

“Safety & Hope”

Monitoring Success in the
Texas Juvenile Justice System



TEXAS CRIMINAL
JUSTICE COALITION

Monitoring Mandates of SB653

The Texas Juvenile Justice Department must:

- (1) monitor compliance with financial and performance requirements using a risk assessment methodology; and
- (2) obtain and evaluate program cost information to ensure that each cost, including an administrative cost, is reasonable and necessary to achieve program objectives.

Note: Community Corrections § 221.052 & State Secure Facilities § 242.070

Types of Monitoring

Compliance Monitoring

Determining basic compliance based on previously established standards, such as those delineated in the Texas Administration Code.

Quality Compliance Monitoring

Determining the quality of compliance based on previously established standards, such as those delineated in the Texas Administration Code.

Standards of Compliance

Texas Youth Commission

Texas Administrative Code

[TITLE 37](#) PUBLIC SAFETY AND CORRECTIONS

[PART 3](#) TEXAS YOUTH COMMISSION

Chapters

[CHAPTER 81](#) [INTERACTION WITH THE PUBLIC](#)
[CHAPTER 85](#) [ADMISSION, PLACEMENT, RELEASE, AND DISCHARGE](#)
[CHAPTER 87](#) [TREATMENT](#)
[CHAPTER 91](#) [PROGRAM SERVICES](#)
[CHAPTER 93](#) [YOUTH RIGHTS AND REMEDIES](#)
[CHAPTER 95](#) [BEHAVIOR MANAGEMENT AND YOUTH DISCIPLINE](#)
[CHAPTER 97](#) [SECURITY AND CONTROL](#)
[CHAPTER 99](#) [GENERAL PROVISIONS](#)
[CHAPTER 105](#) [JUVENILE CORRECTIONAL OFFICERS](#)
[CHAPTER 110](#) [CONTRACTS](#)
[CHAPTER 117](#) [INTERSTATE COMPACT ON JUVENILES](#)
[CHAPTER 119](#) [AGREEMENTS WITH OTHER AGENCIES](#)

Texas Juvenile Probation Commission

Texas Administrative Code

[TITLE 37](#) PUBLIC SAFETY AND CORRECTIONS

[PART 11](#) TEXAS JUVENILE PROBATION COMMISSION

Chapters

[CHAPTER 341](#) [TEXAS JUVENILE PROBATION COMMISSION STANDARDS](#)
[CHAPTER 342](#) [STANDARDS FOR HOUSING NON-TEXAS JUVENILES IN TEXAS DETENTION AND CORRECTIONAL FACILITIES](#)
[CHAPTER 343](#) [SECURE JUVENILE PRE-ADJUDICATION DETENTION AND POST-ADJUDICATION CORRECTIONAL FACILITIES](#)
[CHAPTER 344](#) [EMPLOYMENT, CERTIFICATION AND TRAINING](#)
[CHAPTER 345](#) [JUVENILE JUSTICE PROFESSIONAL CODE OF ETHICS](#)
[CHAPTER 346](#) [FUNDING FORMULAS](#)
[CHAPTER 347](#) [TITLE IV-E FEDERAL FOSTER CARE PROGRAMS](#)
[CHAPTER 348](#) [JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAMS](#)
[CHAPTER 349](#) [GENERAL ADMINISTRATIVE STANDARDS](#)
[CHAPTER 350](#) [INVESTIGATING ABUSE, NEGLECT, EXPLOITATION, DEATH AND SERIOUS INCIDENTS](#)
[CHAPTER 351](#) [STANDARDS FOR SHORT-TERM DETENTION FACILITIES](#)
[CHAPTER 358](#) [IDENTIFYING, REPORTING AND INVESTIGATING ABUSE, NEGLECT, EXPLOITATION, DEATH AND SERIOUS INCIDENTS](#)
[CHAPTER 359](#) [MEMORANDUM OF UNDERSTANDING](#)



Areas to Monitor

Compliance should be monitored in areas which have specifically been delineated yet seem to be of some concern. These areas include but are not limited to:

- Medical Standards
- Mental Health Standards
- Education Standards
- Quality Assurance
- Safety and Security Standards
- Classification, Assessment, and Treatment Standards

Monitoring Local Policies & Procedures

Administrator's within facilities will often establish their own policy and procedures by which they expect staff to abide by. These too are important in the monitoring process to determine minimal compliance.

 HARRIS COUNTY JUVENILE PROBATION Residential & Behavioral Services Division Burnett-Bayland Reception Center Operating Procedure	
Revised Date: 2-28-11	Related Standards:
Approved By: 	13PC: 343.606
Section: Program Regulations	Title: Orientation/Admissions

POLICY

All youth transferred to Burnett-Bayland Reception Center (BBRC) for admission have been adjudicated in a Harris County Juvenile District Court and ordered custody to the Chief Juvenile Probation Officer. All youth presented for admission at BBRC are sent from the Harris County Juvenile Detention Center or another HJCPD facility, and are medically assessed and cleared for transfer. Youth that are intoxicated or chemically-impaired shall not be transferred to the BBRC. In the event that a youth presented for admission is in need of emergency medical care or is in a mental health crisis, he shall not be admitted into the facility. The youth will be sent back to Detention, sent to the hospital, or BBRC staff will contact 911.

Each youth transferred will have an admission packet that includes, but not be limited to, a psychological evaluation, a court order, a social history and the youth's medical and school records. Youth's medical files shall contain a current immunization record, a medical consent and proof of a medical and dental assessment.

Upon transfer to the facility, youth are changed into BBRC uniforms. Youth are then given a verbal orientation by casework staff. The orientation shall include facility rules and sanctions, mental health services, information on visitation, mail, telephone, and grievance procedures, as well as information on abuse reporting and PREA. Orientation of PREA shall include: a) prevention & intervention b) methods for minimizing risk of sexual abuse c) reporting sexual abuse & assault d) treatment and counseling. All youth shall be informed of their right to confidentiality in regards to the grievance process and abuse, neglect and exploitation reporting (to include sexual abuse).

Youth will also be screened within the first hour on current suicide risk and prior suicidal history.

Youth will be orientated in their primary language if staff is immediately available. If interpreter services are needed, they will be secured within 48 hours of the youth's admission to the facility. (Requesting Interpreter Services Policy and Procedure - Department Wide Folder) Youth are provided a copy of the BBRC Resident Handbook upon admission, which outlines the information provided during the verbal orientation. Youth will also be given a copy of the Discipline Plan that they reviewed and signed during orientation process. When a literacy problem prevents a resident from understanding the written rules, the caseworker shall assist the resident with the written materials.

The Monitoring Process

Step 1: Preparation

Step 2: Initial Briefing

Step 3: Establish Expectations

Step 4: Determine Items to Review

Step 5: Conduct Interviews

Step 6: Analyze the Situation

Step 7: Address the Issue (a.k.a. Debriefing)

Step 8: Report the Problem

Monitoring At-a-Glance: Sec. 203.015

Programs & Services Evaluation System

The department shall establish and implement a system to evaluate the effectiveness of county and state programs and services for youth.

Monitoring At-a-Glance: Sec. 203.015

Items to Review

- Individual Youth Records
- Local Policies
- Treatment Plans
- Assessment Tools

Interviews to Conduct

- Directors
- Social Workers
- Youth Specialists
- Youth

Key Points to Remember

1. Without preparation all is lost!
2. Monitoring is meant to help.
3. Reporting is a must.
4. Quality compliance *should* be the overall goal!

The Ohio Experience: *S.H. v. Stickrath* (2008)

Facts

Plaintiffs allege a system-wide failure regarding conditions of confinement within facilities operated by DYS that endanger, threaten, and deprive Plaintiffs' :

- physical health and safety
- emotional and psychological well being
- adequate programming, education, medical, dental, and mental health care
- due process of law

The Ohio Experience: *S.H. v. Stickrath* (2008)

Issue(s)

The Cohen Report, established that the conditions of confinement for the members of the class fall below the constitutional and statutory standards in all categories addressed by the Fact Finding Team.

Method of Resolution

The Defendants agree to use their best efforts to obtain the necessary funding to improve the juvenile system and to otherwise comply with the standards of care included in this Stipulation.

The Monitoring Team

The monitoring team assigned to this settlement is a team of nine experts in the areas of:

- Education
- Mental Health
- Risk Assessments & Programming
- Medical Practices
- Dental Practices
- Quality Assurance
- Safety and Security

Circleville Juvenile Correctional Facility

Population of Facility

- 142 Male Youths
- Felony Offenses
- 74% African American
- 25% Caucasian
- 1% Hispanic

Duration of Visit

3 days

Overall Theme

Inconsistencies and instabilities have resulted in lack of overall control and treatment of youth housed at Circleville.

Take-Away Message

