“Safety & Hope”
Monitoring Success in the Texas Juvenile Justice System
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 88 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 IX 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 352 IDENTIFYING, REPORTING AND INVESTIGATING ABUSE, NEGLECT, EXPLOITATION, DEATH AND SERIOUS INCIDENTS
CHAPTER 353 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: 2-20-11
Approved By: TJPCC: 343.606
Section: Program Regulations
Policies: 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 oriented 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

<table>
<thead>
<tr>
<th>Items to Review</th>
<th>Interviews to Conduct</th>
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</thead>
<tbody>
<tr>
<td>• Individual Youth Records</td>
<td>• Directors</td>
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<tr>
<td>• Local Policies</td>
<td>• Social Workers</td>
</tr>
<tr>
<td>• Treatment Plans</td>
<td>• Youth Specialists</td>
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<tr>
<td>• Assessment Tools</td>
<td>• Youth</td>
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</tbody>
</table>
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:

**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:  

**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

Safety  Hope