

Cecelia Hartley

From: Julie Fullingim on behalf of Sunset
Sent: Tuesday, November 25, 2008 4:02 PM
To: Cecelia Hartley
Subject: FW: Recommendations regarding juvenile justice

From: Judge Gil Jones
Sent: Tuesday, November 25, 2008 3:53 PM
To: Sunset
Cc: Judge Dan Mills; Judge Bill Guthrie; Judge Byron Theodosis; Judge Brascom; Judge Donna Klaeger; David M. Williams; Dean Myane; Cheryl Mabray - Llano Co Atty; EddieArredondo - CA; Marc Bittner; Janice McCoy; Jimmie Aycok
Subject: Recommendations regarding juvenile justice

33rd District Court

Burnet County Courthouse Annex
1701 E. Polk Street (Hwy 29 East), Burnet, TX 78611

www.dcourt.org/forum

Coordinator: [Sheila Frazier](#)

Re: Recommendations regarding juvenile justice

Dear Commissioners and Staff:

I appreciate the opportunity to provide feedback on a portion of the recommendations in your report on the Texas Youth Commission, Texas Juvenile Probation Commission and the Office of the Independent Ombudsman ("Report"). My perspective is that of a multi-county district court now completing 12 years on the bench. The entire time I have heard juvenile cases, have been the chairman of the Juvenile Board in each of my four (originally five) counties, and I stay quite current in continuing education in juvenile matters.

Summary: Fix the fundamental problems at TYC and leave the probation component of juvenile justice in the hands of local juvenile boards and probation departments. Provide access (read \$\$\$) locally to more rehabilitation and treatment resources.

The Report very accurately identifies the now well-known problems at TYC but I believe two significant problems exist in the analysis as affects TJPC:

1. The Report does not adequately describe the highly effective system of 166 independently functioning, locally controlled probation departments that are doing an outstanding job on the probation side.
2. While many TYC problems are identified, few real solutions are suggested.

I submit that merely folding a troubled agency that has a direct service mission into a new structure along side TJPC (which is really just a standards-making/enforcing and grant-funding agency with no direct service mission) will not "fix" TYC. TYC has a function quite distinct from the local probation departments with entirely different needs as far as administration and governance are concerned. Those

11/25/2008

functions will have to continue and the manner of managing and executing the mission must become successful.

Throwing the mud-covered child in the tub with the clean child will only create muddy water.

This combining of two discrete functions (not to imply that they don't need to communicate and collaborate as systems) into a new agency and the attendant bureaucracy (i.e. consolidation) has a more significant functional impact on TJPC and the independent juvenile boards than on TYC. The effect would be to take the locally controlled and largely independent juvenile probation systems and making them a part of a new, large, bureaucratic state agency subject to the vagaries of an administrative agency in policy-making rather than subject to a finely tuned legislative scheme in the juvenile justice code.

There is a significant false premise built into the Report in the tacit assertion that consolidation will result in a significant cost savings. In fact, merely the closure of the TYC units will accomplish that. It did not appear that the administrative savings would be significant, thus consolidation does not contribute to that goal.

About cost savings: I want to be clear that if cost savings from reorganizing TYC can be achieved, and if resources can be re-directed to probation service providers and enhancing the local probation infrastructures, then certainly I'm all for that. But a consolidation that closes some TYC units and puts the savings back to general revenues makes no sense given the crisis that many of our children and families appear to be in.

There was discussion about the need for a continuum of care. One exists now in the progressive sanctions system that has a finely granulated progress from minimal supervision to TYC commitment. That system works. If the notion is to have a continuum coming back from TYC to the community then that probably needs work but again, consolidation is not essential to achieving that goal.

Thank you for "listening" as you continue this important work. I know how difficult it has been to try to develop a modicum of understanding about how the juvenile justice system works.

Respectfully submitted,

Guilford L. Jones
Presiding Judge