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*Michele Deitch • (512) 328-8330*

December 18, 2008

Sunset Advisory Commission  
P.O. Box 13066  
Austin, TX 78711

Re: Sunset Staff Reviews of the Texas Youth Commission  
and the Texas Juvenile Probation Commission

Dear Chairman Isett and Commission Members:

I attended most of Monday's hearing on the Texas Youth Commission and the Texas Juvenile Probation Commission, and was disappointed that I had to leave before I had an opportunity to testify. I am grateful for the opportunity to submit these written comments in lieu of testifying in person.

My name is Michele Deitch, and I teach juvenile justice policy at the LBJ School of Public Affairs at the University of Texas. I have worked with and for the Legislature on a wide range of criminal justice and juvenile justice issues over the last 17 years. I also served as a member of the Blue Ribbon Task Force on TYC, and I am providing this written testimony on behalf of the Task Force.

We wish to compliment the Sunset Commission staff on their hard and thoughtful work. Under ordinary circumstances, the juvenile justice system in Texas is complex, and the issues are made even more complicated at this time due to the extraordinary transitions that have been taking place in TYC.

The Blue Ribbon Task Force, as you probably are aware, was appointed by Governor Perry in May 2007 and included 21 of the nation's and the state's leading experts on juvenile justice. The panel was chaired by Dr. David Springer, Associate Dean of the University of Texas School of Social Work. After an intensive review of the Texas juvenile justice system, our Task Force issued a report in September 2007, entitled "Transforming Juvenile Justice in Texas: A Framework for Action." Our report asked similar questions to those asked by the Sunset Commission about how the juvenile justice system in Texas could best be re-designed. Although our report contained numerous

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recommendations, they have never been fully aired in a hearing due to the efforts of the TYC administration at that time to suppress the Blue Ribbon report. We encourage the Sunset Commission to review those recommendations, which should really be seen as a much more detailed companion to the Sunset Report.\*

In reviewing each of the recommendations in the Sunset Commission's report, the ultimate question for us was whether each recommendation would benefit juveniles in the system. The Blue Ribbon Task Force strongly agrees with the goals and principles driving the Sunset Commission staff's recommendations in their report. Specifically, we support the following:

- increased coordination and seamless integration of system components;
- provision of adequate funding for both TYC and TJPC, and for a continuum of services at the local level;
- provision of services as close to home as possible; and
- emphasis on evidence-based programming.

However, we do not believe that those principles support the merger recommendation by Sunset staff. It is important to point out that this was NOT one of the recommendations in the Blue Ribbon Report. While we also want to see much greater cooperation between the agencies and were also deeply troubled by the coordination problems identified in the Sunset Report, we think that the proposed merger will actually detract from the community-based services needed for juveniles, and will consequently not benefit these children. Our concerns are as follows:

- (1) A merger will result in a shift of the agencies' focus over the next few years to administrative and bureaucratic details rather than on the provision of appropriate services to juveniles;
- (2) A merger will destabilize a fragile but recovering TYC;
- (3) We see potential for improved collaboration with the current leadership of these agencies;
- (4) Certain functions—for example, training, MIS, and parole—can be coordinated or even merged without the radical step of merging the overall agency structure. Another option would be to consider having a joint board for the two agencies;
- (5) As an historical note, we observe that the merger of the adult probation and prison agencies did not benefit the probation side of the adult system, and we fear that a similar dynamic will mark any merger within the juvenile system; and

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\* The Blue Ribbon Task Force report may be found at: <http://www.dallasnews.com/s/dws/img/09-07/0913tycreport.pdf>.

(6) Although the two agencies are concerned with similar populations of juveniles, we note that there is a huge difference in missions between the two bodies, with one agency (TYC) providing direct services and the other agency (TJPC) serving a coordination/financial pass-through function for the counties. In reality, it is the counties—not TJPC—that need to have better coordination with TYC to better serve the juveniles.

What the Blue Ribbon Task Force would have liked to see instead of a recommendation on merging agencies was greater emphasis on regionalization, not just closure of facilities. Regionalization is a concept that is often misunderstood and misused, but we use it as an umbrella term covering three key concepts: (1) where facilities are located in the state; (2) the size of the facilities; and (3) what takes place in these facilities. We would like to see Texas shift much closer to the nationally recognized “Missouri model” of juvenile justice. This would require the state to identify 12-15 regions; to dedicate increased funding for either building or converting existing structures closer to urban centers; to emphasize the development of “group homes” that would hold roughly 10-12 youth; to provide intensely programmatic and rehabilitative opportunities for the juveniles housed in these facilities; and to provide increased funding for local juvenile probation departments to provide rehabilitative services. We want to see Texas invest in rehabilitation—there is no greater recommendation that can come from the Sunset Commission’s work.

Again, we encourage Commission members to review the Blue Ribbon Report as there are myriad other recommendations in there to supplement the work of the Sunset staff. We thank you for your consideration and commitment to the youth of Texas.

Sincerely,



Michele Deitch  
(on behalf of the Blue Ribbon Task Force on the Texas Youth Commission)

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