



Johnson County Juvenile Probation Department

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Lisa Tomlinson, Director

Juvenile Board:

Judge Robert Mayfield
County Court at Law No. 1

Judge Jerry D. Webber
County Court at Law No. 2

Judge Roger Harmon
County Judge

Judge John Neill
18th Judicial Court

Judge Wayne Bridewell
249th Judicial District

Judge William Bosworth
413th Judicial District

Date: December 12, 2008

To: The Sunset Commission

From: Lisa Tomlinson,
Chief JPO
Johnson and Somervell County

Re: Sunset Commission Report on the Texas Juvenile Probation
Commission and the Texas Youth Commission.

My whole response is based on one question – Why?

TJPC and TYC are two distinctive agencies with two distinctive functions.

- TJPC is community based services with all youth that come into the juvenile justice system. From runaway or truant youth to the most serious offenders, from community based diversion programs to secure facilities. 95%
- TYC is institutions for only the most serious offenders. 5%

In your report, you state “Sunset staff recognizes the controversial nature of consolidating these agencies, but could not justify their separate continuation. Why, because TJPC did not coordinate services? This report is based on problems and issues at TYC. Combining the agencies will not solve the problems at TYC, will not guarantee collaboration, but will only prolong TYC’s ongoing struggle to bring about the changes that were required by SB103.

Your report goes on to state that, “Many may fear that the State’s institutional programs would dwarf any focus on probation in a combined agency,”. Are you willing to take that chance? It will happen. It is a fact - liability issues lie with housing of our youth in facilities, and when those issues happen – and they will – by their very nature they will – the money will go where the liability lies and community based services will suffer. Funding may not be the only issue, what about staff? When your executive staff is knowledgeable and approachable about your particular issues, things get done. If you combine these agencies you will either have staff representative of institutions or staff representative of community based services. Again when issues occur in the institutions and the attention turns to the institutions where does that leave attention to community based services? Please remember that community based services deals with 95% of the juvenile offender population and when we cannot move forward families,

kids, and ultimately our communities suffer. You might expect the counties to pick up the difference, but they won't. Basically you are trying to combine two state agencies into one but have not considered the entire system impact and what it will do to counties at the local level. Why not improve the states ability to provide community based services instead of combining the two agencies with distinctly different functions?

“The successful reform of TYC cannot occur in a vacuum”, is also stated in your report. Nor can successful reform take place during a constant state of change in administration. How is it that a small but effective agency like TJPC is the answer? Larger is not better. TJPC has successfully accomplished more with less than any other agency in the State of Texas.

Why compare us to other states when the other states have purely “state systems” from the top to the bottom. We are unique in what we are doing in Texas and quite frankly Texas is getting a substantial benefit from the county input of funding (70%). TJPC as it is right now is not broken. In all actuality, TJPC is working hard for the betterment of Community Based Services.

We also know that TJPC has been reviewed by the State Auditor's Office and the Comptroller's Office in recent years. Because of these reviews TJPC has brought about the recommended changes and both TJPC and the Juvenile Probation Departments have made adjustments with State Standards and more strict accountability to the Counties. My question would be has this same oversight been provided to TYC? Has this same level of requirement been implemented at TYC, and if not, wouldn't this be the issue instead of impacting the local Juvenile Probation Departments?

The right thing to do

Texas and specifically TYC has been in a state of turmoil with no real direction for almost two years. The right thing to do is let the newly appointed Executive Director, Ms Cheri Townsend, who has the experience, intellect and passion to reform Juvenile Corrections to begin work to redirect this agency, all the while allow for the collaboration with TJPC but leave TJPC and TYC as separate agencies.

OPTIONS TO CONSIDER:

- 1. Don't consolidate – leave the agencies separate and mandate (by statute) areas to collaborate, i.e. training, information management,**

strategic planning, research and data integrity for all juvenile justice operations, etc.

- 2. Let the reforms of SB103 take place. Once we have two fully functioning entities Sunset can re-evaluate to determine what should happen at that point rather than forcing a consolidation that could significantly impact and derail the significant progress juvenile probation has made since the reforms of 1995.**
- 3. Provide (new) additional resources to counties to generate local level services to divert youth from commitment to TYC. This can include support for smaller, regionalized residential programs, day-treatment services, substance abuse intervention, mental health services...the local County departments can establish more effective collaborations with local providers**

**NORTH TEXAS CHIEF'S ASSOCIATION
RESOLUTION**

STATE OF TEXAS

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Know All Men By These Present

On this the 12th day of December, 2008, a duly called meeting of the North Texas Chief's Association was held in the City of Fort Worth. Where, among other matters, came up for consideration and adoption the following resolution:

Whereas, the North Texas Chief's Association is comprised of the following Counties: Hunt, Rockwall, Montague, Archer, Clay, Wise, Jack, Ellis, Dallas, Tarrant, Young, Stephens, Cooke, Grayson, Fannin, Collin, Wichita, Johnson, Somerville, Denton, Hood, Hill, Palo Pinto, Eastland and Parker; and,

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 North Texas Chief's Association 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

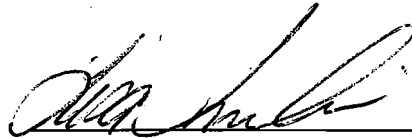
Whereas, the North Texas Chief's Association believes that the Texas Juvenile Probation Commission effectively and efficiently fulfills the mandates of their assigned mission; and

Whereas, the North Texas Chief's Association 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; and

THEREFORE the North Texas Chief's Association 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.

Further Be It Resolved that the North Texas Chief's Association President, Lisa Tomlinson; be, and is hereby, authorized to sign this Resolution as the act and deed of the North Texas Chief's Association.

The foregoing Resolution was lawfully moved by Randy Turner, Tarrant County, duly seconded by Mike Griffiths, Dallas County, and duly adopted by the North Texas Chief's Association members.

A handwritten signature in black ink, appearing to read 'Lisa Tomlinson', written over a solid horizontal line.

Lisa Tomlinson, President
North Texas Chief's Association