

Texas Juvenile Justice Department

Office of the Independent Ombudsman

Bill Number: Senate Bill 1727

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Continue

- Continue the Texas Juvenile Justice Department (TJJD) for four years until September 1, 2027.

Facility Capacity

- Appropriate additional funding to TJJD for the construction of new state secure facilities near population centers. (Passed in House Bill 1, the General Appropriations Act)
- Require TJJD to adopt rules authorizing county juvenile probation departments to confine youth committed to TJJD within either a pre- or post-adjudication facility as the youth awaits transfer to the state's custody.
- Authorize TJJD and county juvenile probation departments to use or contract with a facility that was constructed or previously used for the confinement of adult offenders, provided the facility is appropriately retrofitted to accommodate youth-specific requirements and needs.

Board Governance and Agency Administration

- Sweep the existing TJJD board, and reduce its size from 13 to nine members.
- Require the board to provide oversight and accountability for any duties delegated to the executive director.
- Establish minimum education and experience requirements for TJJD's executive director.
- Update statute to reflect the across-the-board requirement related to board member training and the person-first respectful language initiative.
- Direct the board to evaluate and update its own policies and practices to more efficiently and effectively perform its duties. (Management action — nonstatutory)
- Direct TJJD's board to periodically convene state staff and county stakeholders to gather feedback on the implementation of and any needed changes to the Texas Model for Reform in state- and county-level facilities. (Management action — nonstatutory)
- Direct TJJD to seek representation by the Office of the Attorney General to pursue a modification of the Parrie Haynes and John C. Wende trusts that would appoint a qualified third party trustee and an advisory committee to assist the trustee. (Management action — nonstatutory)
- Direct TJJD to adopt a four-year rule review plan and rules that are required by statute. (Management action — nonstatutory)

Regionalization and County Resources

- Appropriate additional funding to TJJD specifically to increase the capacity of pre- and post-adjudication facilities operated at the county level of the juvenile justice system. (Passed in HB 1, the General Appropriations Act)
- Remove Rider 4 of TJJD's bill pattern in the General Appropriations Act to increase flexibility for local juvenile probation boards to provide certain salary increases for individual personnel. (Passed in HB 1, the General Appropriations Act)
- Authorize TJJD to incentivize diversion within and collaboration between Texas counties through its grantmaking processes.
- Require TJJD, in consultation with the Advisory Council on Juvenile Services, to adopt rules specifying county juvenile probation departments must apply for state diversion funding before a juvenile court commits a youth to TJJD, unless the youth committed certain high-level offenses, as defined in rule.
- Require TJJD to identify resource gaps impacting justice-involved youth by partnering with a university to inventory existing resources and adopting rules regarding the collection of relevant county-level data.
- Require TJJD to update its regionalization plan biennially to ensure its contents are up-to-date and actionable, and require each plan to include an analysis of rates of commitment to TJJD broken down by region and county.
- Direct TJJD to complete statutorily required regionalization duties that remain unfinished or underdeveloped. (Management action — nonstatutory)

Sentencing and Confinement

- Require TJJD to transfer a youth to the most restrictive setting appropriate as the youth awaits a juvenile adjudication or adult conviction for committing a first- or second-degree felony while in TJJD's custody.
- Require TJJD to refer certain youth to a juvenile court for approval of a transfer to the Texas Department of Criminal Justice for confinement.
- Direct TJJD to consult with the Office of the Inspector General and Special Prosecution Unit before discharging or releasing under supervision certain youth who have completed their minimum length of stay. (Management action — nonstatutory)

Licensing and Regulatory Standards

- Require TJJD to establish a risk-based approach to inspections for county- and state-level entities, including contract facilities operated by private entities, and require those entities to provide TJJD with information on a routine basis to assist with the implementation of a risk-based inspection schedule.
- Remove prescriptive education and experience requirements for juvenile probation officers from statute, and prohibit TJJD from adopting rules that may create barriers to certification.
- Clearly require TJJD to develop guidelines for evaluating applicants' criminal history for all of its certifications.
- Remove subjective certification requirements for county-level officers.

- Authorize TJJD to issue provisional certifications to officer applicants upon employment with a county juvenile probation department or relevant private entity while they complete their required training.
- Require TJJD to adopt rules governing its administrative investigation process to provide adequate due process for certified officers.
- Require TJJD to collect, maintain, and make publicly available detailed statistical information on complaints regarding certified officers.
- Direct TJJD to comply with statutory requirements by developing rules and procedures regarding certification of military service members, veterans, and military spouses. (Management action — nonstatutory)
- Direct TJJD to develop a formal process to refer nonjurisdictional complaints to the appropriate agency. (Management action — nonstatutory)

Working with Advisory Committees and Other Agencies

- Authorize the board to appoint advisory committees as needed, and abolish an existing yet inactive statutory committee.
- Require TJJD to create a Youth Career & Technical Education advisory committee and adopt rules for the existing Advisory Council on Juvenile Services.
- Update the composition of the Advisory Council on Juvenile Services to include representation from the Department of Family and Protective Services (DFPS), and require the council to assist TJJD in assessing and improving information sharing between agencies serving youth in both the juvenile justice and child welfare systems.
- Direct TJJD, in consultation with the Advisory Council on Juvenile Services and DFPS, to develop written comments on the implementation status of legislation designed to improve information sharing about youth who are dually involved in the juvenile justice and child welfare systems. (Management action — nonstatutory)
- Direct TJJD to seek guidance from the State Office of Risk Management to develop strategies for addressing and minimizing employee injuries. (Management action — nonstatutory)

Public Information and Reports

- Require TJJD to track the frequency with which the executive director takes certain discretionary actions and report the resulting data to the board and Sunset Commission quarterly.
- Require TJJD to publish certain aggregated data on the number of youth committed to its custody on a quarterly and annual basis.
- Authorize TJJD grant certain stakeholders access to identifiable and non-identifiable juvenile justice information.
- Combine two TJJD reports related to the effectiveness of youth rehabilitation efforts, and continue all other reporting requirements for TJJD.
- Direct TJJD to improve and update its website content. (Management action — nonstatutory)

Office of the Independent Ombudsman

- Require TJJD and county juvenile probation departments to notify the Office of the Independent Ombudsman (OIO) about contract facilities in which they place post-adjudicated youth.
- Require OIO to establish a risk-based approach to site visits for county- and state-level entities, including contract facilities operated by private entities, and require those entities to provide OIO with information on a routine basis to assist with the implementation of a risk-based inspection schedule.
- Update the standard across-the-board requirement related to developing and maintaining a complaints system and making information on complaint procedures available to the public.
- Direct OIO to create policies and procedures for consistently collecting and tracking findings from its site visits. (Management action — nonstatutory)
- Direct OIO to formalize its policies and procedures for including key site visit findings and trends in its quarterly reports. (Management action — nonstatutory)
- Direct OIO to develop clear procedures for referring and tracking nonjurisdictional complaints regarding licensed professionals to relevant state agencies for further inquiry. (Management action — nonstatutory)

Office of Inspector General

- Align the Office of Inspector General's (OIG) statute regarding its duties, reporting requirements, and processes with current practices.
- Include OIG in statutes impacting other law enforcement agencies, such as provisions relating to the use of tracking equipment and issuance of administrative subpoenas.
- Entitle OIG communication services staff and security officers to certain paid leave.