

TEXAS CRIMINAL JUSTICE COALITION
PRIORITY RECOMMENDATION FOR THE SUNSET ADVISORY COMMISSION

PROGRAM OVERSIGHT & OMBUDSMAN FOR YOUTH IN TDCJ

INTENT – Increase the oversight of youth housed within the Texas Department of Criminal Justice (TDCJ) by expanding the current authority of the Independent Ombudsman of the Texas Juvenile Justice Department (TJJJD) to all youth in TDCJ, and by conducting annual evaluations of all programming provided to youth in TDCJ.

The Texas Legislature should expand the oversight duties of the Office of the Independent Ombudsman for TJJJD to include all youth in TDCJ. Ultimately, the Ombudsman’s oversight responsibilities should match those for youth in TJJJD state secure facilities, including the right to full-access inspections, as well as the ability to interview staff and youth, review records, investigate facility conditions, and examine programming.

Furthermore, TDCJ should abide by the recommendations of TDCJ’s Internal Audit Division and independent researchers in regard to improved oversight and evaluation of youth programming in adult correctional facilities, to correct practices that diverge from policy.¹

BACKGROUND

Youths’ rehabilitative success can be jeopardized and their rights may be infringed if they are not provided age-appropriate avenues, like an Ombudsman for youth, through which to air concerns or grievances about their treatment or programming/services. Although Texas has significantly increased oversight of youth in the juvenile justice system through recent legislation, these reforms do not affect youth incarcerated within TDCJ. **Legislators should expand the oversight authority of TJJJD’s Independent Ombudsman to youth within TDCJ to ensure that (a) youths’ safety and rights are protected, and (b) all services and programming for youth are adequately provided.**

Separately, the extent to which youth programs have been evaluated within TDCJ has been severely limited in scope and provides little direction for future improvement. In 2009, TDCJ’s Internal Audit Division reported monitoring and managing efforts in regard to youth programming to be insufficient and non-compliant with policy; it recommended greater oversight of such programming to improve outcomes. **TDCJ should adopt this recommendation, while likewise increasing the frequency of program evaluations to more accurately determine programming efficiency.**

REFERENCES

¹ TDCJ Internal Audit Division, “A Report on Rehabilitation Programs Division’s COURAGE Program for Youthful Offenders,” Audit 0921, 26 October 2009, pp. 1-2. (This 2009 audit is the most recent audit of the program. The Internal Audit Division noted in conversation that they will likely not audit the program again for five to ten years due to the program’s small size. This suggests oversight for programs for youth in TDCJ is a structural problem. A recent small-scale riot among youth in the Clemens Unit also suggests a need for greater oversight.)