

**DALLAM-HARTLEY-SHERMAN
COUNTIES
JUVENILE PROBATION DEPARTMENT
CHIEF – STEPHANIE FOWLER**

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November 25, 2008

Leah Campbell
Sunset Advisory Commission
PO Box 13066
Austin, TX 78701

RE: SUNSET REPORT ON TJPC/TYC

Dear Ms. Campbell:

I have read the entire report issued by the Sunset Commission staff regarding the Texas Juvenile Probation Commission and the Texas Youth Commission.

I adamantly oppose the recommendation of the Sunset Staff to abolish TJPC and TYC and create a new state agency combining both for the following reasons.

First, TJPC and TYC are two agencies with distinctly different functions. The only commonality between the two agencies is that we both serve juveniles. The Texas Juvenile Probation Commission has been monumental in helping counties serve the majority of juveniles referred to our departments through community based programs.

My department covers three very sparsely populated counties, serving a population of juveniles of less than 2000. Your report indicates that counties pick up most of the expenses for running probation departments. That is not the case in my county nor is it the case in most small counties. The state contribution to my budget makes up 55% of my budget. With the sunset recommendation to abolish TJPC, my biggest fear is

that my budget would be dramatically cut. TJPC has worked very hard to create programs that allow me to tap into state funds to ensure that the majority of juveniles that my department serves get to remain in the community. I fund two officer positions out of grant money that TJPC has afforded me. If I did not have this grant funding, I would be serving my three counties by myself. My counties do not have the money to help pay for probation officers.

Again, in your report you indicated that probation departments, "*overseen and partially funded by TJPC, serve 95 percent of the youth in the Texas Juvenile Justice System.*" It seems common sense to me that if 95 percent of the juveniles referred to our departments are receiving service in the community and only 5 percent are being sent to TYC, these county programs are successful at the job they are doing.

I don't believe that anyone would argue with the fact that the Texas Youth Commission system is currently broken and in need of reform, however, combining a dysfunctional agency with a functioning agency will not fix the problem, it will create a bigger problem to fix.

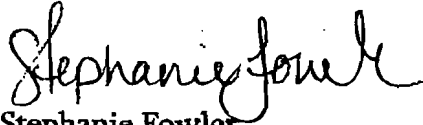
The majority of the sunset report focuses on TYC and the problems associated therein. It is hard for me to understand how anyone could believe that combining these two agencies would benefit the majority of the juveniles served by the Texas Juvenile System, when in your report you say "*TYC needs to improve services to youth in institutions*". Absolutely TYC needs to improve their services to youth in institutions, but that is only 5 percent of the juvenile population. Why not continue to let TJPC do the exceptional job that they are doing serving the majority of juveniles, 95 percent, and let TYC focus on serving their 5 percent?

Another point I would like to make is that many times in your report you state that the role of TJPC is not clearly defined. I respectfully disagree with this finding and would like to submit that the goal of TJPC is to work collectively with Juvenile Board and Juvenile departments to support those departments in providing services to juveniles by providing funding, technical assistance and training. TJPC also establishes and enforces standards to ensure probation departments are operated in an efficient, ethical manner.

While there are many other points that could be made on why this recommendation is opposed, it comes down to what is most important...and that is what is in the best interest of the juveniles that we serve. I believe that community based services would suffer greatly if the Legislature follows through with this recommendation. TJPC has historically done what the legislature created the agency to do. Why punish that agency for a job well done?

I am respectfully asking the Sunset Commission to reconsider the recommendation made by the Sunset Commission Staff and keep the Texas Juvenile Probation Commission and the Texas Youth Commission two separate agencies with recommendations for mandates to fix what is broken, the Texas Youth Commission.

Respectfully submitted,



Stephanie Fowler
Chief Juvenile Officer
Dallam-Hartley-Sherman Counties

JUVENILE BOARD ORDER**DATE:** November 24, 2008**STATE OF TEXAS** §**COUNTY OF DALLAM-HARTLEY-SHERMAN** §

BE IT REMEMBERED, at a regular meeting of the Juvenile Board of Dallam-Hartley-Sherman Counties Juvenile Probation Department, held on the 24th day of November, 2008, on a motion made by Judge Ronne Gordon, and seconded by Judge Terri Carter, the following Order was adopted:

- WHEREAS**, Sunset Commission staff completed their analysis of the Texas Juvenile Probation Commission and Texas Youth Commission and released their recommendations on November 11, 2008; and
- WHEREAS**, Sunset Commission staff recommend the elimination of the Texas Juvenile Probation Commission and the Texas Youth Commission and the creation of a new agency to be called the Texas Juvenile Justice Department effective September 30, 2009; and
- WHEREAS**, the Juvenile Board of Dallam-Hartley-Sherman Counties reviewed the recommendations contained in the Sunset Commission staff report regarding the elimination of the Texas Youth Commission and the Texas Juvenile Probation Commission; and
- WHEREAS**, the Juvenile Board of Dallam-Hartley-Sherman Counties believes that the Texas Juvenile Probation Commission effectively and efficiently fulfills the mandates of their assigned mission; and
- WHEREAS**, the Juvenile Board of Dallam-Hartley-Sherman Counties strongly disagrees with the recommendation of the Sunset Commission staff, targeting the Texas Juvenile Probation Commission for elimination and aggressively supports the Texas Juvenile Probation Commission remaining a separate agency with oversight of the one hundred and sixty-six Juvenile Probation Departments in Texas.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Dallam Hartley-Sherman Counties Juvenile Board request that the Sunset Commission not accept the recommendations of the Sunset Commission staff and that the Commission members recommend to the Legislature that the Texas Juvenile Probation Commission continue to be a State agency.

DONE IN OPEN BOARD MEETING this 24th day of November, 2008.

Recommended by:
Stephanie Fowler
Stephanie Fowler, Chief
Dallam-Hartley-Sherman Co.
Juvenile Probation Dept.

Approved by:
David D. Field
Judge David D. Field, Chairman
Dallam-Hartley-Sherman Co.
Juvenile Board