

Caldwell County Juvenile Probation Department

Jay Monkerud
Chief Juvenile Probation Officer
312 E. San Antonio St.
Lockhart, Texas 78644

Telephone (512) 398-5400
Fax (512) 398-5427
Email : monkerud@ccjpd.net

November 25, 2008

Mr. Joey Longley, Director
Sunset Advisory Commission
P.O. Box 13066
Austin, Texas, 78711

Dear Mr. Longley:

Please accept this written public comment regarding the sunset staff report in reference to the Texas Youth Commission (TYC), Texas Juvenile Probation Commission (TJPC) and the Office of Independent Ombudsman (OIO).

While it was my original intention to comment on a number of recommendations in the report, I will be focusing my comments regarding the recommendation to abolish TJPC and TYC.

Change in Statute

1.1 Abolish TYC and TJPC and transfer their functions to a newly created state agency, the Texas Juvenile Justice Department, with a sunset date of 2015.

I strongly but respectfully disagree with this recommendation for a number of reasons which I will lay out below :

- The two agencies have two distinct functions. TJPC works with local county juvenile boards with a focus on local community based services. TYC operates institutions for the most serious offenders and provides specialized services.
- This recommendation is strictly based upon management and policy issues at TYC that were exposed in 2007. This recommendation is not based upon a systematic issue within the juvenile justice system. Any issues outlined in the report can be rectified without consolidation.
- Consolidation of TYC and TJPC functions will eventually focus emphasis upon the state's most primary concern : the maintenance of institutions. The adult system needs to be referenced as an example of this.
- In 2003, Senate Bill 459 was introduced and would have consolidated TJPC and TYC. The 2003 legislative session saw a vast majority of state agencies consolidated. SB 459 was assigned to the Senate Committee on Criminal Justice.

Senator Whitmire, who chaired the committee, acknowledged at that time that the merger/consolidation of the two agencies was not a good idea for juvenile justice in Texas. SB 459 was never scheduled to be heard by the Senate Criminal Justice committee and died in committee. At a time when the state of Texas was merging a number of state agencies to save money, leadership knew and understood that a consolidation of these two agencies would be a mistake.

- The new executive director of TYC began October 1, 2008 and needs the opportunity to implement reforms and change.
- The juvenile probation system is funded by local commissioner's courts and the state with far more funding being provided by local counties. How will this change affect this relationship?
- TJPC and local juvenile boards have, for the most part, maintained a longstanding positive relationship. Very few local / state agencies have partnered as well. A creation of a larger bureaucracy would only strain this relationship.
- Statistically speaking a very small percentage of juveniles eligible for commitment to TYC are ever sent to TYC. This tends to acknowledge the fact that the juvenile probation system (TJPC and local juvenile boards) is functioning and operating as intended.
- As a whole, the vast majority of juvenile justice practitioners in Texas would not recommend or support this recommendation.

In summation, it is my opinion that the Texas Juvenile Probation Commission has and is currently carrying out its legislative mandates. It would make no sense at this time to completely re-structure this part of the juvenile justice system by abolishing the agency based upon management issues that have transpired at the Texas Youth Commission.

Jay Monkerud
Chief Juvenile Probation Officer
Caldwell County, Texas