


**JUVENILE JUSTICE  
PRESENT & FUTURE**

**PRESENTERS:**  
**JUDGE STEPHANIE MORENO, MEMBER OF THE TEXAS JUVENILE JUSTICE BOARD;**  
**JAIME CORONADO, CHIEF JUVENILE PROBATION OFFICER;**  
**BRYAN LOYA, ASST DIRECTOR & GERALD CRAIN, DETENTION SUPERINTENDENT**




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**LOCAL JUVENILE JUSTICE BOARD**

- COMPOSED OF COUNTY JUDGE, DISTRICT JUDGES IN THE COUNTY, AND JUDGES OF ANY STATUTORY COURT DESIGNATED AS A JUVENILE COURT.
- ESTABLISHES GUIDELINES AND POLICES IN LINE WITH MINIMUM STANDARDS ESTABLISHED BY TJJD.
- MUST ESTABLISH A JUVENILE PROBATION DEPT. AND EMPLOY A CHIEF PROBATION OFFICER:
  - a) EMPLOY A CHIEF ADMINISTRATOR OFFICER.
  - b) SPECIFY THE RESPONSIBILITIES OF THE JUVENILE PROBATION DEPT.
  - c) SPECIFY RESPONSIBILITIES AND FUNCTIONS OF THE CHIEF ADMINISTRATIVE OFFICER

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**LOCAL JUVENILE JUSTICE BOARD**

- PARTICIPATE IN COMMUNITY RESOURCE COORDINATION GROUPS (CRCG).
- NOTICE OF COMPLAINT PROCEDURES:
  - a) JUVENILE PROBATION DEPARTMENT AND
  - b) ANY FACILITY OPERATED BY THE JUVENILE BOARD OR BY PRIVATE INTENTY

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## LOCAL JUVENILE JUSTICE BOARD

### ● ADOPT WRITTEN PERSONNEL POLICIES

- a) DEFERRED PROSECUTION
- b) VOLUNTEERS AND INTERNS
- c) EXPERIMENTATION
- d) RESEARCH STUDIES
- e) ZERO TOLERANCE FOR SEXUAL ABUSE

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## CHALLENGES

### ● BUDGETARY RESTRAINTS

- TOTAL BUDGET \$2.2 MILLION
  - STATE FUNDS 54%
  - LOCAL FUNDS 43 %
  - FEDERAL FUNDS 2.5%

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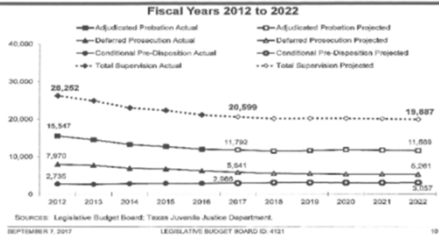
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## TRENDS

Juvenile Correctional Population Projections:  
Probation Supervision Populations




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# LEGISLATIVE UPDATES

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## SPECIAL COMMITMENT FINDING

- FOR OFFENSES COMMITTED 9/1/17 OR LATER
- INDETERMINATE COMMITMENT TO TJJD ONLY IF COURT FINDS
  - CHILD HAS BEHAVIORAL HEALTH OR OTHER SPECIAL NEEDS
  - NEEDS CANNOT BE MET WITH RESOURCES AVAILABLE IN COMMUNITY




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## CRCG REFERRAL

- INTAKE STAFF SHALL, AS APPROPRIATE, REFER CERTAIN CASES TO CRCG OR OTHER COMMUNITY JUVENILE SERVICE PROVIDER FOR SERVICES IF:
  - CHILD IS UNDER 12
  - PROBABLE CAUSE EXISTS
  - NOT MANDATORY REFERRAL TO PROSECUTOR CASE
  - CHILD IS ELIGIBLE FOR DEFERRED PROSECUTION AND
  - CHILD AND FAMILY NOT CURRENTLY RECEIVING SERVICES UNDER THIS LAW

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### CRCG REFERRAL

- CRCG OR OTHER PROVIDER TO EVALUATE CASE AND MAKE RECOMMENDATIONS TO JPD FOR APPROPRIATE SERVICES FOR CHILD AND FAMILY
- PO MUST CREATE AND COORDINATE A PLAN OR SYSTEM OF CARE THAT INCORPORATES THE SERVICE RECOMMENDATIONS
- CHILD AND PARENTS VOLUNTARILY CONSENT TO SERVICES FC 53.011

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### CRCG REFERRAL

- PO MAY:
  - HOLD CASE OPEN FOR 3 MONTHS
  - ADJUST PLAN AS NECESSARY
  - REFER CASE TO PROSECUTOR IF CHILD FAILS TO SUCCESSFULLY PARTICIPATE IN REQUIRED SERVICES FC 53.011

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### CRCG REFERRAL

- DIVERSION AND DETENTION POLICIES:
  - JUVENILE BOARD SHALL ESTABLISH POLICIES THAT PRIORITIZE – THE DIVERSION OF CHILDREN UNDER 12 FROM REFERRAL TO THE PROSECUTOR UNDER CHAPTER 53, FAMILY CODE
  - THE LIMITATION OF DETENTION OF CHILDREN YOUNGER THAN 12 YEARS OF AGE TO CIRCUMSTANCES OF LAST RESORT HRC 152.0014

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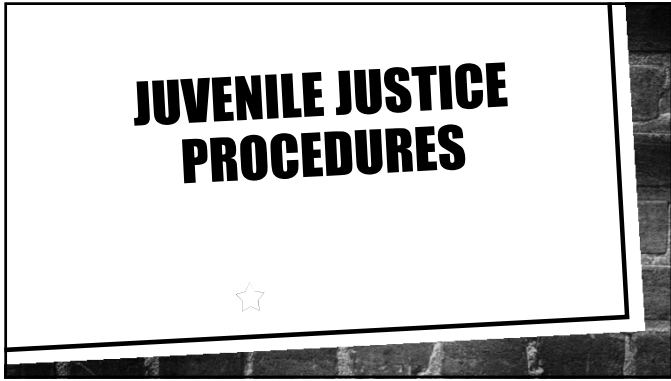
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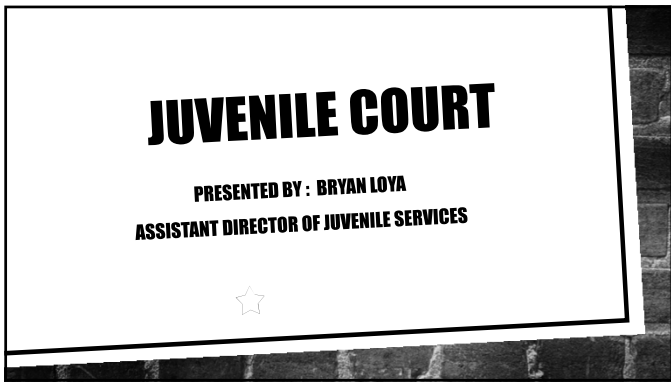
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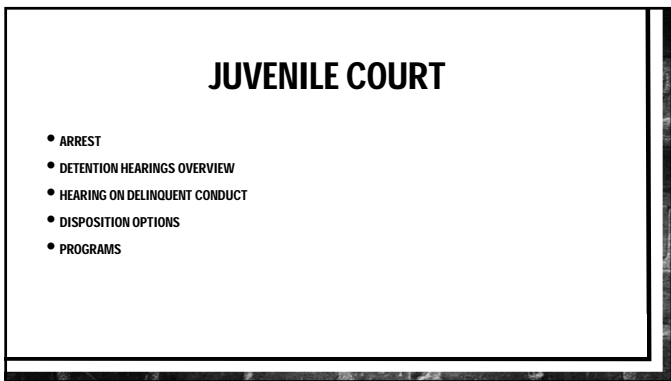
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## ARRESTS

- ESTABLISH PROBABLE CAUSE (LAWS OF ARREST)
  - OFFENSE WITHIN VIEW
  - WITHIN VIEW OF MAGISTRATE
  - AUTHORITY OF PEACE OFFICER
  
- OBTAIN WARRANT FROM JUSTICE OR MUNICIPAL COURT
  - AUTHORIZES LAW ENFORCEMENT TO TAKE CHILD INTO CUSTODY FOR PURPOSES OF PROCESSING ONLY

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## ARRESTS

- TAKE JUVENILE INTO CUSTODY (PROCESS JUVENILE)
  - DESIGNATED JUVENILE PROCESSING OFFICE (TFC52.025)
  - NO MORE THAN 6 HOURS – FROM TIME TAKEN INTO CUSTODY
  - PROCESS JUVENILES SUSPECTED OF AN OFFENSE

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## ARRESTS

- WHEN JUVENILE IS TAKEN INTO CUSTODY:
  - IMMEDIATE NOTIFICATION TO PARENT (TFC 52.02(B))
  - RELEASE CHILD TO PARENT, GUARDIAN, CUSTODIAN WITHOUT NECESSARY DELAY
  - BRING THE CHILD TO A DETENTION FACILITY DESIGNATED BY THE JUVENILE BOARD IN SAID COUNTY OR CITY.
  - BRING THE CHILD TO A MEDICAL FACILITY FOR PROMPT TREATMENT OF AN INJURY OR ILLNESS.
  - IF SCHOOL IS IN SESSION LAW ENFORCEMENT CAN TRANSPORT THE CHILD TO HOME CAMPUS AND RELEASE THE CHILD TO THE ASSIGNED PRINCIPAL.

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### DETENTION HEARING

- TFC SECTION 54.01: A DETENTION HEARING WITHOUT A JURY SHALL BE HELD PROMPTLY BUT NOT LATER THAN THE SECOND WORKING DAY AFTER THE CHILD HAS BEEN TAKEN INTO CUSTODY; PROVIDED, HOWEVER, THAT WHEN A CHILD IS DETAINED ON A FRIDAY OR SATURDAY, THEN SUCH HEARING SHALL BE HELD ON THE FIRST WORKING DAY AFTER THE CHILD IS TAKEN INTO CUSTODY.
- TFC SECTION 54.01(G): A DETENTION ORDER WILL EXTEND FOR 10 WORKING DAYS; HOWEVER, AND ORDER CAN EXTEND FOR 15 DAYS IN COUNTIES WHERE A DETENTION FACILITY IS NOT LOCATED.

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### DETENTION HEARING

RELEASE TO PARENT OR RESPONSIBLE ADULT (TFC 52.02(A)) UNLESS:

- LIKELY TO ABSCOND
- SUITABLE SUPERVISION CANNOT BE PROVIDED BY PARENT OR OTHER PERSON
- HAS NO PARENT TO RELEASE TO
- MAY BE DANGEROUS TO SELF OR OTHERS
- PREVIOUSLY FOUND TO BE A DELINQUENT CHILD
- USED, POSSESSED OR EXHIBITED A FIREARM

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### DISPOSITION

- ADJUDICATION/ DISPOSITION HEARING: ONCE A PETITION ALLEGING DELINQUENT CONDUCT IS FILED, THE COURT HAS THE AUTHORITY TO PLACE THE CHILD ON PROBATION IN THE CUSTODY OF HIS PARENT/ GUARDIAN. THE COURT CAN ELECT TO COMMIT THE CHILD TO THE TEXAS JUVENILE JUSTICE DEPARTMENT FOR FELONY GRADE OFFENSES(TVC PRIOR). ON TJJD COMMITMENTS, THE COURT CAN UTILIZE DETERMINATE (10/20 UP TO 40 YEARS) OR INDETERMINATE SENTENCING GUIDELINES.
- THE COURT ALSO HAS THE OPTION TO CERTIFY JUVENILE AS ADULTS. THIS DISPOSITION IS UTILIZED WHEN A MOTION FOR DISCRETIONARY TRANSFER IS FILED BY THE PROSECUTOR'S OFFICE. ELIGIBILITY FOR THIS TYPE OF HEARING INCLUDES THE CHILD BEING 15 YOA AND BEING CHARGED WITH A FELONY GRADE OFFENSE. 14YOA IF CHARGE WITH CAPITAL FELONY, AGG. CONTROLLED SUBSTANCE FELONY, OR A FELONY OF THE FIRST DEGREE.

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## PROGRAMMING

- CRCG TEMPORARY SUPERVISION (AGES 10 & 11)
- DEFERRED PROSECUTION (AGES 10 THRU 17 / 6 MONTH DURATION)
- OFFICIAL PROBATION ( AGES 10 THRU 17 / UP TO 18<sup>TH</sup> BIRTHDAY)
- ALL THREE SUPERVISION TYPES CAN INCLUDE THE FOLLOWING: INTENSIVE SUPERVISION PROGRAM; RESIDENTIAL PLACEMENT, OUTPATIENT SUBSTANCE ABUSE COUNSELING; AGGRESSION REPLACEMENT TRAINING; GPS ELECTRONIC MONITORING, PARENTING EDUCATION; MENTAL HEALTH SKILLS TRAINING.

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## JUVENILE RECORDS

- AUTOMATIC SEALING OF RECORD OCCURS WHEN THE FOLLOWING CRITERIA IS MET: 19YOA, NOT ADJUDICATED AS A DELINQUENT CHILD, NOT BEEN CONVICTED OF A FELONY OR MISDEMEANOR AS AN ADULT, NO PENDING MISDEMEANORS OR FELONIES.
- APPLICATION DRIVEN SEALING OF RECORDS CAN OCCUR WHEN THE FOLLOWING OCCURS: PERSON IS 18YOA; TWO YEARS HAS ELAPSED SINCE FINAL DISCHARGE; HAS NO PENDING JUVENILE MATTERS; HAS NOT BEE CONVICTED AS AN ADULT FOR A FELONY;

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## DETENTION CENTERS

PRESENTED BY: GERALD CRAIN  
DETENTION SUPERINTENDENT-SAN PATRICIO COUNTY




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## DETENTION CENTERS

### BUDGET

- \$1.8 MILLION
- TOTAL FUNDED BY SAN PATRICIO COUNTY
- 20 BED SECURE PRE-ADJUDICATION FACILITY

### CERTIFICATION

- TJJD CERTIFIED
- JUVENILE BOARD INSPECTED (ANNUAL)
- TJJD AUDIT (ANNUAL)

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## DETENTION CENTERS

- SECLUSIONS
- HEALTH SERVICES
- ENTITLEMENTS
- RESTRAINTS
- PRISON RAPE ELIMINATION ACT (PREA)

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# TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD)



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## TEXAS JUVENILE JUSTICE DEPARTMENT

- CREATED DEC. 1, 2011 BY COMBINING THE TEXAS JUVENILE PROBATION COMMISSION AND THE TEXAS YOUTH COMMISSION.
- CORE VALUES: JUSTICE, SAFETY, INTEGRITY, PARTNERSHIP, INNOVATION.
- VISION: AN EFFECTIVE AND INTEGRATED JUVENILE JUSTICE SYSTEM THAT 1) ADVANCES PUBLIC SAFETY THROUGH REHABILITATION, 2) EQUITABLY AFFORDS YOUTH ACCESS TO SERVICES MATCHING THEIR NEEDS TO ENHANCE OPPORTUNITIES FOR SATISFYING AND PRODUCTIVE LIFE, 3) EMPLOYS STABILIZED AND ENGAGED WORKFORCE FULLY EMPOWERED TO BE AGENTS OF CHANGE, 4) OPERATES SAFE AND THERAPEUTIC ENVIRONMENTS WITH POSITIVE PEER CULTURES EMPHASIZING MUTUAL ACCOUNTABILITY, AND 5) IS A MODEL SYSTEM WITH INNOVATIVE, DATA-DRIVEN, AND SUCCESSFUL PROGRAMMING.

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## ORGANIZATIONAL CHART




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## TEXAS JUVENILE JUSTICE BOARD

- COMPOSED OF 13 MEMBERS APPOINTED BY THE GOVERNOR, WITH SCOTT FISHER AS BOARD CHAIR.
- GOVERNING BODY OF THE DEPARTMENT AND RESPONSIBLE FOR OPERATIONS OF THE DEPARTMENT.
- CHAPTER 202 OF THE HUMAN RESOURCES CODE DEFINES THE COMPOSITION OF THE BOARD:
  - ONE MEMBER WHO IS A DISTRICT JUDGE OR A JUDGE OF A COURT DESIGNATED AS A JUVENILE COURT;
  - THREE MEMBERS WHO ARE MEMBERS OF A COUNTY COMMISSIONERS COURT;
  - ONE PROSECUTOR IN JUVENILE COURT
  - ONE CHIEF JUVENILE PROBATION OFFICER (SMALL COUNTIES- UNDER 7,500 YOUTHS)
  - ONE CHIEF JUVENILE PROBATION OFFICER (MEDIUM COUNTIES-7,500-80K YOUTHS)
  - ONE CHIEF JUVENILE PROBATION OFFICER (LARGE COUNTIES- 80K OR MORE YOUTHS)
  - ONE ADOLESCENT MENTAL HEALTH TREATMENT PROFESSIONAL
  - ONE EDUCATOR
  - THREE MEMBERS OF THE GENERAL PUBLIC

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## TJJD BUDGET

- BIENNIUM, FISCAL YEAR SEPT. 1- AUG 31.
- KEY STRATEGIES:
  - GOAL A COMMUNITY JUVENILE JUSTICE
  - GOAL B STATE SERVICES AND FACILITIES
  - GOAL C-F OVERSIGHT, TRAINING, ADMINISTRATION
- FY 16-17: \$639.9 MILLIOM
  - 41% (\$266.7 M) STATE PROGRAMS & FACILITIES
  - 4% (\$27.7 M) INDIRECT ADMINISTRATION
  - 3% (\$18.5 M) TRAINING & OVERSIGHT
  - 1% (\$7.2M) PAROLE
  - 1% (\$7.9M) REPAIRS & REHABILITATION
  - 50% (\$21.9M) GRANTS TO JUVENILE PROBATION DEPARTMENTS

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## PROGRAMS & FACILITIES

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## PROGRAMS

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| • EDUCATIONAL PROGRAMS                 | • JUVENILE RECORDS SEALING & DESTRUCTION |
| • FAMILY COUNSELING & SUPPORT PROGRAMS | • SOCIAL SKILLS                          |
| • PARENTS RIGHTS                       | • TARGETED SKILLS                        |
| • PAROLE PROGRAMS                      | • YOUTH FOSTER PROGRAMS                  |
| • VICTIM SERVICES                      | • YOUTH COMPLAINTS & GRIEVANCES          |
| • VOLUNTEER SERVICES                   | • SPECIALIZED TREATMENT                  |
| • WORKFORCE DEVELOPMENT                |  |

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## INSTITUTIONS

- EVINS REGIONAL JUVENILE CENTER, EDINBURG
- GAINESVILLE STATE SCHOOL, GAINESVILLE
- GIDDINGS STATE SCHOOL, GIDDINGS
- MCLENNAN COUNTY STATE JUVENILE CORRECTIONAL FACILITY, MART
- MCLENNAN RESIDENTIAL TREATMENT CENTER, MART
- RON JACKSON STATE JUVENILE CORRECTIONAL COMPLEX, BROWNWOOD

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## HALFWAY HOUSES

- AYRES HOUSE, SAN ANTONIO
- BROWNWOOD HALFWAY HOUSE, BROWNWOOD
- COTTRELL, DALLAS
- EDNA TAMAYO HOUSE, HARLINGEN
- MCFADDEN RANCH, ROANOKE
- SCHAEFFER HOUSE, EL PASO
- WILLOUGHBY HOUSE, FORT WORTH

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## LEGAL HELP DESK

(512) 490-7121  
LEGALHELP@TJJD.TEXAS.GOV

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## INDEPENDENT OMBUDSMAN

### WHAT IS THE INDEPENDENT OMBUDSMAN?

- THE INDEPENDENT OMBUDSMAN IS A STATE AGENCY ESTABLISHED FOR THE PURPOSE OF INVESTIGATING, EVALUATING, AND SECURING THE RIGHTS OF THE CHILDREN COMMITTED TO THE TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD).

### WHAT MAKES US INDEPENDENT?

- THE IO REPORTS TO THE GOVERNOR AND THE TEXAS LEGISLATURE. THE IO IS NOT A PART OF TJJD AND DOES NOT REPORT TO TJJD EXECUTIVE MANAGEMENT OR THE TJJD BOARD.

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## INDEPENDENT OMBUDSMAN

### WHEN TO CALL THE INDEPENDENT OMBUDSMAN.

- BEFORE CONTACTING THE IO, YOU SHOULD TRY TO RESOLVE COMPLAINTS THROUGH THE TJJD GRIEVANCE PROCESS. AFTER GOING THROUGH THE GRIEVANCE PROCESS, IF THE PROBLEM REMAINS UNSOLVED, CONTACT THE INDEPENDENT OMBUDSMAN FOR ASSISTANCE. WHEN YOU BELIEVE THE HEALTH, SAFETY, WELFARE, OR RIGHTS OF A YOUTH IN TJJD HAVE BEEN NEGATIVELY AFFECTED, IT IS IMPORTANT THAT YOU CALL US.

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## INDEPENDENT OMBUDSMAN

### WHAT DOES THE INDEPENDENT OMBUDSMAN DO?

- REVIEW COMPLAINTS, OTHER THAN THOSE ALLEGING CRIMINAL BEHAVIOR, FILED WITH THE IO AND INVESTIGATE EACH COMPLAINT IN WHICH IT APPEARS THAT A CHILD MAY BE IN NEED OF ASSISTANCE.
- PROVIDE ASSISTANCE TO A CHILD IN THE CUSTODY OF TJJD WHO THE IO DETERMINES IS IN NEED OF ASSISTANCE, INCLUDING ADVOCATING WITH AN AGENCY, PROVIDER, OR OTHER PERSON IN IN THE BEST INTERESTS OF THE CHILD.
- INSPECT PERIODICALLY THE FACILITIES AND PROCEDURES OF THE FACILITIES WHERE A CHILD IN THE CUSTODY OF TJJD HAS BEEN PLACED TO ENSURE THAT THE RIGHTS OF CHILDREN ARE FULLY OBSERVED.

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## INDEPENDENT OMBUDSMAN

WHAT DOES THE OMBUDSMAN DO? CONTINUED.....

- REVIEW THE PROCEDURES ESTABLISHED BY TJJD AND EVALUATE THE DELIVERY OF SERVICES TO CHILDREN TO ENSURE THAT THE RIGHTS OF CHILDREN ARE FULLY OBSERVED.
- REVIEW REPORTS RELATING TO COMPLAINTS REGARDING JUVENILE PROBATION PROGRAMS, SERVICES, OR FACILITIES AND ANALYZE THE DATA CONTAINED IN THE REPORTS TO IDENTIFY TRENDS IN COMPLAINTS.
- REPORT A POSSIBLE STANDARDS VIOLATION BY A LOCAL JUVENILE PROBATION DEPARTMENT TO THE APPROPRIATE DIVISION OF THE DEPARTMENT.

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## QUESTIONS



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