



November 26, 2008
Sunset Advisory Commission
PO Box 13066
Austin, TX 78711

Written Comment to Sunset Advisory Committee

Re: Texas Youth Commission, Texas Juvenile Probation Commission, Office of Independent Ombudsman Staff Report

Dear Sunset Commission Members,

Texans Care For Children is a non-profit organization composed of over 120 organizations and individuals working to improve the well-being of Texas' children. The Texans Care Board of Trustees is composed of leaders from across the state representing various sectors including business, faith, professional, volunteer and non-profit organizations. We advocate for state and local policy that brings about a better quality of life for the children of our state. Each session, in concert with our membership, we develop a legislative agenda that supports efforts to improve the lives of Texas' children in five areas: family economic security, children's health, children's mental health, child welfare, and juvenile justice and at-risk youth.

In May 2007 Texans Care For Children convened the Juvenile Justice Roundtable, a coordinated effort by a diverse group of advocates and stakeholders to improve the Texas juvenile justice system. The mission of the Juvenile Justice Roundtable is to create an effective juvenile justice system that practices prevention and rehabilitation and offers opportunities for youth to succeed, thereby supporting strong and safe communities. The Roundtable recognizes that juvenile justice in Texas is ready for a paradigm shift towards a balanced system that truly helps troubled youth succeed, while protecting public safety. As an advocate for youth in the juvenile justice system, Texans Care for Children offers this response to the Sunset Staff report on the TYC, TJPC, and OIO.

Texans Care for Children believes that the Sunset staff has correctly identified improving inter-agency coordination between TYC and TJPC as a top priority. Increased coordination will create a more integrated service delivery system to achieve the overarching goal of effectively serving the needs of juvenile offenders and protecting public safety.

Texans Care for Children does not believe consolidation of TYC and TJPC is the most effective means of promoting coordination.

Consolidation does not necessarily result in coordination and would certainly cause further delay in implementation of the reforms that were passed last session. The Legislature has invested significant resources developing legislation to reform TYC, and the agency needs more time to implement the changes required by SB 103. Time and resources spent reorganizing could be better spent capitalizing on the strengths of the current system. Particularly, TJPC's emphasis on prevention, early intervention, and rehabilitation programs could be lost in a consolidated agency. It is worth noting that though their missions are related, TJPC was created as a separate agency in 1981 from a program that was initially run by TYC.

Texans Care for Children believes that effective coordination would best develop from thoughtful planning that spans beyond TYC and TJPC to encompass the many child serving agencies in the state, including child protective services and local school districts. Interagency strategic planning among all agencies working with children and youth is essential to positive outcomes for Texas, particularly in terms of preventing negative behaviors and addressing mental health needs.

Texans Care for Children recommends the coordination of an inter-agency strategic plan on juvenile delinquency issues through the Health and Human Services Commission (HHSC) Office of Program Coordination for Children and Youth. Interagency planning would elevate coordination of and accountability for children's issues throughout our child-serving agencies. The plan should be created with substantial stakeholder and family input and should provide recommendations regarding:

- **Keeping children in family settings rather than restrictive institutional settings.** Diversion programs should be used to keep all but the most serious juvenile offenders out of secure facilities. A regionalized system of facilities inherently smoothes the re-entry process by not pulling a youth from the community while incarcerated,.
- **Providing services along a continuum of care with treatment for the family system.** Offending behavior does not occur in a vacuum. Addressing the family and home environment of juvenile offenders is crucial to providing appropriate treatment and preventing recidivism.
- **Securing flexible funding to best meet the needs of families and youth.** Flexible funding allows service plans to be customized based on the best interests of the youth, rather than limiting youth to a preset array of treatment options.
- **Re-establishing an interagency Legislative Appropriations Request on child and youth issues.** Integrating the agencies' funding requests could provide the flexible funding that supports best practice integration of services. The interagency LAR would include not only the juvenile justice agencies, but also health and human services agencies.
- **Preventing the relinquishment of parental rights so that parents can secure services for their child when not available through any other avenue.** Maintaining parental and family involvement is linked to reduced recidivism and improved treatment outcomes for youth.
- **Removing barriers to local coordination of services through Community Resource Coordination Groups.** CRCGs serve all counties of the state and were created by the state to better serve children with complex needs to keep them from falling through the cracks between systems and agencies. The Legislature should build upon the existing expertise of community-based, locally directed CRCGs to facilitate better coordination of after-care services for TYC youth.
- **Early intervention and detection assessments.** Interventions and treatment plans at all levels of the juvenile justice system should be research based.

Texans Care for Children supports the report's recommendation that youth be kept in the community when possible and in facilities in their own communities when incarceration is required. This goal would be best achieved through a move toward small, regionalized county and state juvenile justice facilities that promote rehabilitation in a non-violent environment. Research shows that smaller facilities focusing on rehabilitation rather than punishment programs are successful in reducing recidivism. We recommend a shift to a regionalized system of facilities that model a rehabilitation-oriented culture in the least restrictive setting possible.

Texans Care for Children supports the recommendations of Issues 3 and 4 that emphasize greater professionalization for employees within the system. TYC needs a quality work force in order for treatments and interventions to be effective. The state should invest in increasing the skill set of juvenile corrections officers so that they consistently use positive behavioral interventions and supports to enhance a rehabilitative environment. Appropriately trained staff with skills in trauma-informed care and non-violent behavior management techniques can be effective role models for non-violent conflict management and are crucial to ensuring the safety and rights of the youth in TYC.

Attached to these comments you will find the policy priorities developed by the Texas Juvenile Justice Roundtable and a document that lists the 22 organizations who have endorsed the recommendations. We respectfully urge the Commission to include these broad-based recommendations for change in its considerations of juvenile justice reforms.

Thank you for the opportunity to provide feedback regarding the Sunset Staff Report. If you have any questions, please call us at _____ or visit our website at www.texanscareforchildren.org.

Respectfully,
Eileen Garcia-Matthews
Executive Director