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SEIZE THE OPPORTUNITY FOR MEANINGFUL JUVENILE JUSTICE REFORM THROUGH THE SUNSET PROCESS

PROBLEM:

Frustrated by the lack of coordination found in its review of the Texas Youth Commission (TYC) and the Texas Juvenile Probation Commission (TJPC), the Sunset Advisory Commission (“Sunset”) recommended a variety of mechanisms short of consolidation to promote the development of a seamless continuum of juvenile justice services. Both House and Senate members have spent long hours discussing the best next steps for juvenile justice reform in Texas, and have not always agreed. Nevertheless, with the legislative clock ticking, the time has come for both chambers to act.

Without swift action from the Senate, there is a danger that the juvenile justice Sunset bill may die, and that none of the important work that has taken place over the last year will bear fruit. We must not let that happen.

THE JUVENILE JUSTICE SUNSET BILLS (HB 3689/SB 1020) CONTAIN MANY IMPORTANT ELEMENTS THAT SHOULD NOT BE ALLOWED TO FALL BY THE WAYSIDE, SUCH AS:

- **A 5-year juvenile justice improvement plan**, which charges the state with creating a badly-needed road map toward the future of juvenile justice policy in Texas. Too often, juvenile justice policy decisions (such as opening and closing of facilities, or directing state dollars toward secure confinement) are made in haste and without gathering adequate data about what the system’s needs really are. The 5-year juvenile justice improvement plan outlined in the Sunset bills – combined with the community corrections pilot listed below – is key to ensuring that state and local policymakers have the information they need to ensure that meaningful and effective juvenile justice reform continues beyond this legislative session.
- **A community corrections pilot** aimed at keeping low-level offenders out of TYC facilities. Such a pilot will begin the important shift in state funding away from state incarceration toward community-based interventions, and will work best in conjunction with the 5-year juvenile justice improvement plan detailed above. (*Note:* SB 1374 by Sen. Royce West would also create such a pilot program.)
- **Data collection about juvenile probation outcomes**, which will ensure that the state has objective, quantifiable information about its investment in locally-operated juvenile probation departments.
- **State oversight of non-secure juvenile probation facilities and enhanced reporting of abuse, neglect and exploitation investigations**, in order to prevent the kinds of problems that were uncovered in TYC facilities in 2007 from occurring in local juvenile probation department facilities.
- **Increased clarity about how the Office of the Independent Ombudsman (OIO) and TYC should work together** in order to ensure accurate, timely and coordinated action to improve conditions of confinement, without compromising the OIO’s independence.
- **Statutory authority to ensure that youth with mental health needs are eligible to receive re-entry assistance from the Texas Correctional Office on Offenders with Mental and Medical Impairments (TCOOMMI).**

SOLUTION:

Members of the Senate Government Organization Committee must move quickly to hear and pass HB 3689/SB 1020 before the bill dies. Swift action from the Senate will ensure that Texas does not miss its opportunity to promote meaningful juvenile justice reform through the Sunset process.