

JUVENILE BOARD ORDER

ORDER NO: 2008

DATE: November 24, 2008

STATE OF TEXAS §

COUNTY OF DALLAS §

BE IT REMEMBERED, at a regular meeting of the Juvenile Board of Dallas County, Texas, held on the 24th day of November, 2008, on a motion made by Judge William Mazur and seconded by Ms. Vivian Lawrence the following Order was adopted:

WHEREAS, Sunset Commission staff completed their analysis of the Texas Juvenile Probation Commission (TJPC) and Texas Youth Commission (TYC) and released their recommendations on November 11, 2008; and

WHEREAS, Sunset Commission staff recommends the elimination of the TJPC and TYC 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 Dallas County reviewed the recommendations contained in the Sunset Commission staff's report regarding the elimination of TYC and TJPC at their November 24, 2008 meeting; and

WHEREAS, TJPC and TYC have separate and distinct functions with different statutory purposes; and

WHEREAS, TJPC's mission is to work 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; and

WHEREAS, TJPC's mission is accomplished through a continuum of services and programs that include prevention, early intervention, and rehabilitative programs; maximize family participation and accountability; are community based, family oriented and as least restrictive as possible; include a mix of residential and non-residential services which reduce commitments to TYC; and are a balance of public and private services and resources; and

WHEREAS, TYC is the state's juvenile corrections agency that promotes public safety by operating juvenile correctional facilities and by partnering with youth, families, and communities to provide a safe and secure environment where youth in the agency's care and custody receive individualized education, treatment, life skills and employment training and positive role models to facilitate successful community reintegration; and

WHEREAS, TYC's focus has been on punishment contrasted with the focus of TJPC which has been on rehabilitation; and

WHEREAS, the Texas Juvenile Probation Commission has an excellent reputation and is extremely efficient with only 3.2% of their operating budget assigned to administrative functions; and

WHEREAS, the Juvenile Board of Dallas County recognizes that in systems where institutions and community-based services have been merged, community-based programming tends to suffer as the needs of the institution drive budget and resource decisions; and

WHEREAS, the Juvenile Board of Dallas County strongly disagrees with the recommendation of the Sunset Commission staff 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; and

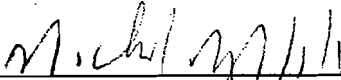
IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Dallas County Juvenile Board request that the Sunset Commission not accept the recommendations of the Sunset Commission staff and that Commission members recommend to the Legislature that the Texas Juvenile Probation Commission continue to be a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

IT IS FURTHER ADJUDGED, AND DECREED that the Dallas County Juvenile Board authorizes the Juvenile Board Vice-Chairman to sign on this Order on behalf of the Dallas County Juvenile Board.

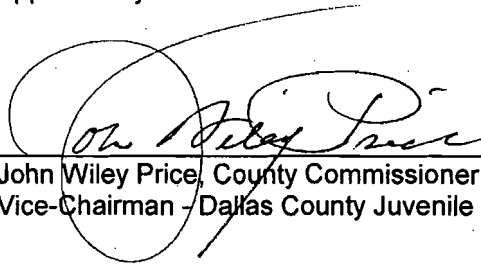
DONE IN OPEN BOARD MEETING this 24th day of November, 2008.

Recommended by:

Approved by:



Michael K. Griffiths, Director
Dallas County Juvenile Department



John Wiley Price, County Commissioner – Precinct 3
Vice-Chairman – Dallas County Juvenile Board



DALLAS COUNTY
JUVENILE DEPARTMENT

November 25, 2008

Cee Hartley
Sunset Advisory Commission
PO Box 13066
Austin, TX 78711

Dear Ms. Hartley:

I am in opposition to the Sunset Commission staff report recommending the elimination of the Texas Juvenile Probation Commission. I base my opposition through the following points:

- *Per capita juvenile crime in Texas continues to fall.*
- *Texas Youth Commission commitment data reflect that 1582 youth statewide were committed to the Texas Youth Commission in FY2008 in comparison to 2327 commitments in FY2007 and 2738 commitments in FY2006. These results show that Legislative actions taken during the last session are working. The Sunset Commission should give this legislative reform additional time to become fully operational.*
- *Most of the problems listed in the body of the staff report concern the Texas Youth Commission. That agency has a new leader, recently appointed, with a proven track record of agency reform. Ms. Townsend has already identified strategies to eliminate 23 central office positions and 12 positions tied to Institutional census saving an estimated \$1.7 million.*
- *As cited by the Sunset Commission staff report, 95% of youth involved in the Texas Juvenile Justice System are served by County Juvenile Probation Departments. Where institutions and community supervision programs are combined, institutional needs typically drive budget and resource decisions during times of economic peril. The elimination of the Texas Juvenile Probation Commission and Texas Youth Commission to develop a new agency could have potential negative budgetary consequences to the systems which serve the majority of youth.*

In summation, I do not believe that consolidation of the Texas Juvenile Probation Commission and the Texas Youth Commission would be prudent either from the aspect of community protection or offender rehabilitation. Issues reported in the Sunset Commission staff report can be addressed with current leadership working closely with the legislature. Anticipated cost savings can still occur without sacrificing the benefits of maintaining the current structure of the Texas Juvenile Justice System.

Please accept this as a written response to Sunset Commission staff's recommendation to eliminate the Texas Juvenile Probation Commission.

Respectfully submitted,


Michael K. Griffiths
Juvenile Services Director
/cjm



DALLAS COUNTY JUVENILE DEPARTMENT

Talking Points Regarding the Sunset Commission staff recommendation to eliminate the Texas Juvenile Probation Commission and the Texas Youth Commission and create the Texas Juvenile Justice Department

The Texas Juvenile Probation Commission and the Texas Youth Commission have different and distinct missions; both agencies are committed to serving the citizens of Texas in providing an effective Juvenile Justice process. Combining the two agencies would create competition internally for resource allocations. As cited by the Sunset Commission staff report, more than 95% of youth involved in the Texas juvenile justice system are served by county juvenile probation departments. Where institutions and community supervision programs are combined, institutional needs typically drive budget and resource decisions. ***The elimination of the Texas Juvenile Probation Commission and Texas Youth Commission to develop a new agency would have negative budgetary consequences to the 166 Juvenile Probation Departments that serve the majority of youth involved in the Texas juvenile justice system.***

Our fear is that any changes caused by the proposed transition period or ultimately with the new agency will effect the revenue received by Dallas County from the Texas Juvenile Probation Commission. Texas Juvenile Probation Commission funding represents 18% (\$8,416,184.00) of our annual budget.

The figure quoted above does not include funding for Title IV-E Federal Foster Care reimbursement program, already drastically reduced from annual local revenue collections of more than \$4,000,000.00 to an estimated \$2,500,000.00 this year. It also does not include the revenue we receive from TJPC to operate the Juvenile Justice Alternative Education Program (\$1,834,380.00)

The Texas Juvenile Probation Commission and the Texas Youth Commission have strong, competent leadership. Issues raised by Sunset Commission staff regarding collaboration, data sharing, operating efficient and effective programs and strategic planning are currently being addressed by Vicki Spriggs and Cheryln Townsend (in office since October 1, 2008). ***Consolidation does not insure that these objectives occur. Strong leadership, not organizational structure, insures that these issues will be solved.***

Senate Bill 103 passed during the 80th session of the Texas Legislature mandated massive reforms to the Texas Youth Commission. *Texas Youth Commission commitment data reflect that 1582 youth statewide were committed in FY2008 in comparison to 2327 commitments in FY2007 and 2738 commitments in FY2006.* This represents a 43% reduction in juvenile commitments to the Texas Youth Commission over the past three years. ***The Sunset Commission should give the reforms enacted during the 80th Legislative session adequate time to work.***

The Juvenile Judges in Dallas County have been diligent and deliberate in reducing commitments to TYC. Both Judges have gone far beyond the mandates of SB 103 to not commit habitual misdemeanor offenders and have dramatically reduced the commitments of felony offenders. Dallas County Juvenile Courts reduced commitments of youth to TYC from 311, for the twelve months prior to SB 103 being passed, to 187 for the twelve months following enactment.

Per capita juvenile crime in Texas continues to fall. There were 152,693 youth arrested in Texas in FY 2004 compared to 135,685 arrests in FY 2007. Per capita arrest rate for youth in Texas fell from 64 youth per 1,000 to 56 youth per 1,000 in the same time period.

The Texas Youth Commission has a new leader, recently appointed, with a proven track record of agency reform. Cheryln Townsend has already identified strategies to eliminate 23 central office positions and 12 positions tied to Institutional census saving an estimated \$1.6 million. Ms. Townsend is focused on an agency capacity plan which takes into consideration location, personnel efficiencies and treatment needs.

The Texas Juvenile Probation Commission and the Texas Youth Commission should not be abolished. Policy makers should direct Ms. Spriggs and Ms. Townsend to adopt benchmarks and timelines to address the issues raised in the Sunset Commission staff report. The Sunset Commission should appoint an independent body to measure the progress toward identified strategies on a semi-annual basis. Sunset Commission review of the Texas Juvenile Probation Commission and the Texas Youth Commission should be scheduled four years from now to evaluate both the effects of SB 103 and the progress made by both agencies to address issues targeted in the Sunset Commission report.