



**Texas Probation Association (TPA)**  
**Juvenile Discipline**  
James "Bubba" Martin, Legislative Co-Chair  
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TPA Position Paper

Sunset Commission Board

December 16, 2008

**Overview:**

*The Texas Probation Association consists of Adult and Juvenile Probation Practitioners, Judges, and Facility Administrators striving to improve training opportunities, funding and programming in the State of Texas to ensure that the courts of the State have the very best alternative to incarceration possible for adult and juvenile offenders.*

*The Texas Probation Association has always supported local decision making and local control of juvenile probation services because over the years it has served the children of Texas very well. We support the legislators in their concern and efforts to make the Texas Juvenile Justice System the best in the nation and solve the problems that have existed in the management of the Texas Youth Commission.*

*We do not feel like consolidation is the best method of accomplishing this and are concerned that without safeguards in place, the 168 local probation departments who supervise 95% of the juvenile offenders would not be able to continue the successful rehabilitation of children that has been a bulwark of the system since the 1995 legislative changes and the successes that we have experienced could be completely eroded.*

*The Texas Probation Association has always been a leader in innovation and we as an association are always willing to support positive change. We do not believe that consolidation is the positive change that is needed at this time.*

**TPA's Response to Sunset Recommendations: Key Findings: Favorable**

*Texas Probation Association supports the Legislature in its concern and efforts to make the Texas juvenile justice system the best in the nation and solve the problems that have existed in the management of the Texas Youth Commission.*

**TPA's Response to Sunset Commission: Recommendation #1: Not Favorable**

- **Abolishment of TYC & TJPC**

**Why?**

*Since 1995, the re-codification of the Juvenile Code, the juvenile probation system has demonstrated its ability to protect communities and provide a variety of programs and resources to the juvenile courts to effectively and efficiently treat and rehabilitate juvenile offenders while decreasing commitments to the Texas Youth Commission.*

**TPA's Response to Sunset Commission: Recommendation: #2 Favorable**

*We agree that services can be rendered more appropriately and based on the individual child by modifying state funding for probation services by consolidating funding streams.*

**Why?**

*In the last several sessions there have been funds made available to probation departments across the state, but some of the funding does not allow the individualized services that juveniles need in different areas of the state. Modification would allow more local control of service provision based on the individual needs of the child.*

**TPA's Response to Sunset Commission: Recommendation #3: Comments**

TYC and TJPC may indeed need to communicate and work together better on the State Level and coordinate future planning. The Juvenile Probation System in Texas made up of 168 departments would like to aid this process in the following way:

**We respectfully request Sunset Commission to consider recommendation to the 81<sup>st</sup> Legislature to statutorily changing the composition of the TJPC Board to include practitioners, i.e., Three Chiefs representing large, medium, and small county juvenile probation departments.**

*Why? This is the system in Texas that is working and receiving praise. This would bring more expertise to the board as a whole and allow more information flow from the field.*

**Additionally, we encourage the creation and development of a Standards Committee within the Juvenile Probation Administration. A standing committee authorized by Administrative Code, that would allow active participation of a combined body of representative juvenile justice professionals to review, recommend, and develop standards that will enhance the existing juvenile probation system and continue to improve local programs and policies that provide protection for the public and the rehabilitation of the state's juvenile offenders.**

*Why? Again, this is the system in Texas that is working and receiving praise. This would bring more expertise to this process and improve the quality of services statewide.*

**Areas to consider for increased funding to improve local services - Average Cost Per Biennium**

--Replacement of Lost Federal IV-E Funding to Probation Departments	\$34 M
--Juvenile Case Management System (state/county database mgt. & collections)	\$4.5 M
--JJAEP Funding for Mandatory Attendance (Grants)	\$1.3M
--Mental Health Assessments and Services (Grants) ... pre/post adjudication	\$6.5M
--Juvenile Case Management System: Statewide data collections, intake & mgt. system	\$4.5M

(End of Position Paper)