #710 Austin, Texas 78701	512.347-9927	rogerr@tjctc.org
Texas Municipal Courts Education Center Hon. Robin A. Ramsay, President	1609 Shoal Creek Bld., Ste 302 Austin, TX 78701	512.320.8274	raramsay@cityofdenton.com
Prairie View A&M University Dr. George C. Wright, President	P.O. Box 519 Prairie View, TX 77446-0519	936.261.3311	president@pvamu.edu

LIAISONS AT OTHER STATE AGENCIES**(with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)**

Group or Association Name / Contact Person	Address	Telephone	E-Mail Address
Legislative Budget Board Angela Isaack (Assigned Analyst)	P.O. Box 12666, Capitol Station Austin, Texas 78711	512.463.1037	angela.isaack@lbb.state.tx.us
Office of the Governor Alfonso Royal (Assigned Analyst)	P.O. Box 12428, Austin, Texas 78711	512.463.1778	alfonso.royal@governor.state.tx.us
Texas Comptrollers of Public Accounts Michelle Roland (Appropriation Control)	1711 San Jacinto Blvd. Austin, Texas 78701-1416	512.936.5959	michelle.roland@cpa.state.tx.us
Texas Comptrollers of Public Accounts Robert Vasquez (Financial Reporting)	1711 San Jacinto Blvd. Austin, Texas 78701-1416	512.936.2025	robert.vasquez@cpa.state.tx.us
Texas Comptrollers of Public Accounts Macy Douglas (Travel and Purchase)	1711 San Jacinto Blvd. Austin, Texas 78701-1416	512.463.8828	macy.douglas@cpa.state.tx.us
Texas Comptrollers of Public Accounts Barbara Swearingen (SPA)	1711 San Jacinto Blvd. Austin, Texas 78701-1416	512.936.5837	barbara.swearingen@cpa.state.tx.us
Texas Comptrollers of Public Accounts Cassy Englerth (USPS)	1711 San Jacinto Blvd. Austin, Texas 78701-1416	512.475.0791	cassy.englerth@cpa.state.tx.us

XI. Additional Information

A. Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate. The chart headings may be changed if needed to better reflect your agency's practices.

**Texas Juvenile Probation Commission
Exhibit 16: Complaints Against the Agency for Fiscal Years 2005 and 2006**

	Fiscal Year 2005	Fiscal Year 2006
Number of complaints received	0	0
Number of complaints resolved	0	0
Number of complaints dropped/found to be without merit	0	0
Number of complaints pending from prior years	0	0
Number of complaints not within jurisdiction of the Commission	0	0
Average time period for resolution of a complaint	0	0

B. Fill in the following chart detailing your agency's Historically Underutilized Business (HUB) purchases.

**Texas Juvenile Probation Commission
Exhibit 17: Purchases from HUBs**

Fiscal Year 2004				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	0	0	0%	11.9%
Building Construction	0	0	0%	26.1%
Special Trade	0	0	0%	57.2%
Professional Services	\$ 58,525.00	\$ 58,525.00	100%	20.0%
Other Services	\$286,525.00	\$8,689.00	3.03%	33.0%
Commodities	\$ 147,501.00	\$ 100,365.00	68.0%	12.6%
TOTAL	\$ 492,552.00	\$ 167,580.00	34.0%	
Fiscal Year 2005				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	0	0	0%	11.9%
Building Construction	0	0	0%	26.1%
Special Trade	0	0	0%	57.2%
Professional Services	\$24,163.00	\$24,163.00	100%	20.0%
Other Services	\$ 118,454.00	\$11,968.00	10.1%	33.0%
Commodities	\$ 138,229.00	\$ 104,339.00	75.4%	12.6%
TOTAL	\$ 280,847.00	\$ 140,470.00	50.0%	

Fiscal Year 2006				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	0	0	0%	11.9%
Building Construction	0	0	0%	26.1%
Special Trade	0	0	0%	57.2%
Professional Services	\$60,622.00	\$58,732.00	96.8%	20.0%
Other Services	\$101,088.00	\$6,078.00	6.01%	33.0%
Commodities	\$61,576.00	\$25,394.00	41.2%	12.6%
TOTAL	\$223,286	\$90,205.00	40.3%	

C. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy?

The Texas Juvenile Probation Commission maintains a HUB policy and makes every effort to utilize HUB vendors as often as possible. There are circumstances where purchase decisions are based on product, service and cost effectiveness.

D. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Tex. Government Code, Sec. 2161.252; TAC 111.14)

The Commission has a written policy to ensure appropriate contract procedures are followed.

E. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.

	Response / Agency Contact
1. Do you have a HUB coordinator? (Texas Government Code, Sec. 2161.062; TAC 111.126)	Patrick M. McReynolds (512) 424-6714
2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Texas Government Code, Sec. 2161.066; TAC 111.127)	The HUB coordinator attends and takes part in forums whenever feasible. The HUB coordinator meets one-on-one with HUB vendors and does mailings to reach out to HUBs.
3. Has your agency developed a mentor-protege program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Government Code, Sec. 2161.065; TAC 111.128)	No

F. Fill in the chart below detailing your agency's Equal Employment Opportunity (EEO) statistics.

**Texas Juvenile Probation Commission
Exhibit 18: Equal Employment Opportunity Statistics**

		Fiscal Year 2004 Minority Workforce Percentages					
		Black		Hispanic		Female	
Job Category	Total Positions	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	4	25%	7%	50%	11%	100%	31%
Professional	59	19%	9%	22%	10%	59%	47%
Technical	0	N/A	14%	N/A	18%	N/A	39%
Protective Services	0	N/A	18%	N/A	21%	N/A	21%
Para-Professionals	4	25%	18%	75%	31%	100%	56%
Administrative Support	3	33%	19%	0%	27%	66%	80%
Skilled Craft	0	N/A	10%	N/A	28%	N/A	10%
Service/Maintenance	0	N/A	18%	N/A	44%	N/A	26%
		Calendar Year 2005 Minority Workforce Percentages					
		Black		Hispanic		Female	
Job Category	Total Positions	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	3	33%	7%	33%	11%	100%	31%
Professional	55	18%	9%	20%	10%	55%	47%
Technical	0	N/A	14%	N/A	18%	N/A	39%
Protective Services	0	N/A	18%	N/A	21%	N/A	21%
Para-Professionals	4	25%	18%	50%	31%	100%	56%
Administrative Support	3	33%	19%	0%	27%	66%	80%
Skilled Craft	0	N/A	10%	N/A	28%	N/A	10%
Service/Maintenance	0	N/A	18%	N/A	44%	N/A	26%
		Fiscal Year 2006 Minority Workforce Percentages					
		Black		Hispanic		Female	
Job Category	Total Positions	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	3	33%	7%	33%	11%	100%	31%
Professional	58	17%	9%	22%	10%	59%	47%
Technical	0	N/A	14%	N/A	18%	N/A	39%
Protective Services	0	N/A	18%	N/A	21%	N/A	21%
Para-Professionals	4	25%	18%	50%	31%	100%	56%
Administrative Support	3	33%	19%	0%	27%	66%	80%
Skilled Craft	0	N/A	10%	N/A	28%	N/A	10%
Service/Maintenance	0	N/A	18%	N/A	44%	N/A	26%

G. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

Section 3.02 of the Commission's Personnel Policy and Procedure Manual addresses Equal Employment Opportunity as revised in March 2007 as follows:

Policy Statement. The Texas Juvenile Probation Commission (TJPC) is an equal opportunity employer. TJPC assures that all facets of employment, such as recruitment, selection, assignment, training, promotion, compensation, benefits, and services are based solely upon an employee's individual qualifications, ability, and job performance. All applicants and employees will receive equal opportunity for employment and advancement without regard to race, color, religion, sex, national origin, age or disability, except when disability impairs job performance.

Provisions. An employee who believes that he or she has been unfairly treated with regard to employment, assignment, compensation, advancement, career development, or any other condition of employment is encouraged to attempt to resolve the complaint with supervisory personnel. If resolution is not achieved or is unsatisfactory, the employee is encouraged to file a formal employee grievance.

All employees will receive Equal Employment Opportunity (EEO) training within the first 30 days of employment and every two years thereafter in accordance with Section 21.010 of the Texas Labor Code.

TJPC prohibits any form of retaliation against any employee for filing a bona fide complaint under this policy. Retaliation means instigating, implementing, or condoning adverse treatment of a person because he/she:

- ★ Reports a violation (whether perceived or actual) of state or federal laws regarding discrimination or any form of harassment;
- ★ Provides information related to such violations; or
- ★ Assists or participates in an investigation of such violation

Procedure.

- ★ **Training.** Each new employee will be provided the electronic EEO training module on their first day of work and will be instructed by Human Resources that this training must be completed within 30 days. The employee then submits the certificate of completion to Human Resources for placement in their personnel file by the 30th day of employment.

Every two years employees will be required attend a TJPC-sponsored EEO/Harassment training or electronic training. Certificates of completion for these trainings will be placed in personnel files.

- ★ **Grievance.** If an employee or applicant feels that their rights, under this policy or state or federal law regarding employment discrimination, have been compromised, the employee should first attempt to resolve their complaint with supervisory or executive staff. Applicants can report complaints to Human Resources. If the individual desires to file a formal grievance with the Commission, they must follow the grievance procedure described in the TJPC Personnel Policy Handbook, Section 8.03, Grievance Procedures.

Responsibility. Human Resources is designated as the Commission's EEO officer and is responsible for the administration of the Commission's Recruitment Plan and hiring and selection procedures. Human Resources is also designated as the Americans with Disabilities Act coordinator.

Executive management is ultimately responsible for all employment actions.

The Commission has never faced any EEO compliance performance shortfalls and the policies have produced successful outcomes thus far.

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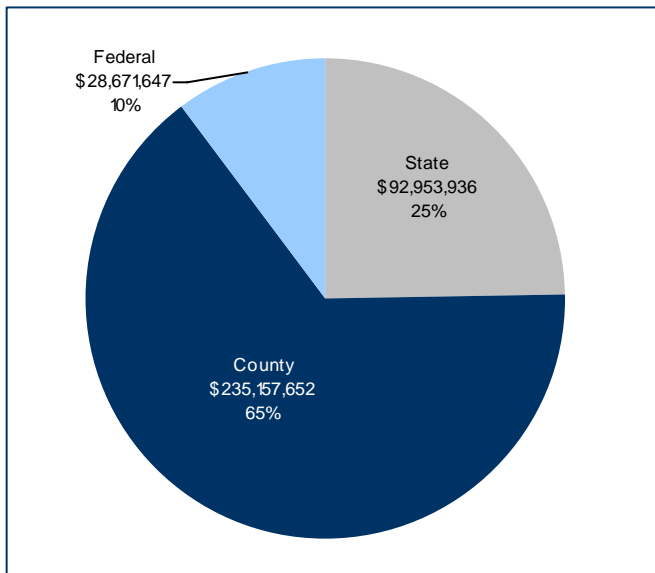
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XII. Agency Comments

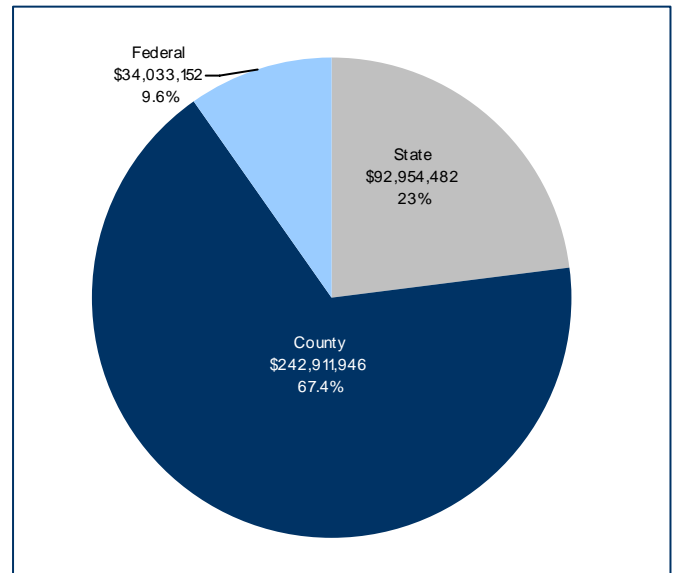
Provide any additional information needed to gain a preliminary understanding of your agency.

The Texas Juvenile Probation Commission (TJPC) is an agency founded and operated on the unique concept of partnership between a Texas state agency and the local governmental entities responsible for the operation and funding of the juvenile probation system (i.e., local juvenile boards and county governments). As a state regulatory entity, TJPC promulgates and enforces statewide standards for juvenile justice programs and facilities. State appropriations are passed from the Texas Legislature through TJPC to local juvenile boards to assist with operation costs of juvenile probation programs and facilities. However, the majority of the funding in the community-based juvenile probation system is county (local) funding as depicted in the charts below:

**County and State Funding Comparison
Fiscal Year 2005 (Actual)**



**County and State Funding Comparison
Fiscal Year 2006 (Actual)**



In 2007 during the 80th Texas Legislature, the Texas Juvenile Probation Commission (TJPC) received a significant increase in appropriations for local juvenile probation departments. While this funding was a critical step forward for local programs, this new funding did not completely reverse the pattern of funding loss in a variety of key state programs that had been occurring since 2001. In 2001, budget cuts at TJPC began to significantly erode the resources at the county level available for juvenile probation services. This trend continued as depicted in the following diagrams and charts.

Budget Crisis in 2003 Lead to a Reduction in Resources and a Focus on Essential Services

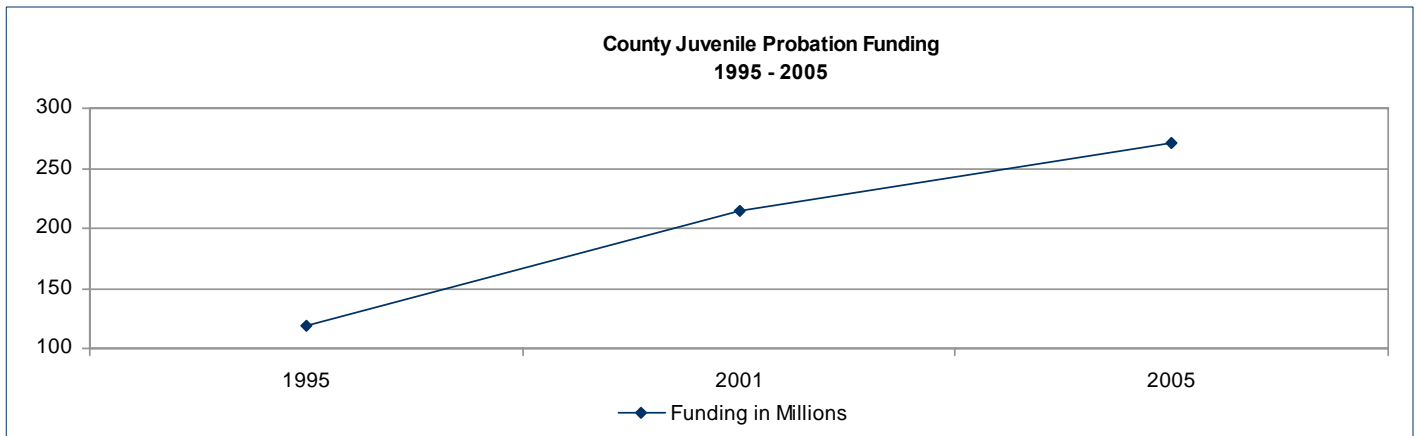
- ★ In 2003, a state budget crisis necessitated cuts in state funding of as much as 12%.
- ★ With increasing demand for fewer resources, services considered to be essential were given priority.
- ★ Funding once available for prevention, probation and placement programs was eliminated or reduced.

Juvenile Program Funding Lost Between 2001 and 2005

<p>TJPC \$6,505,356 per year</p>	<p>Federal \$13,839,869 per year</p>	<p>Other Programs \$68,083,478 per year*</p>
<ul style="list-style-type: none"> ★ Post-Adjudication Operation Funds reduced ★ Challenge Grant eliminated ★ Small County Diversionary Grants reduced ★ TIFI funding eliminated ★ Non-Residential funding eliminated ★ Mentoring program funding eliminated 	<ul style="list-style-type: none"> ★ Federal funding for juvenile justice programs was reduced and certain programs were eliminated including: <ul style="list-style-type: none"> - Funding for the family preservation program - Funding for the substance abuse treatment and intervention program - Funding for the Project Spotlight program 	<ul style="list-style-type: none"> ★ TDPRS prevention program funding was reduced and certain programs were eliminated ★ TEA Ninth Grade Initiative eliminated ★ TEA Middle School Initiative eliminated ★ TCADA juvenile justice substance abuse treatment funding eliminated <p>* Funding amount includes only those programs known to have been reduced or eliminated. Additional funding may have been impacted.</p>

Counties Maintained Local Levels of Funding in Spite of State Budget Reductions

- ★ The majority of juvenile probation funding is provided by local county governments.
 - County funding has historically accounted for approximately 70% of total juvenile probation funding while state and federal funds account for approximately 30%.
- ★ Total county juvenile probation funding has increased every year since 1995.
- ★ In 2003, county governments were impacted by the same budgetary factors impacting the state.
 - Although counties were able to maintain or slightly increase funding for juvenile probation services between 2003 and 2005, county funding could not make up for state resources lost during this time period.



As the previous information demonstrates, local county government continues to bear a significant portion of the cost of the community-based juvenile probation system. While facing state funding reductions over a period of years, county government maintained local funding levels for juvenile probation services in spite of similar budgetary shortfalls at the county level.

The partnership concept between the state and counties is most evident in the level of funding provided by the counties to support the juvenile probation system. Maintaining and enhancing this long-standing partnership is critical and appropriate increases in state funding contributions for the system are paramount for the effective rehabilitation and treatment of our youth.

For a detailed discussion of funding issues, see the Commission's 25 Year Report (Attachment 4). The website for the Texas Juvenile Probation Commission (TJPC) is a significant source of information about the agency. The website address is www.tjpc.state.tx.us.

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