



### DALLAS COUNTY JUVENILE BOARD Agenda

Friday, February 27, 2015 12:00 p.m. 2015 FEB 24 AM 11: 25

Trans.

Revised 2/24/15

305th District Court Master / Referee Courtroom, Rm. A332, 3rd Flood UNIY CLERK Henry Wade Juvenile Justice Center, 2600 Lone Star Dr., Dallas, TX 79242L AS COUNTY

i. <u>Call to Order</u>

II. <u>Approval of Minutes</u>

January 26, 2015

III. Public Comment regarding Juvenile Department (Limited to 3 minutes per individual or organization)\*

### IV. Discussion Items-Juvenile Department

- A. Director's Report
- B. Juvenile Justice Alternative Education Program (JJAEP) Update

Revised 2/24/15

C. Letot Update and Certification - New Calendar

V. Action Items - Juvenile Department

- D. Appointment of Associate Judges and Referees/Masters and the Administration of Oath
- E. Fair Defense Act Appointment of Defense Attorneys
- F. New Proposal to Governor's Criminal Justice Division Grant Funding Applications
- G. Criminal Justice Division Continuation Grant Funding Application
- H. Probation Services Division Policy and Procedures
- I. Contract and Agreement for Residential Placement of Female Juvenile Offender's
- J. Dialectical Behavior Therapy Training Behavioral Tech, LLC (BTECH) Contract Approval
- K. Juvenile Processing Office Renewal Garland and Rowlett Police Department
- L. Memorandum of Understanding (MOU) with Big Thought for the Evening Reporting Center
- M. Memorandum of Understanding (MOU) with Inspire U for the Evening Reporting Center
- N. Memorandum of Understanding (MOU) with Word Smooth
- O. North Texas Food Bank School Pantry Agreement
- P. Juvenile Detention Alternatives Initiative Professional Services Contract

### VI. Discussion Items - Academy for Academic Excellence (AAE) Charter School

Q. Charter School Update

### VII. Action Items - AAE Charter School

### VIII. Executive Session - Juvenile Department

For Purposes Permitted by Chapter 551, Open Meetings, Texas Government Code, Section 551.071 Through Section 551.076;

Subjects:

Litigation

Security

Personnel

Contacts

FFT update and employee #43819

Consultation with Attorney regarding AAE Charter

Notes:

\*Individuals Wishing to Speak During the Public Comment Period Must Register With the Executive Director's Coordinator; Ms. Na'thelia Wilson (214/698-2215).By-4:00 p.m. on the Business Day Prior to The Date of The Board Meeting.

Agenda Items are assigned numerically and alphabetically for ease of reference only, and do not necessarily reflect the order of their consideration by the Board.

Judge Cheryl Lee Shannon, 305th District Court

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### DALLAS COUNTY JUVENILE BOARD

Agenda

Monday, February 23, 2015 5:00 p.m.

June June June June

305th District Court Master / Referee Courtroom, Rm. A332, 3rd FlQQt5 FEB | 9 PM |: | 8 Henry Wade Juvenile Justice Center, 2600 Lone Star Dr., Dallas, TX 75212

Call to Order

COUNTY CLERK
DALLAS COUNTY

II. Approval of Minutes

January 26, 2015

III. Public Comment regarding Juvenile Department (Limited to 3 minutes per individual or organization)\*

IV. <u>Discussion Items-Juvenile Department</u>

A. Director's Report

**REVISED 2-19-15** 

- B. Juvenile Justice Alternative Education Program (JJAEP) Update
- C. Letot Update and Certification New Calendar

V. Action Items - Juvenile Department

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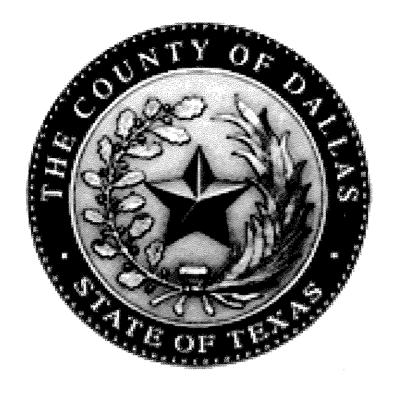
Consultation with Attorney regarding AAE Charter

Notes

\*Individuals Wishing to Speak During the Public Comment Period Must Register With the Executive Director's Coordinator, Ms. Na'thelia Wilson (214/698-2215) By 4:00 p.m. on the Business Day Prior to The Date of The Board Meeting.

Agenda Items are assigned numerically and alphabetically for ease of reference only, and do not necessarily reflect the order of their consideration by the Board.

Jydge Cheryl Lee Shannon, 305<sup>th</sup> District Court Chairman, Dallas County Juvenile Board



### AGENDA ITEM

MINUTES OF MEETING

DATE:

January 26, 2015

DALLAS COUNTY

JUVENILE BOARD

TIME:

5:00 p.m.

PLACE:

305<sup>th</sup> District Court/Referee Courtroom, Room A332 ~ 3<sup>rd</sup> Floor

Henry Wade Juvenile Justice Center

2600 Lone Star Drive Dallas, Texas 75212

MEMBERS PRESENT:

Judge Cheryl Lee Shannon, Chairman

Judge Craig Smith Judge Paula Miller Judge Ken Molberg Judge Andrea Martin

Commissioner John Wiley Price, Vice-Chairman

County Judge Clay Jenkins Judge Amber Givens-Davis

MEMBERS ABSENT:

Judge Andrea Plumlee

### I. Call to Order

The Dallas County Juvenile Board met at the Dallas County Juvenile Department, 305<sup>th</sup> District Court/Referee Courtroom, Room A332 3<sup>rd</sup> Floor. Judge Cheryl Lee Shannon, Chairman, called the Juvenile Board Meeting to order at 5:00 p.m.

### II. Approval of Minutes

Judge Cheryl Lee Shannon presented the Minutes from the December 15, 2014, Juvenile Board Meeting for approval. A motion was made by Judge Craig Smith and seconded by Judge Cheryl Lee Shannon to approve the December 15, 2014 minutes. The motion was unanimously approved.

### III. Public Comment

Judge Cheryl Lee Shannon made mention there were no persons present for public comment and then went on to Updating/Disclosing Outside Income Information.

### IV. Informational Item

### **Updating/Disclosing Outside Income Information:**

Judge Cheryl Lee Shannon provided the new Board members information for disclosure of outside income. She explained how the forms are simple to complete and once they're completed the forms should be forwarded to Darrell Martin, Administrator for Dallas County. Commissioner John Wiley Price asked Mrs. Denika Caruthers if there were any new staff members with regards to certain departments because the court expanded the definition as to who might have to complete the forms. Judge Cheryl Lee Shannon explained this was just for the Juvenile Board and Dr. Smith will make sure it is taken care of for the Juvenile staff.

### **Open Meetings: Open Government Training Information:**

Judge Cheryl Lee Shannon explained how the judiciary has to do just the portion regarding Open Meetings Act. She also stated all Board members have the training information. The direction shared tells you where to log

on. You can get it through the Attorney General Office. If you are a new member, the required training must be completed within 90 days. Once the trainings are complete, print the certification and forward to Dr. Smith who will keep all logs of the trainings.

### V. <u>Discussion Items-Juvenile Department</u>

### A. Director's Report

The Department recognized outstanding divisional and departmental employees for the month of December 2014, for the following staff: Employee of the Month: Debra Clifton (Special Needs) and Unit of the Month — Youth Village. The Department also recognized outstanding departmental employees of the year of 2014, for the following staff: Nicole Brown, Juvenile Probation person of the year, Pete Chavez, Administrative person of the year, Hollie Fikes, Psychology person of the year, Prederick Jernigan, Institutional person of the year and Allen Scott, RDT/START Teacher of the year. The Probation Services Field District 5 Ms. Patricia Mitchell was the recipient of the 2014 Dallas County Juvenile Departments Director's award and the 2014 Dallas County Employee of the Year Award. She was recognized by the Dallas County Commissioners Court on December 15, 2014. Ms. Mitchell was selected from a pool of 76 Dallas County employees of the month. Her selection is a true testament to Ms. Mitchell's dedication and commitment to serving youth and families and is greatly appreciated.

During the Director's Report, Judge Cheryl Lee Shannon noted for the record that Judge Clay Jenkins arrived at 5:05 pm, and Judge Paula Miller and Judge Amber Givens-Davis both arrived at 5:06 pm.

On Saturday, December 20, 2014, 61 ladies of Alpha Kappa Alpha Sorority Inc., also known as the AKA's arrived bearing gifts which included games, arts and crafts, books, snacks, drinks and cap and glove sets for the residents at the Jerome McNeil Detention Center. They spent more than an hour with the residents playing games and showering them with words of encouragement. On December 25, 2014, Commissioner John Wiley Price welcomed the volunteers and introduced the special guest, Pastor Rickie Rush of Inspiring Body of Christ Church (IBOC) who shared his story and began the morning with prayer.

Commissioner John Wiley Price suggested the reports should reflect what the Volunteers are doing when they come to the facilities to volunteer. Dr. Smith noted the Commissioner put together a community symposium at Community Missionary Baptist Church to gather information to help keep the youth safe. Present were several City Police Chiefs, Dallas County District Attorney and Chief Public Defenders. There is an information flyer in English and Spanish and it's called, Stop, Look, Listen and Live. It is on the Juvenile website for parents and the community.

### B. Quarterly Reports - Facilities

Dr. Smith made mention these reports are at the request of the Board members. The department does not have to prepare these records for the state any longer. Commissioner John Wiley Price mentioned how the reports were clear and concise.

### C. Juvenile Justice Alternative Education Program (JJAEP) Update:

Mr. Aubrey Hooper, Education Services presented the Board members gifts as a token of appreciation from Education for Board of Education Appreciation month. Dr. Smith explained the Education Department does not have a lot to report because school was out for the holidays. The information is attached if the Board would like to review at a later time.

### VI. Action Items - Juvenile Department

### D. Election of Juvenile Board Chairman:

It is respectfully recommended that the Board elect a Chairman of the Juvenile Board for the 2015 term. By statue Commissioner John Wiley Price assumed the chair as the most tenured Board member for the month of January and asked for nominees. The Board nominated Judge Cheryl Lee Shannon for Chairman and Commissioner John Wiley Price asked three times for other nominees and hearing none:

- A motion was made by Judge Andrea Martin and seconded by Judge Ken Molberg to cease nomination. The motion was unanimously approved.
- A motion was made by Judge Craig Smith and seconded by Judge Paula Miller to nominate Judge Cheryl Lee Shannon as Chairman for the Dallas County Juvenile Board. The motion was unanimously approved.
- A motion was made by Judge Craig Smith and seconded by Judge Paula Miller to elect Judge Cheryl Lee Shannon as Chairman of the Juvenile Board for the 2015 term. The motion was unanimously approved.

### E. Election of Juvenile Board Vice-Chairman:

It is respectfully recommended that the Board elect a Vice-Chairman of the Juvenile Board for the 2015 term. Judge Cheryl Lee Shannon stated the Board always makes sure there is a Vice-Chairman to continue to conduct business in accordance to what needs to be done. Judge Cheryl Lee Shannon nominated Commissioner John Wiley Price as Vice-Chairman and asked three times for other nominees and hearing none:

- A motion was made by Judge Ken Molberg and seconded by Judge Andrea Martin to cease nominations. The motion was unanimously approved.
- A motion was made by Judge Cheryl Lee Shannon and seconded by Judge Craig Smith to nominate Commissioner John Wiley Price as Vice-Chairman for the Dallas County Juvenile Board. The motion was unanimously approved.
- A motion was made by Judge Ken Molberg and seconded by Judge Andrea Martin to elect Commissioner John Wiley Price as Vice-Chairman of the Juvenile Board for the 2015 term. The motion was unanimously approved.

### F. Juvenile Processing Office Modification - Coppell Police Department:

The Juvenile Department recommends the Juvenile Board approve the modification of the Juvenile Processing Office for the Coppell Police Department located at 130 S. Town Center Blvd., Coppell, Texas 75019, by approving Room 125 / Juvenile Processing Room as a designated Processing Office. In addition as a side note Commissioner John Wiley Price stated he did go by the location at Methodist Hospital to confirm they do have a room number.

A motion was made by Judge Craig Smith and seconded by Judge Paula Miller to approve the modification of the Juvenile Processing Office for the Coppell Police Department located at 130 S. Town Center Blvd., Coppell, Texas 75019, by approving Room 125 / Juvenile Processing Room as a designated Processing Office. The motion was unanimously approved.

### G. Juvenile Justice Translational Research on Interventions for Adolescents in the Legal System:

It is recommended that the Dallas County Juvenile Board approve the Juvenile Justice Translational Research on Interventions for Adolescents in the Legal System (JJ-TRIALS) with Texas Christian University's Institute of Behavioral Research and TJJD. Dr. Smith stated the purpose of this brief is to request approval to participate in this nationwide study called The Juvenile Justice Translational Research on Interventions for Adolescents in the Legal System (JJ-TRIALS) with Texas Christian University (TCU) and their Institute of Behavioral Research (IBR) in conjunction with Texas Juvenile Justice Department (TJJD).

A motion was made by Commissioner John Wiley Price and seconded by Judge Paula Miller to approve the Juvenile Justice Translational Research on Interventions for Adolescents in the Juvenile Justice Translational Research on Interventions for Adolescents in the Legal System (JJ-TRIALS) with Texas Christian University's Institute of Behavioral Research and TJJD. The motion was unanimously approved.

### H. Reauthorization of Juvenile Board Purchasing Policy:

Dr. Smith asked the Juvenile Board approve the attached modified approval process for ordering needed supplies and materials. The limits are outlined as to what has to be approved and where it has to go. Dr. Smith explained to the Board this is the same limits as last year.

A motion was made by Commissioner John Wiley Price and seconded by Judge Amber Givens-Davis to approve the attached modified approval process for ordering needed supplies and materials. The motion was unanimously approved.

### I. 15<sup>th</sup> Annual Sex Offender Conference:

It is recommended that the Dallas County Juvenile Board to approve the Juvenile Department's request to host the 15th Annual Conference on the Treatment of Juveniles with Sexual Behavior Problems scheduled for May 7-8, 2015, and to charge attendees other than the internal Juvenile Department staff a \$270 registration fee for both days and \$160 registration fee for one day or a discounted rate for early registration as well as group registrations.

➤ A motion was made by Judge Craig Smith and seconded by Judge Paula Miller to approve the Juvenile Department's request to host the 15th Annual Conference on the Treatment of Juveniles with Sexual Behavior Problems scheduled for May 7-8, 2015, and to charge attendees other than the internal Juvenile Department staff a \$270 registration fee for both days and \$160 registration fee for one day or a discounted rate for early registration as well as group registrations. The motion was unanimously approved.

### J. Juror Fund Recommendation for Fiscal Year 2015 Amendment #1:

This action item was pulled.

### K. Dialectical Behavior Therapy Training - Behavioral Tech, LLC (BTECH) Contract Approval:

Dr. Smith asked the Board to approve the contract with Behavioral Tech, LLC (BTECH) for Dialectical Behavior Therapy (DBT) training. Grant N funding for the Dallas County Juvenile Department is used to fund eight positions in the psychology division and the probation Special Needs Unit (SNU) and for specialized training for

those units. The expenses for the DBT training will be \$13,000 (\$6,000/day which includes all training materials and guides, plus travel expenses totaling \$1,000 according to the Dallas County policy). The Grant N funding from TJJD is \$726,380.90. Dr. Pita explained to the Board the model is being used on youth experiencing trauma and this particular model will be used in the girls' unit. Judge Paula Miller asked why he's using this particular model over any other model. Dr. Pita explained there are only two models that focus on trauma and crisis to stabilize the child.

Dr. Smith mentioned when working with girls, they traditionally have the hardest time dealing with trauma. This program is a way to help assist them in dealing with their trauma. Dr. Pita explained there's a pre-test and a post-test used which will stay in house to help measure the girls entering and exiting the program. He also stated in this training, psychology staff members will learn how to implement these strategies with clients as well as the stages of the DBT process and how to prioritize treatment goals. Dr. Pita was asked several questions by the Juvenile Board members regarding applicability with our population.

Judge Cheryl Lee Shannon asked Dr. Pita to obtain additional information as to who is using this particular model, how long have they been using the model and see if they have any measures in term of what they believe is their success rate.

A motion was made by Judge Craig Smith and seconded by Commissioner John Wiley Price to table the contract with Behavioral Tech, LLC (BTECH) for Dialectical Behavior Therapy training until the February 2015 meeting. The motion was unanimously approved.

### L. Styles of Music Mentoring Program Memorandum of Understanding with Juvenile Justice Alternative Education Program (JJAEP):

Dr. Smith asked the Dallas County Juvenile Board to approve the contract with Styles of Music Mentoring Program. The proposed program will run for six weeks from February through April 2015. The program cost is \$3,498.00.

- > A motion was made by Judge Paula Miller and seconded by Judge Amber Givens-Davis to approve the contract with Styles of Music mentoring Program and authorize the Chairman of the Juvenile Board, to sign the contract. The motion was unanimously approved.
- A motion was made to recess as the Dallas County Juvenile Board by Commissioner John Wiley Price and seconded by Judge Craig Smith. The motion was unanimously approved.
- A motion was made to convene as the Academy for Academic Excellence by Commissioner John Wiley Price and seconded by Judge Craig Smith. The motion was unanimously approved.

### VII. <u>Discussion Items - Academy for Academic Excellence (AAE) Charter School</u>

### M. AAE Charter School Update:

Dr. Smith expressed how over the holidays staff worked really hard to make sure the youth who were here with us over the holidays received items needed, even if they were not able to go home. They received food from the food pantry, clothes out of the closet, and other gifts. Commissioner John Wiley Price asked the staff to generate a thank you letter to the Alpha Kappa Alpha Sorority Inc., and Alpha XI Omega Dallas Chapter for volunteering their Martin Luther King, Jr. Day of Service with Dallas County Letot RTC. They visited Letot Center to not only donate items, but they also were able to clean and rearrange the closets. Dr. Smith also

highlighted sixty one (61) of the Alpha Kappa Alpha Sorority Inc., Omicron Mu Omega, also came out to detention to volunteer.

### VIII. Action Items - AAE Charter School

### N. E-Rate Documentation:

Dr. Smith asked the School Board to approve Kellogg & Sovereign Consulting, LLC to pre-qualify the Academy for Academic Excellence Charter School and determine eligibility for the E-Rate program. The E-Rate program is federally funded and provides discounts on certain services and products essential for classrooms and libraries to receive technology – voice, video, and data communications if we qualify.

A motion was made by Commissioner John Wiley Price and seconded by Judge Ken Molberg to approve Kellogg & Sovereign Consulting, LLC to pre-qualify the Academy for Academic Excellence Charter School and determine eligibility for the E-Rate program. The motion was unanimously approved.

### O. Budget Amendment #3:

Dr. Smith asked the Academy for Academic Excellence School Board to approve the attached line item adjustments from Title I Part A and D, Title II, Title II, IDEA B, and Instructional Materials Allotment funds.

A motion was made by Judge Paula Miller and seconded by Commissioner John Wiley Price to approve the attached line item adjustments. The motion was unanimously approved.

### P. Styles of Music Mentoring Program Memorandum of Understanding with Academy for Academic Excellence:

Dr. Smith asked the Board to approve the contract with Styles of Music Mentoring Program in the amount of \$9,328.00 for them to be able to work with the youth. The AAE Charter School budget was implemented on September 1, 2014 and will be in effect until August 31, 2015. The program will run concurrently on the DRC and Youth Village campus for 8 weeks during the spring 2015 academic semester.

A motion was made by Judge Paula Miller and seconded by Judge Amber Givens-Davis to approve the contract with Styles of Music Mentoring Program. The motion was unanimously approved.

### Q. Texas Juvenile Justice Department/Navarro College Dual Credit:

Commissioner John Wiley Price asked if there was a representative from Navarro College. Ms. Monique Paige from Education Department stated she would speak on behalf of the college. Commissioner John Wiley Price asked if Navarro is the college with issues during the Ebola crisis. Ms. Paige stated "yes", this is the college with regard to the Ebola crisis. Commissioner John Wiley Price explained to the Board during the Ebola crisis Navarro College stated they will not be accepting Nigerian students and he will not be supporting this agenda item. Dr. Smith stated she understands his concerns, but the youth will benefit from the program. Judge Clay Jenkins stated how a lot of the colleges where upset with their comments. Judge Cheryl Lee Shannon stated that several of the students have been able to take online courses through Navarro College. Dr. Pirtle stated they will look into several other colleges to see if they could accommodate the kids with the same type of program but with Navarro they have a proven track record for their specific population.

Judge Craig Smith asked if the Board could generate a letter to Navarro College to express their concern on how the population was treated. Judge Cheryl Lee Shannon will draft a letter on behalf of the Board to send to Navarro College.

A motion was made by Judge Craig Smith and seconded by Judge Andrea Martin to approve the User Agreement between the Academy for Academic Excellence Charter School and Navarro College/TJJD Credit Program to authorize the Charter School Board President to sign the User Agreement on behalf of the Charter School Board. Judge Clay Jenkins abstained and Commissioner John Wiley Price voted no. The motion was approved.

### R. Renewal of Annual School Board Liability Insurance:

Dr. Smith asked the Academy for Academic Excellence School Board approve the request for the renewal of the annual school board liability coverage as invoiced at \$12,372. Commissioner John Wiley Price noted for the record that Ms. Gloria McCullough, Purchasing Director stated the Liability Insurance is in good standing.

> A motion was made by Commissioner John Wiley Price and seconded by Judge Ken Molberg to approve the request for the renewal of the annual school board liability coverage as invoiced. The motion was unanimously approved.

### S. Academy for Academic Excellence Annual Financial Audit:

The report was done by KPMG and there were no findings. Dr. Smith asked the Academy for Academic Excellence School Board accept the Academy for Academic Excellence School's annual audit for Fiscal Year 2014, conducted by the firm of KPMG and authorize the President of the Academy for Academic Excellence School Board to sign the document as presented by the auditors upon review and approval by the Dallas County Auditor's Office. Commissioner John Wiley Price introduced the new Dallas County Auditor Mr. Darrell Thomas. He asked with respects to the financial impact when it comes to the OPEB long term liabilities will be funded in future periods from the County's general fund and if it gives anyone pause. Michael Lawrence of KPMG explained how 2% of the total County's employees, five employees are vested and it does mirror that of the County.

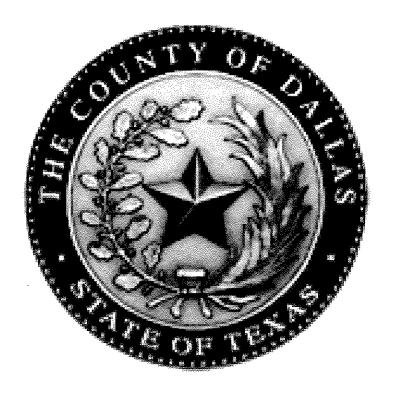
- A motion was made by Commissioner John Wiley Price and seconded by Judge Paula Miller to accept the Academy for Academic Excellence School's annual audit for Fiscal Year 2014. The motion was unanimously approved. Mrs. Denika Caruthers reminded the Board that for the record, the Financial Audit has to be signed during open court.
- ➤ A motion made by Commissioner John Wiley Price and seconded by Judge Craig Smith to adjourn at 5:52 pm as the Academy for Academic Excellence Charter School Board. The motion was unanimously approved.
- A motion was made to reconvene as the Dallas County Juvenile Board by Commissioner John Wiley Price and seconded by Judge Ken Molberg. The motion was unanimously approved.

### IX. <u>Executive Session - Juvenile Department</u>

For Purposes Permitted by Chapter 551, Open Meetings, Texas Government Code, Section 551.071 through Section 551.076 the Board went into Executive session.

At 6:22 p.m., Judge Cheryl Lee Shannon, Chairman, called the meeting out of Executive Session. Judge Shannon stated no action was taken during Executive Session.

> The meeting was adjourned at 6:23 p.m. following a motion by Judge Craig Smith and seconded by Judge Paula Miller. The motion was unanimously approved. Meeting adjourned.



# AGENDA ITEM III.



## DISSCUSSION ITEM

Α.

### DIRECTOR'S REPORT February 2015

The Department recognized outstanding divisional and departmental employees for the month of January 2015, for the following staff:

**DCJD Employee of the Month:** Lakeisha Jordan (Placement Services). **DCJD Unit of the Month** – Administrative Executive Support Team.

### **PROBATION SERVICES**

### Pre-Adjudication Services:

On February 4, 2015, the Juvenile Department hosted a tour for Justice Kerry Fitzgerald and students from St. Patrick Catholic School. There were 53 students and 14 chaperones. During the event, the students and chaperones toured the Detention Center, observed Court proceedings and spoke with the Judge Andrea Martin and Judge Alice Rodriguez of the 304<sup>th</sup> District Court, were given information regarding the daily activities of the students in the detention center, listened to students from the Substance Abuse Unit's Day Treatment Program share their experience with the Juvenile Justice System and observed the orientation to probation supervision video called "I Can Do This." The students were prepared with many questions and benefited from all information given. Additional tours are scheduled in the coming months.

### FIELD SERVICES - CY 2015

	JAN	YTD
Probation Caseload	1445	1445 *
New Probationers	131	131
Review Hearings	210	210
Delinquent Conduct	12	12
Technical Violations	27	27
Pre-Adjudicated	592	_
PAIS	135	-
Total Caseload	2172	_

\* Average

### Post-Adjudication Field Services:

The Dallas County Department of Homeland Security and Emergency Management has started providing Safety training to all of the Probation Services Division field units. Mr. Larry Thompson is coordinating this training with all relevant units and his efforts are appreciated. This is a comprehensive training that will provide useful and best practice techniques to staff in the event of dealing with hazardous and dangerous incidents in their daily work. The specific training will address active shooters, bomb threats, fire evacuation, appropriate handling of mail and the proper method in taking shelter during these events at their respective offices. The Girls Services Committee trained six new trainers in how to start a Girl's Circle Group for their perspective field unit. In addition to the District 8 office conducting their first Girl's Circle Group on January 22, 2015, the Mental Health Court also started a Girl's Circle group in January.

### Community Service Restitution (CSR) Update:

Throughout the month of January 2015, three hundred twenty three (323) youth completed a total of eight hundred forty five (845) Court Ordered CSR hours at various approved CSR sites in Dallas County. Community Service Restitution events were held at the Federal Friends, Garland Pawsibilities and Hunger Buster, resulting in the completion of sixty-seven (67) CSR hours by twenty-two (22) youth

### **PSYCHOLOGICAL SERVICES AND SUBSTANCE ABUSE DIVISION**

Psychology staff referred **101** youth for psychiatric services during the month of December. A total of **107** psychiatric consultations were performed with **84** of those being follow-up consultations. Of the **23** initial psychiatric consultations that were performed: **10** resulted in no medication being prescribed; **11** had already been prescribed psychotropic medications and continued those; **0** youth were already prescribed psychotropic medication and their medication was discontinued; and **2** were started on medication.

### INSTITUTIONAL SERVICES DIVISION

### **DETENTION CENTER MONTHLY REPORT January 2015**

### **Program News & Updates:**

Looking back at our last two reports of 2014, much of our report focused on how the Detention Center volunteers, both faith-based, life, and social organizations through a collective effort, make the holidays and special events memorable for our youth. Individually, however, these groups bring value through their knowledge, wisdom, experiences, talents, time and resource. As well, they have united with us to put "Youth First" and committed to the mission of Juvenile Department.

Below is a list of our volunteer organizations and their programs:

### Life & Social Skills:

Dallas Challenge – Alcohol/Drug Education: Mon-Thr 3:30-5:00 PM (each session is 2 weeks/2 groups @ a time) Dallas Challenge – Family Group Alcohol/Drug Education: Tue & Thr 6:00-7:00 PM (RDT Youth & Parents) New Friends New Life- Abuse Therapy/Support Group: Thr 3:15 & 4:25 PM (12-week curriculum based series) Traffick911 – TRAPS of a Trafficker: 1st & 3rd Thr 7:00 – 8:30 PM

Teens @ Work – Work Force Development: Wed 3:30-5:00 PM (8-week curriculum based series)
ALERT Ministries – Robot Wars: Thr 6:30-8:00 PM (Computer Programming in conjunction with Teens @ Work)
Life & Social Skills/Spiritual Enrichment Combo:

### Life & Social Skills/Spiritual Enrichment Combo:

I Am Second: Sun 2:00-3:00 & 3:00-4:00 PM (12-week Lesson Plan series)

The Potter's House – Boy's to Men with Character: 1st & 3rd Fri 6:00-7:00PM (Certified Youth)

The Potter's House – GenNext Life Series (Boys): Thr 7:00-8:30 PM (8-week curriculum based series)

The Potter's House – GenNext Life Series (Girls): Tue 7:00-8:30 PM (Lesson Plan series)

ALERT Ministries - Girl's Circle: Tue 6:45-8:00 PM (8-week curriculum based series with RDT Girls)

MTO Leadership Development: Mon 6:30-8:30 PM (8-week curriculum based series)

Covenant Church Friday Night Social: Every other Fri 7:00-9:00 PM One-Way Films Movie Night: Every other Saturday 6:30-8:45 PM

### Spiritual Enrichment/Ministry Bible Study: (the following ministries provide Bible Study)

Covenant Church: Every other Sun 9:00-11:00 AM Children's Home Bible Study: Mon 6:30-8:00 PM

A-Team: 3rd Sat 1:00-3:00 PM

Gospel Lighthouse: 1st Thr 6:45-8:45 PM

Oak Cliff Bible Fellowship: Every other Tue 7:00-8:00 PM

New Birth Baptist Church: 2nd Thr 6:30-8:30 PM

Praise Chapel: 2nd Sat 1:00-3:00 PM

New Hope Prison Ministry: 3rd Sun 10:00-11:00 AM Living Hope Outreach: 2nd & 3rd Sat 6:00-7:30 PM New Comfort COGIC: 4th Sat 11:00-1:00 PM Faith-4-Life: 2nd & 4th Sat 3:30-4:30 PM

### Other:

Lend-an-Ear: Sat 9:00-11:00 AM and Mon 6:30-7:30 PM (visits for youth who do not receive family visits)

Therefore, for the next few months, we will showcase several of volunteer organizations/individuals, highlighting the teams and the services they bring to our youth. Coming up next month — "A Commitment to Our Youth; the Last Wish of a Faithful Volunteer". Don't miss it!

### **Volunteer Programs and Residents Activity:**

Total Volunteer's/Hours for January 2015: Volunteers: 82 Intern: 0 Hours: 325.5

Dallas County HHS tested/counseled 26 residents; 0 positive for Syphilis and 0 positive for HIV

Volunteer Programs: Other Programs: Lend-an-Ear

**Life/Social Skill Programs**: COPES(Council on Prevention/Education: Substances – Alcohol/Drug Education; New Friends New Life – Mending the Soul;; Traffick911 – TRAPS (Traps of a Trafficker); Succeeding @ Work – Teens @ Work.

**Spiritual Enrichment/Ministry Bible Study**: Covenant Church, A-Team, Gospel Lighthouse, Children's Home Bible Club, Oak Cliff Bible Fellowship, New Birth Baptist Church, Praise Chapel, New Hope Prison Ministry, Living Hope Outreach, New Comfort COGIC, and Faith-4-Life.

**Life & Social Skills/Spiritual Enrichment Combo**: The Potter's House – Boy's to Men with Character and GenNext Life Series; MTO Leadership Development (Ministry through Originality); ALERT Ministries – Girls Circle.

Chaplain's Report: Counsel/Prayer 45 residents

January Special Programs/Events:

Movie Night: Movies and refreshments made possible by Robert Cahill, One Way Films

- Revelation Road
- Revelation Road 2
- Revelation Road 3

Friday Night Socials - made possible by Covenant Church Juvenile Ministry

Residents attending Socials: Honors Girls, Honors Males and RDT Girls

	Jan	Total
Admissions	266	266
Releases	278	278
ADP	167	167
ALOS (days)	21.6	21.6
Detention Hearings	437	437
TYC/Placement Trips	12	12
Local trips	65	65
Youth transported	67	67
START		
Admissions	10	10
Releases	9	9
Successful	9	9
Unsuccessful	0	0
Administrative	0	0
ADP	39	39
ALOS	92.9	92.9

### MARZELLE C. HILL TRANSITION CENTER MONTHLY REPORT FOR JANUARY, 2015

K. Miller B. M. W. W. W. W. W.	Nov.	Dec.	Jan.	YTD
Admissions	33	28	47	47
ADP	35	30	33	33
ALOS	30.9	30.0	29.6	29.6
Releases	31	3	32	32
Total Youth Served	67	63	75	75

**Program Updates**: Trinity Baptist Church provided services on Tuesdays and provided cookies to the residents.

**Program and Residents Activities:** Community partners Rainbow Days and Traffic 911 conducted groups with the female residents. Rainbow Days provided drug intervention and life skills groups and Traffic 911 provided informative group in reference to sex trafficking. In house life skills groups were provided to the female and male residents by Hill Center staff. Dare to Dream provided services to the residents twice in the month. Friendship West Church, New Life Ministry and Kids Bible Church provided church services on the weekends. Late night was provided to the level 4 residents, where they received food and drinks.

**Incidents:** There were 63 Incident Reports written at the Hill Center during the month of January.

**Medical Services:** There were no medical issues during the month of January.

Grievances from residents: There were nine grievances filed during the month of January.

Volunteer Services: 7 groups including 20 individuals provided a total of 38 hours of service.

### MEDLOCK CENTER MONTHLY REPORT February 2015

### Medlock Center

### **New Initiatives:**

The year 2015 began really well at Medlock. The employees returned healthy and reported for their assigned shifts as scheduled and all of the boys remained in good physical health. Due to the increased number of boys being adjudicated and placed at the facility for committing sexually related offenses, we opened a third STARS (Successful Thinking and Responsible Sexuality) dorm to accommodate these youth. It is a pleasure to report that 42 of the 83 boys (approximately 50%) at Medlock earned the "A/B Honor Roll" for the third six weeks. In addition one (1) youth, S. Victor, earned the "A Honor Roll." The boys were treated to a luncheon with the principal on January 21, 2015. S. Victor, who earned the "A Honor Roll", was treated to the luncheon with the principal and the Detention Manager also treated him to a meal of his choice. During the Super Bowl game the boys will be treated to nachos and salsa. The Education staff is preparing the boys to participate in the Black History program at the facility. The boys will also participate in the "Styles of Music" program beginning in February.

### **Activities:**

Residents continued to participate in spiritual based programs provided by Full Gospel Holy Temple; Lake Pointe Baptist Church; Potter's House; Pleasant Valley Baptist Church; Life Quest Essentials, and Chaplain Roy Teague. These volunteers share in the "adopt a dorm" activities where they also bring puzzles, books, and/or snacks to share on the dorms.

### **Medical Services/ Transports:**

Nine (9) residents were transported to Parkland Memorial Hospital for routine medical care. Nineteen (19) residents were transported to Dr. Jerome McNeil Detention for routine dental exams. One (1) resident was transported to JDC for his scheduled court hearing and one resident was transported to the Stewpot for a Podiatry appointment.

MEDLOCK		
CENTER		
	Jan.	YTD
Total		
Admissions	7	7
Released	6	6
Successful	4	4
Unsuccessful	2	2
Administrative	0	0
ALOS	202.5	202.5
ADP	58	58
Total Youth		
Served	63	63
MEDLOCK		
STARS	,	
	Jan.	YTD
Admissions	6	6
Releases	2	2
Successful	1	1
Unsuccessful	1	1
Administrative	0	0
ALOS (days)	332.0	332.0
ADP	25	25
Total Youth		
Served	28	28

### Volunteer/Intern Hours:

There were twenty (20) group volunteers who were on campus for a total of thirty one (31) hours. The total volunteer hours for the month of January were thirty one (31) hours.

### **TJJD Reports:**

There were no incidents reported to TJJD during the month of January.

### **YOUTH VILLAGE**

### **MONTHLY REPORT January 2015**

### On Campus

Family Training, El Centro College Introduction to Computer program and Welding Programs continue thrive. Nine residents received the A/B Honor Roll during the 3rd six weeks. These youth were recognized during the Awards Assembly and they were treated to the Principal's Luncheon on January 20, 2015. Residents started the After-School tutoring program. Teachers are also doing some reinforcements in the computer lab via odyssey ware.

	Jan	ΥTD
701	TALS	
Admitted	5	5
ADP	38	38
Total Youth Served	45	45
Releases	9	9
Successful	9	9
Unsuccessful	0	0
Administrative Rel.	0	0
ALOS	185.1	185.1

### **Off Campus**

There were no off campus activities during the month of January.

### **Volunteer /Intern Hours**

Nine (9) individual volunteers provided one hundred sixty two (162) hours of service. Two (2) chaplains provided twelve (12) hours of service. Total volunteer hours for the month of January are one hundred seventy four (174) hours.

### **Medical Services**

Seven (7) residents were transported to dental appointments at JDC, fourteen (14) were treated on the HOMES Med van, and nine (9) received mental health services. Resident Mondragon sustained a small laceration to his nose during large muscle exercise. He was transported to Parkland Hospital for treatment.

### **Religious Programs**

Freedom Fighters Ministry, Full Gospel Holy Temple, Mt. Zion Baptist Church, Countryside Bible Shady Grove Baptist Church , One King Church of Worship, Victory Outreach, Dallas Church of Christ, Catholic Diocese of Dallas, Bill Glass Champions for Life.

### **Account of Reportable Injuries**

On January 26<sup>th</sup> resident Mondragon was transported to Parkland Hospital where he was diagnosed with a nasal laceration and fracture that occurred during a recreational event on campus. The resident was treated and released for follow-up by the facility nurse.

### Escape/Furlough

There were no runaways and/or youth that failed to return from their home visits during the month of January.

### LETOT CENTER MONTHLY REPORT January 2015

### Letot Capital Board Initiatives:

Letot Foundation continues to conduct tours and raise funds for enrichment activities for the new Residential Treatment Center.

### **Community Initiatives:**

Non-Residential Services received 80 paper referrals to be addressed through the Letot Crisis Intervention Program, Deferred Prosecution and ESTEEM Court.

The ESTEEM Court continues at Letot Center with Judge Shannon presiding. There are currently three youth and their families attending ESTEEM Court in the month of January. Zero youth began services in the month of January. One youth completed the program in January. Seven youth were referred during the month of January. Aim, Functional Family Therapy and Clinical have been providing services.

### Residential Services:

Why Try Topics: (1) Reality Ride — a roadmap for residents to identify the challenges and goals in their lives; (2) Motivation — teaches residents a formula to turn their challenges into a source of power. (3) Tearing off My Labels — how to remove the negative perceptions and labels that we allow to be put on us;

LETOT CENTER		
Residential	Jan	YTD
Admissions	27	27
Releases	24	24
ADP	24	24
ALOS	30.0	30.0
Total Youth Served	49	49
Intake/Orientation		
Admissions	95	95
Releases	93	93
ADP	1	1
ALOS	0.3	0.3
Total Youth Served	95	95

(4) Defense Mechanisms- looking at what our defense mechanism are and how to change them; (5) Climbing Out - helps residents identify a problem area and the what support they have to change the problem.

### **Medical Services:**

Residential: Health Screens – 30, Call Backs – 2, Doctor's visits - 29 Recommendations are made for medical and/or clinical follow-up.

### Volunteer Services:

Faith Based Volunteers: worship and religious study - 3 volunteers, 5.5 hours; Life Skills Volunteers: visiting and teaching - 15 volunteers, 23 hours; Special Events: 0 volunteers, 0 hours.

### Clinical Services:

In the Residential Unit, Clinical Services held three Process groups with the boys (9 residents) and six Process groups with the girls (21 residents), processing issues pertaining to why they are here and what steps they can take to keep from going further into the system. Residential rounds consisted of clinical team making one to two rounds daily to speak with the youth and JSO's. The daily rounds allow the Clinical team to staff the resident's cases, provide consultation, and conduct crisis screens as needed (34 rounds). Held therapy sessions with 43 clients: 69 individual and 43 family sessions.

																				71		**************************************															
Male	Homicide	Sexual Assault	Robbery	Assaultive	Other Violent	Burglary	T-	Other Property	Drug Offenses	Wearding Offenses	Other Selony		- Total Enlony	Weapons Offenses	Assaultive	47. 17	Mis	Other Property	Drug Offenses	Other Misd.	Contempt of Magistrate	2015 Re	Truancy	Runaway	Alt. Ed. Expulsion	Property (was Theft)	Disorderly Conduct	Drugs	Stat Fidnor Laws	Sex Offenses	Other CINS		Contract Detention	Crisis Intervention	Other Administrative	Total	
Female	0 1	13 1	22 3	21 9	0	32 1	20 6	┪	-	3 1	_	-	or Transplacement	3 0	32 22	━		6			31 16	****	0	<del></del>	0	0	0	0	0	0	12 8	41 44% 52 56%	3 0	3	7	Washington and	72% 443 28% 167
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Asian	0	0	0	0	0	0	0	0	0	10	0	0	0%	0	0	1	2	0	0	0	0		0	2	0	0	0	0	0	0	0	2 2%	0	0	0	0	0% 4
Black	1	7	20	21	0	17	17	3	0	3	6	95	62%	2	31	3	1 1	17	13	29	10	grames totassimas	0	25	2	0	0	0	0	0	10	37 40%	_1	5	2	8	44% 291
Hispanic	0	5	5	6	0	12	7	12	3	1	5	45	30%	1	17	<u> </u>	3	4	28	15	37		0	33	0	1	1	0	0	0	7	42 45%	2	3	5	10	56% 24
White	0	2	0	3	0	3	2	10	1	10	1	12	8%	0	6	1	3	1	6	12	0	Maria Cara Cara Cara Cara Cara Cara Cara	1	7	0	0	0	1	0	0	3	12 13%	0	0	0	200000000000000000000000000000000000000	0% 64
Unknown	0	0	0	0	0	1	0	0	0	10	0	870//02/7/2	1%	0	0		)	0	0	1	0	Maring Mandalaga	0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0% 2
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10 Years Old	0	1	0	1	0	0	0	0	0	0	0	2	1%	0	1			1	0	0	0		0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0% 4
11 Years Old	0	2	1	0	0	0	0	1	0	0	0	4	3%	0	0	Ľ	I	0	0	0	0		0	1	0	0	0	0	0	0	1	2 2%	0	2	0	2	11% 0
12 Years Old	0	2	0	2	0	1	1	1	0	0	2	9	6%	0	8	[	3	2	1	3	2		0	4	0	0	0	0	0	0	0	4 4%	0	1	0	1	6% 84
13 Years Old	0	2	3	4	0	4	0	0	0	2	1	16	10%	0	6	1	1	5	6	5	1	(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	О	12	1	0	0	0	0	0	2	15 16%	0	2	2	4	22% 69
14 Years Old	1	0	2	4	0	7	3	0	1	2	2	22	14%	0	9	1	4	2	10	10	9		1	17	0	0	1	0	0	0	7	26 26%	0	1	1	2	11% (11
15 Years Old	0	1	9	12	0	10	11	0	2	To	3	48	31%	1	11	2	6	7	13	21	19		0	17	0	0	0	0	0	0	6	23 25%	2	1	1	4	22% 165
16 Years Old	0	3	9	6	0	9	11	. 3	0	0	3	44	29%	2	16	1	2	3	17	14	15		0	14	0	*1	0	1	0	0	4	20 22%	1	1	1	3	17% (15)
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												154								لعسه به بیبی		1.2.7			*******		*****					93				18	

587 youth accounted for the 610 total referrals.

																				ΙΥ	2015 D	Sier			C C													
						Fel	onie								s A 8	X B N	/isde	emea	inors			Sta	itus (	A Only		d CII	-	the state of the s		nly		(	)the	r De	enteni	lons		
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Male	0	12	24	15	0	32	12	2	1	3	8	109	87%	2	21	16	9	20	19	0		0	1	0	0	0	0	0	0	0	1 25%	1	0	0	1	1009	<b>% 236</b>	
Female	1	1	3	7	0	1	3	0	0	1	0	17	13%	0	10	3	6	1	3	0		0	3	0	0	0	0	0	0	0	3 75%	0	0	0	0	0%	46	
		·	·····		7					r		126			·			r-	<b></b>		Survivies Transcenses				r			······································			4			r	1		2251	tene
Amer. Indian/Alaskan	0	0	0	0	0	0	0	0	0	0	0	0	0%	0	0	0	0	ļ٥	0	0		0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0%	. 0	
Asian	0	0	0	0	0	0	0	0	0	0	0	0	0%	0	0	0	0	0	0	0	80 (10) (10) (10) 80 (20) (20) (20)	0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0%	0	
Black	1	7	21	17	0	17	11	1	0	2	5	82	65%	1	17	14	12	8	12	2 0		0	3	0	0	0	0	0	0	0	3 75%	0	0	0	0	0%		
Hispanic	0	5	6	4	0	14	2	1	1	2	3	38	30%	1	13	4	2	13	10	0	State and American	0	1	0	0	0	0	0	0	0	1 25%	1	0	0	1	100	% <u>dus</u>	
White	0	1	0	1	0	1	2	0	0	0	0	5	4%	0	1	1	1	0	0	0	Signal Comment of the	0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0%		
Unknown	0	0	0	0	0	1	0	0	0	0	0	1	1%	0	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0%		
												126																			4				1		261	
10 Years Old	0	1	0	1	0	0	0	0	0	0	0	2	2%	0	1	0	1	0	0	0		0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0%	. 4	
11 Years Old	0	1	2	0	0	0	0	1	0	0	0	4	3%	0	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0%	4	
12 Years Old	0	2	0	2	0	1	0	0	0	0	1	6	5%	0	6	2	2	1	0	0	83.46 (185.2)	0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0%		
13 Years Old	0	1	3	3	0	4	0	0	0	2	1	14	11%	0	6	3	3	1	2	0		0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0%	7)	
14 Years Old	1	0	1	2	0	8	2	0	0	1	2	17	1376	0	5	2	2	6	4	0		0	2	0	0	0	0	0	0	0	2 50%	0	0	0	0	0%		
15 Years Old	0	1	10	8	0	10	7	0	1	0	2	39	31%	1	7	8	5	6	10	0		0	1	0	0	0	0	0	0	0	1 25%	1	0	0	1	100	%	
16 Years Old	0	4	10	6	0	9	5	1	0	1	2	38	30%	1	6	3	1	6	6	0		0	1	0	0	0	0	0	0	0	1 25%	0	0	0	0	0%	. 67	
17+ Years Old	0	3	1	0	0	1	1	0	0	0	0	6	5%	0	0	1	1	1	0	0		0	0	0	0	0	0	0	0	0	0 0%	0	0	0	0	0%		188 189
												11/26								***************************************											4				1			

273 youth accounted for the 281 total detentions.

PSYCHIATRIC CONSULTS COMPLETED - :	2015												
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	ост	NOV	DEC	YTD
1. Total Consultations	107												107
A. Initial Consultations	23												23
B. Follow-Up Consultations	84												84
2. Total Number of Youth	101												101
Receiving Consultations													

INITIAL CONSULTATIONS - PSYCHIAT	RIC MEDICATION	RESU	LTS - 20	115									
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC	YTE
No Medication Prescribed	10												10
2. Medication Discontinued	0												0
Continued on Medication	11												11
4. Started on Medication	2								•				2



## DISSCUSSION ITEM

В.

### **JIAEP**

### January 2015 Report

The Dallas County Juvenile Justice Alternative Education Program (JJAEP) has been busy this month on numerous initiatives to enhance school culture. The JJAEP Staff meet weekly for campus staff meetings. In an effort to stimulate pride in the campus, the staff has conducted student achievement ceremonies for honor roll and perfect attendance for this first semester. In addition, the Social Studies classes celebrated the legacy of Dr. Martin Luther King, Jr. through examining his writings and his speeches.

The JJAEP is planning activities to celebrate Black History Month in conjunction with the Day Reporting Center (DRC) campus. JJAEP teachers have begun designing TEKS based lessons celebrating the achievements and contributions of African American in observation of Black History Month in both the Social Studies and Science classes. Throughout the month of February, the JJAEP staff will honor the contributions of African Americans with a host of engaging activities and events that include all content areas. As a result of this cross-curricula approach, the walls are being decorated with student's work, artwork, historical facts, and other educational materials that chronicled the influences of African Americans in every content area.

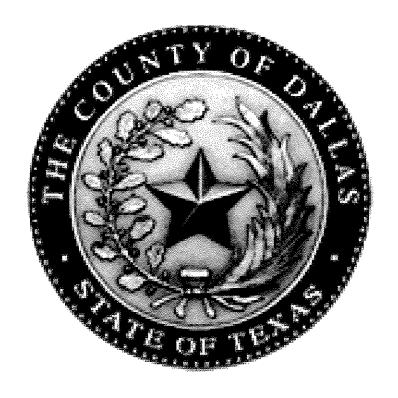
During the month of February, the JJAEP campus will be conducting STAAR focused tutorial sessions and in preparation for the Spring administration of the STAAR. The JJAEP teachers are continuous working on creating individual profiles of students in order to determine the students' strengths and weaknesses which are conducted weekly in each of the core subject areas.

				ACTIVE EN	ROLLMENT			
Student E	nrollmen	t as of :	1/30/2015	Total Enrollment:	86			
Students	on Proba	tion/Spv.:	46	53.49%	,			
<u></u>			r:	OFFENSE		r=		
Disc.:	32	37.21%	Mand.:	54	62.79%	Pimt.:	0	0.00%
<b> </b>				DEMOGR	ABUICE			
<b> </b>		Car	tegory	DEMOGN	Armos	Ca	ategory	
<b> </b>			NDER		DISTRICT	Number	Percent	
l	Male			emale	CFB-904	5	5.81%	
71		82.56%	15	17.44%	CHISD-904	3	3.49%	
GRADE	Number	Percent			Coppell-992	2	2.33%	
3	0	0.00%			Desoto-906	3	3.49%	
4	0	0.00%			DISD-905	18	20.93%	
5	0	0.00%			Duncanville-907	10	11.63%	
6	9	2.33% 10.47%			Garland-909 GPISD-910	10	3.49% 11.63%	
8	15	17.44%			HPISD-910	0	0.00%	
9	31	36.05%			IRVING-912	9	10.47%	
10	8	9.30%			Lancaster-913	1	1.16%	
11	15	17.44%			Mesquite-914	15	17.44%	
12	6	6.98%			RISD-916	7	8.14%	
	86	100.00%			Sunnyvale-919	0	0.00%	
						86	100.00%	
AGE	Number	Percent		ETHNICITY	Number	Percent		
10 11	<u>0</u>	0.00% 0.00%		African American Asian	34	39.53% 1.16%		
12	2	2.33%		Caucasian	2	2.33%		
13	<del></del>	8.14%		Hispanic	49	56.98%		
14	16	18.60%		Native American	0	0.00%		
15	16	18.60%	•		86	100.00%		
16	23	26.74%		•				
17	17	19.77%						
18+	5	5.81%						
	86	100.00%						
D 40/40	0	N 1 B		ESCRIPTIONS			Number	Percent
		anor Drugs	/lisbehavior		***************************************		24	27.91% 2.33%
D-14 D-15		riminal Mise					0	0.00%
D-16		unty Placer					Ö	0.00%
		gainst Emp					4	4.65%
				ON/OFF CAMPUS)			0	0.00%
E		rm/Terroris					2	2.33%
Title 5			s Against Stu	dent & Other New [	Discretionary		0	0.00%
		/Firearms	Ciroam				6	6.98%
M-02 M-03		other than ed Assault	rireaim				16 5	18.60% 5.81%
M-04	Sexual A						0	0.00%
		ed Sexual /	Assault	total and total			1	1.16%
M-06	Arson	***************************************					4	4.65%
			nslaughter				0	0.00%
M-08		y with a Ch					0	0.00%
M-09		ed Kidnapp	oing	w			0	0.00%
M-10 M-11	Felony D	rugs	Any Employee				22	25.58%
P-16	Court Pl		чну шпрюуее				0	0.00% 0.00%
<u> </u>	Jours 1 1	ACCITOTIE					86	100.00%
						L	00	100.00 /8
			or WARRANT	s:			4	4.65%
		TION STUI					12	13.95%
Avg. Daily	Attendand	ce:	66	76.74%	Cum. SY Daily Att	endance:	73	84.88%

### DALLAS COUNTY JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM

### 2014-2015 School Year

The month of January began with 91 students and ended with 86 students enrolled to attend the Dallas County's JJAEP. On average, there were 66 or 76.74% of the students attending on any given day in January. Of the 86 students enrolled at month end, there were 32 discretionary referrals; 0 placement; and 54 mandatory referrals.



## DISSCUSSION ITEM

C.

# **Juvenile Board Meetings 2015**

\*\*\*\*All meeting times are at 5 p.m. unless otherwise specified and the exact time of the meetings will be posted on posted meeting agenda. \*\*\* Revised 2-25-15

1) Selection of Juvenile Board Chairman / Vice Chairman   HENRY WADE JUL	DATE	TOPICS	LOCATION
1) License Facility for resident confinement 1) Approve FY 2016 Budgets 1) Approve FY 2016 Budgets 1) Approve State Contracts 2) Approve Local Vendor Contracts 3) Inspection of Pre / Post Adjudication Facility for Licensing Requirements 1) License Facility for resident confinement 1, 2015 1) License Facility for resident confinement 1, 2015 1) License Facility for resident confinement		Selection of Juvenile Board Chairman / Vice Chairman   Appoint YSAB Members / YSAB Chairman	HENRY WADE JUVENILE JUSTICE CENTER
1) License Facility for resident confinement  1) License Facility for resident confinement  **  1) Budget Retreat If deemed necessary **  1) Approve FY 2016 Budgets  1) Approve FY 2016 Budgets  1) Approve State Contracts 2) Approve Local Vendor Contracts 3) Inspection of Pre / Post Adjudication Facility for Licensing Requirements  8, 2015  1) License Facility for resident confinement	FEBRUARY 23, 2015		HENRY WADE JUVENILE JUSTICE CENTER
1) License Facility for resident confinement  1) License Facility for resident confinement  1) License Facility for resident confinement  1) Approve FY 2016 Budgets  1) Approve FY 2016 Budgets  1) Approve State Contracts  2) Approve Local Vendor Contracts  3) Inspection of Pre / Post Adjudication Facility for Licensing Requirements  8, 2015  1) License Facility for resident confinement	MARCH 23, 2015		HENRY WADE JUVENILE JUSTICE CENTER
1) License Facility for resident confinement  **  1) Budget Retreat If deemed necessary **  1) Approve FY 2016 Budgets  1) Annual Review of JJAEP Program  1) Annual Review of JJAEP Program  1) Approve State Contracts 2) Approve Local Vendor Contracts 3) Inspection of Pre / Post Adjudication Facility for Licensing Requirements  2) Approve Local Vendor Contracts 1) License Facility for resident confinement  2), 2015 1) License Facility for resident confinement 1) Adeemed necessary**		License Facility for resident confinement	LETOT CENTER *
** 1) Budget Retreat If deemed necessary **  1) Approve FY 2016 Budgets  1) Annual Review of JJAEP Program  1) Approve State Contracts 2) Approve Local Vendor Contracts 3) Inspection of Pre / Post Adjudication Facility for Licensing Requirements  8, 2015  1) License Facility for resident confinement  1) License Facility for resident confinement  1, 2015  1) License Facility for resident confinement  1, 2015  1) License Facility for resident confinement  1, 2015  1) License Facility for resident confinement	y Holiday)	License Facility for resident confinement	LYLE MEDLOCK YOUTH TREATMENT CENTER *
1) Approve FY 2016 Budgets  1) Annual Review of JJAEP Program  1) Annual Review of JJAEP Program  1) Approve State Contracts 2) Approve Local Vendor Contracts 3) Inspection of Pre / Post Adjudication Facility for Licensing Requirements Requirements  2015  1) License Facility for resident confinement  1, 2015  1) License Facility for resident confinement  1, 2015  1) License Facility for resident confinement  1) License Facility for resident confinement		<u>~</u>	HENRY WADE JUVENILE JUSTICE CENTER ** Conference Room 203-A 9:00 AM
1) Annual Review of JJAEP Program  1) Approve State Contracts 2) Approve Local Vendor Contracts 3) Inspection of Pre / Post Adjudication Facility for Licensing Requirements 8, 2015 1) License Facility for resident confinement 3, 2015 1) License Facility for resident confinement 6, 2015 1 License Facility for resident confinement 7, 2015 1 License Facility for resident confinement		Approve FY 2016 Budgets	HENRY WADE JUVENILE JUSTICE CENTER
1) Approve State Contracts 2) Approve Local Vendor Contracts 3) Inspection of Pre / Post Adjudication Facility for Licensing Requirements  1) License Facility for resident confinement  1) License Facility for resident confinement  1) License Facility for resident confinement	Average resource and a second	Annual Review of JJAEP Program	JUVENILE JUSTICE ALTERNATIVE EDUCATION FACILITY *
License Facility for resident confinement     License Facility for resident confinement     If deemed necessary**		Approve State Contracts Approve Local Vendor Contracts Inspection of Pre / Post Adjudication Facility for Licensing equirements	HENRY WADE JUVENILE JUSTICE CENTER *
License Facility for resident confinement     License Facility for resident confinement     If deemed necessary**	SEPTEMBER 28, 2015		HENRY WADE JUVENILE JUSTICE CENTER
1) License Facility for resident confinement  If deemed necessary**		License Facility for resident confinement	LETOT CENTER *
If deemed necessary**		License Facility for resident confinement	DALLAS COUNTY YOUTH VILLAGE *
		deemed necessary**	HENRY WADE JUVENILE JUSTICE CENTER**

<sup>\*</sup> denotes licensing / inspection required by Board

\*\* denotes meeting if needed

HENRY WADE JUVENILE JUSTICE CENTER

2600 LONE STAR DRIVE DALLAS, TEXAS 75212 (214) 698-2200

LOCATIONS

LYLE B. MEDLOCK YOUTH TREATMENT 1508-A LANGDON ROAD Dallas, Texas 75241 (972) 225-9780 JUVENILE JUSTICE ALTERNATIVE EDUCATION

Dallas, Texas 75212 (214) 637-6136 1673 TERRE COLONY

1508 E. B LANGDON RD Dallas, Texas 75241 (972) 225-9750 YOUTH VILLAGE Dallas, Texas 75220 (214) 357-0391 10505 DENTON DR.

LETOT CENTER



## ACTION ITEM

D.



### DALLAS COUNTY JUVENILE DEPARTMENT

**Dr. Terry S. Smith**Director Juvenile Services
Chief Juvenile Probation Officer

### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5 Dallas, Texas 75212

**MEMORANDUM** 

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Appointment of and Scheduled Oath of Office for Associate Judges and Referees/Masters

### Background of Issue:

On September 18, 1995, the Juvenile Board approved the designation of the Juvenile Court Masters as Associate Judges. In order to accurately reflect the function of Associate Judge, and consistent with the Texas Family Code Sections 201.001 through 201.018, on June 25, 2001, this Board approved maintaining the title of Associate Judge for attorneys hearing both juvenile and family law cases. The designation of Referee/Master was approved for attorneys hearing juvenile cases only.

Full-time Associate Judges are assigned to each of the two Juvenile Courts, and a permanent, part-time Referee/Master is assigned for the purpose of detention hearings. The Juvenile Courts maintain a list of approved Referees/Masters who are available to hear cases when needed.

Associate Judges are appointed in conjunction with the regular election cycle for the Juvenile Court Judges. The Referees/Masters are appointed every year, with the previous appointments occurring in March 2014. The Juvenile Board has previously authorized its Chair to administer the Oath of Office at a later date to those appointees not present at the meeting.

### Impact on Operations and Maintenance:

The appointment of Associate Judges and Referees/Masters to hear cases allows the Juvenile Courts to operate at maximum efficiency and to enhance the management of their dockets so as to dispense swift justice in juvenile matters.

Recommended appointments for Associate Judges and Referees/Masters for this cycle include: for Associate Judges- Alice Rodriguez, 304<sup>th</sup> District Court, and Derrick J. Morrison, 305<sup>th</sup> District Court. For Referees/Masters-Judges Melinda Forbes; Joseph Rosenfield; Mary McAndrew; George E. Ashford, III; Robert Herrera; Rhonda Hunter; Cheryl Jaksa; George West; John Lopez; and J.R. Cook.

### **Strategic Plan Compliance:**

This request complies with Vision 3: Dallas is *safe, secure, and prepared,* by ensuring that the Juvenile Court system has sufficient and approved staff resources in place to hear both juvenile and family law cases.

To assist referred youth in becoming productive, law abiding citizens, while promoting public safety and victim restoration.

214-698-2200 Office

### **Legal Information:**

The appointment and qualifications of Associate Judges and Referees/Masters is addressed in Subtitle C., Judicial Resources and Services and Chapter 201 of the Texas Family Code. The process utilized by the Dallas County Juvenile District Courts is consistent with this provision of the Family Code.

### Financial Impact/Considerations:

The costs of maintaining Associate Judges and Referees/Masters are provided for in the FY 2015 budgets of the 304<sup>th</sup> and 305<sup>th</sup> District Courts respectively. There is no financial impact to the Dallas County Juvenile Department.

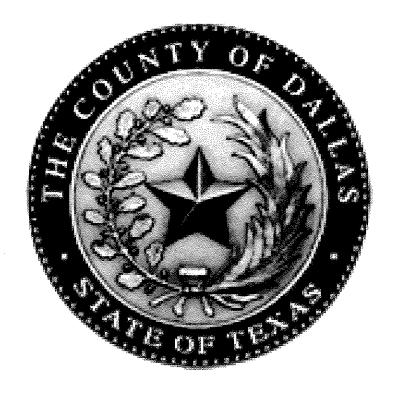
### Recommendation:

It is recommended that the Dallas County Juvenile Board approve the appointment of the recommended Associate Judges and Referees/Masters provided by the Juvenile Courts and that these appointees are given the Oath of Office by the Chair of the Dallas County Juvenile Board.

### Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department



## ACTION ITEM

E.



### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5

Dallas, Texas 75212

### Memorandum

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Fair Defense Act Appointment of Defense Attorneys

### **BACKGROUND OF ISSUE:**

Senate Bill 7 that passed during the 77<sup>th</sup> Legislative Session requires every Juvenile Board in Texas to adopt a plan for the appointment of counsel for respondents in Juvenile Court whose families are unable to afford counsel. Copies of the plans are required by Government Code Section 71.0351 to be sent to the Office of Court Administration.

Counties with an acceptable plan in place will be eligible to receive state aid for payment of appointed counsel. Additionally, each Juvenile Board is required, by Section 51.102 of the Texas Family Code, to adopt a plan that conforms to statutory requirements regardless if it wishes to apply for state aid, and annually approve the list of defense attorneys deemed appropriate for appointment.

Section 51.102 of the Texas Family Code established the following requirements of the plan adopted by a Juvenile Board and Article 26.04 of the Code of Criminal Procedures establishes the following procedures for appointing counsel:

- A. Specify qualifications for attorneys to be on the appointment list with differences in qualifications in accordance with the five recognized levels.
  - 1. Cases where the allegations are of conduct indicating the need for supervision (CINS).
  - 2. Cases in which the allegation are of delinquent conduct in which commitment to TYC is not possible.
  - 3. Cases where the allegations are of delinquent conduct in which indeterminate commitment to TYC is possible.
  - 4. Cases in which determinate sentence proceedings have been initiated by obtaining grand jury approval of a petition for a covered offense.
  - 5. Cases in which proceedings for discretionary transfer to criminal court have been initiated by filing of a certification petition or motion.
- B. Specify procedures for including attorneys on the list in accordance with the Code of Criminal Procedure, Article 26.04.
  - 1. Applies to be included on the list.
  - 2. Meets the objective qualifications specified.
  - Meets any applicable qualifications specified by the State Task Force on Indigent Defense.
  - 4. Is approved by the majority of the judges who establish the appointment list.
- C. Specify procedures for removing attorneys from the list.
- D. Specify procedures for appointing attorneys on the list to cases and for payment.

E. Comply, to the extent feasible, with requirements of the criminal court plan under code of Criminal Procedure Article 26.04.

Additionally, in accordance with Section 51.101 of the Texas Family Code (HB 1118), if a petition is filed, the court is required to determine indigence and appoint an attorney not later than five working days after the petition is served on the child.

In September, 2001, the Juvenile Judges of the 304<sup>th</sup> and 305<sup>th</sup> District Courts, in conjunction with the Dallas County Public Defender's Office, enacted the plan conforming to Section 51.102 of the Texas Family Code. The plan was created by the Juvenile Judges of the 304<sup>th</sup> and 305<sup>th</sup> District Courts in compliance with Sections 51.10, 51.101 and 51.102 of the Texas Family Code, Article 26.04 and 26.05 of the Code of Criminal Procedure. The plan along with the corresponding list of attorneys was submitted for Board approval and was approved by the Juvenile Board.

### **OPERATIONAL IMPACT**

Approving a list of attorneys to represent indigent respondents in juvenile court will conform to statutory requirements and provide a structured and documented method of uniformity.

### STRATEGIC PLAN COMPLIANCE

Providing qualified legal representation for indigent juvenile respondents who are pending Delinquency and CINS allegations is consistent with Vision 3, Strategy 3.4 of the Dallas County Strategic Plan; which is to Maximize the Effectiveness of Dallas County Criminal Justice Resources.

### **FINANCIAL IMPACT**

State aid is provided for indigent defense of juvenile cases.

### RECOMMENDATION

The Juvenile Department recommends that the Juvenile Board approve the lists of attorneys for appointment in the 304<sup>th</sup> and 305<sup>th</sup> District Courts to represent indigent youth.

Respectfully submitted by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department

### 305<sup>th</sup> District Court Misdemeanor Appointment List Revised January 20, 2015

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Dallas, Texas 75247	
214-631-2500 #24004164	
Fax 214-631-0900	
Anakwue, Cordelia	3
2201 Main Street, Suite 1009	
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214-915-0330 #24001578	
Mukoso@aol.com	
Arnold, Byan S.	3
6824 Shoreway Drive	
Grand Prairie, Texas 75054	
214-697-3230 #01340200	
972-291-8922	

Armstrong, Vesta T. 2018 Atlantic St. Dallas, Texas 75208-3021 469-831-3812 #00798240 Fax 214-941-1200 vestaarmstrong@yahoo.com 3 Ates, Carolyn J. 18208 Preston Road, Ste. D9-236 Dallas, Texas 75252 972-943-4668 #24048330 Fax 972-248-0849 Benavides, R. David 3 9047 Forest Hills Dr. **SPANISH** Dallas, Texas 75218 972-741-2023 #02118050 Fax 214-969-0357 Blacknall, Sharita 3 5001 Spring Valley Rd. Ste. 400 Dallas, Texas 75244 214-678-9111 #24038768 Fax 214-678-9144 Cell 214-451-7841 Info@balcknallfirm.com Bogen, Joseph 3 8111 Preston Road, Ste. 500 Dallas, Texas 75225 214-865-8750 #24085210 Fax 214-750-8001

JosephSBogen@gmail.com

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6484 Fisher Rd.	
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972-352-7259 #24079853	
Fax 866-501-8690	
angelachenddsjd@gmail.com	
Cooper, John M.	3
<b>2</b>	3
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Johnson, Christian		3	
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972-505-2217	#24078742		
Fax 888-405-4536			
cki@lawfirmtx.com			
** 1 ** 11			
Koplan, David		3	
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214-358-1404			
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Y 111 C		2	
Lilly, Curtis	C 11 000	3	
100 N. Central Expw	y., Suite 800		
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Mack, Robert			3
P.O. Box 561931			3
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214-783-5574 #240	48020		
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atttmack@vahoo.com			

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·	Masek, James E.	3
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	817-640-8586 #13146900	
	Fax 817-640-9749	
·	McCulley, Kareem	3
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	Fax 214-501-0871	
	kareem@McCulleylawfirm.com	
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Fax 972-692-6871		
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Pratt, Tiffany L. 2201 Main St., Suite 410	3
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Pritchett, Deborah	3
1700 Commerce Ste. Suite 905	
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Fax 214-573-7661	
	v-
Prox, Chante' Barnes	3
1201 N. Watson Rd.	
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Fax 817-649-2701	
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214-696-3200 x 3369 #16424000	
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Renteria, Juan	3
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214-764-9821	

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214-741-3638		
alrincone@sbcglo	<u>obal.net</u>	
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469-269-0511	#24083739	
Fax 469-252-7282	2	
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Dallas Texas 7520	09	
214-349-9975	#00789811	
Tatum, John		3
990 S. Sherman S	street	
Richardson, Texa	is 75081	
972-705-9200	#19672500	* .
Templeton, Marie	dell	3
P.O. Box 38185		(Appeals only)
Dallas, Texas 752	38	
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3

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Uzowihe, Rita 3
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Fax 214-573-7661

Wood, Dick 3
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Fax 214-350-2142

## 305<sup>th</sup> District Court Felony Appointment List Revised January 20, 2015

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Aland, Ronald Z.	4, 5
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Ste. 435	
Dallas, TX 75206	
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Cell- 214-394-6993	
Fax - 214-871-2779	
Alvoid, Dennis E.	5, 6
P.O. Box 814483	•
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214-742-5806 #01133000	

Anderson, Keith A.	5
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Ashe, William (Bill) M. II	5, 6
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214-599-0161 #01373600	
Ashford, George E. III	5, 6
325 N. St. Paul, Suite 2475	
Dallas, Texas 75201	
214-922-0212 #01374530	
Ashley, Jo-An G.	4
P.O. Box 763936	
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214-622-5097 #00787003	
Ayitey-Adjin, Anthonette	5
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Baeza, Pamela	4,5
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Barton, Ben	5
304 South Record Ste. 200	
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214-742-3133 #01852500	
Bittner, Thomas A.	5, 6
2100 Ross Ave., Suite 2600	
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Fax- 214-220-0230	
Brooks, Steven W.	4
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Dallas, Texas 75203	
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Fax 214-752-5502	
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469-450-1733	
ut-	
Bui, Joseph	5
8150 N. Central Expwy, Suite 700	(Vietnamese)
Dallas, TX 75206	,
214-628-1818 #24001292	
Fax 214-231-3088	
Bush, Valencia	4
1000 North Central Expwy. #400	
Dallas, Texas 75231	
214-631-3435 #18692100	
Fax 1-866-275-2570	
Cain, Tom Jr.	5
701 Commerce, Ste. #200	
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214-53-0099 #03610000	
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Carrie chavez@verizon.net	
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Clark, Regina	5
5200 Keller Springs Rd., Suite 1226	
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972-991-9300 #00783834	
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Clements, Darrell L.	5
16850 Dallas Parkway	
Dallas, TX 75248	
214-750-6300 #04362300	
972-735-8121	
Collie, Griffin	4
2517 Fairmount Street	•
Dallas, TX 75201	
214-484-4323 #00783857	
Fax- 214-484-4733	

Colon, Eulogio	. 4
P.O. Box 541776	(SPANISH)
Grand Prairie, TX 75054-1776	
214-948-8150 #04626450	
Fax 214-948-8053	
Cook, J. R.	5
9330 LBJ Freeway, Suite 900	
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214-361-786 #04744665	
Fax 214-361-8993	•
Cell 214-803-0866	
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Corsi, Lynne	5, 6
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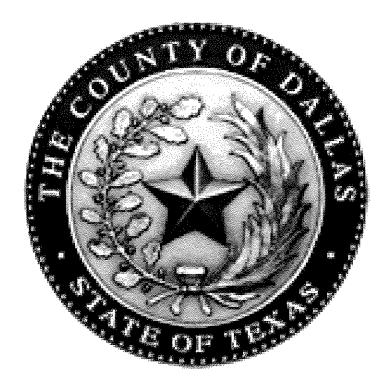
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# ACTION ITEM

# DALLAS COUNTY IUVENILE DEPARTMENT

Dr. Terry S. Smith
Director Juvenile Services
Chief Juvenile Probation Officer

# Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5

Dallas, Texas 75212

## **MEMORANDUM**

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Criminal Justice Division (CJD) FY2016 New Program Grant Applications

#### Background of Issue:

The Criminal Justice Division (CJD) of the Office of the Governor is currently soliciting applications for FY2016 new grant funding for Juvenile Department programs. The Juvenile Department will request funds for the Mental Health Court, Family Violence Intervention Program, and for additional Victims of Violent Acts Program.

The Mental Health Court and the Family Violence Intervention Program grants applications respond to the Juvenile Justice and Delinquency Prevention Program solicitation. The Juvenile Department previously received a three year grant for both the Mental Health Court and the Family Violence Intervention Program. Since that funding cycle has ended, the Juvenile Department is applying for a new three year grant cycle. The Victims of Violent Acts (VIVA) Program grant responds to the General Victim Services program solicitation. The purpose of this brief is to approve applying to CJD for funding for these three grants for FY2016.

#### Impact on Operations and Maintenance:

The Dallas County Juvenile Department will submit grants to fund the following programs:

#### Mental Health Court

The Mental Health Court (MHC) program is designed to divert juveniles with mental illnesses from further penetration into the juvenile justice system. It is the aim of MHC to connect the juveniles and their families to community mental health based services or treatments and to educate families about mental illnesses. MHC encourages increased family involvement and strongly advocates for their children with mental health illnesses. Mental Health Court received funding from CJD from FY2013-FY2015. The Dallas County Juvenile Department will submit a new grant application to continue funding a dedicated Mental Health Court probation officer position, training, and supplies. The department will request \$74,983 with no cash match required for this program.

#### Family Violence Intervention Program

The Family Violence Intervention Program seeks to divert youth who are referred to the Dallas County Juvenile Department for misdemeanor assault/family violence offenses from the formalized court system and to a deferred prosecution/treatment program. The Juvenile Department received funding for this program from CJD from FY2013-FY2015. The Juvenile Department will submit a new grant application to continue funding and to grow counseling services for program participants. The department will request \$83,986 with no cash match required for this program.

#### Victims of Violent Acts Program

The Victims of Violent Acts (VIVA) Program is a new program to be initiated by the Juvenile Department. This program seeks to address challenges faced by familial victims with the ultimate goal of family reunification. We strive to ensure the future success of the victim and the offender through identifying family dysfunction and providing intensive individual and family therapy. The program will support three therapists focusing on intrafamilial victims of sex offenders (two therapists) and one bilingual required therapist to work with families of youth with first time family violence referrals. The bilingual therapist will work with families when the Family Violence Intervention Program is unable to serve families due to language barriers. Additionally, the bilingual therapist's primary concern and client will be specifically the family victim whereas the Family Violence Intervention Program focus is on the referred youth. This grant application is in response to the General Victim Assistance — Direct Services Program request for proposals. This grant program does not having a funding ceiling but requires a 20% cash match. The department will request \$190,757 with a 20% match requirement (\$47,689.20) for a total project fund of \$238,446. The match requirement will be part of the FY2016 general fund budget request.

#### Strategic Plan Compliance:

This request complies with Vision 3: Dallas is *safe*, *secure*, *and prepared*, by expanding disposition alternatives with regard to treatment for youth/families involved in the juvenile justice system.

## **Legal Information:**

The grant application submission deadline for these proposals is February 27, 2015. The signature of the Dallas County Judge as Authorized Official is required on the Grant Application Certification forms. If funding is awarded, the signature of the Dallas County Judge as Authorized Official, Dallas County Auditor as Financial Officer, and Director of Juvenile Services as Project Director are required on the Grantee Acceptance Notices. CJD requires specific language in the Court Order that states in the event of the loss or misuse of these grant funds, the funds will be returned by Dallas County to CJD in full.

#### Financial Impact/Considerations:

The department is requesting grant funding in the amount of \$74,893 for Mental Health Court and \$83,986 for Family Violence Intervention Program with no cash match required. The department will also request \$190,757 for the Victims of Violent Acts Program which requires a cash match of 20% (\$47,689.20) for a total project fund of \$238,446. If awarded, grant funding will begin September 1, 2015 and end August 31, 2016. This financial information has been reviewed by Carmen Williams, Budget Supervisor.

#### Performance Impact Measures:

Quarterly, six month and annual performance reports for each grant are required by CJD. Grant Services staff will coordinate the collection of data from each grant's program manager and this department's Manager of Statistics and Research and submit reports to CJD as required.

#### **Project Schedule/Implementation:**

If approved, applications will be submitted to CJD prior to their due dates. If awarded, the grant period will be from September 1, 2015 to August 31, 2016.

# **Recommendation:**

It is recommended that the Dallas County Juvenile Board approve submitting the new grant applications for FY2016 prior to their due dates of February 27, 2015.

# Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department



# ACTION ITEM

G.



# DALLAS COUNTY IUVENILE DEPARTMENT

Dr. Terry S. Smith Director Juvenile Services Chief Juvenile Probation Officer

#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5 Dallas, Texas 75212

#### **MEMORANDUM**

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Criminal Justice Division (CJD) FY2016 Continuation Grant Applications

#### Background of Issue:

The Criminal Justice Division (CJD) of the Office of the Governor is currently soliciting applications for FY2016 continuation grant funding for five Juvenile Department programs (Juvenile Case Management System, Drug Court, ESTEEM Court, Evening Reporting Center, and Residential Drug Treatment Program). All but one application must be electronically submitted by February 27, 2015. The last application for the Residential Drug Treatment Program is due by April 17, 2015. The purpose of this brief is to approve applying to CJD for continuation funding for these five grants for FY2016.

#### Impact on Operations and Maintenance:

The following programs will submit grants for various funding needs.

#### Juvenile Case Management System (JCMS)/Techshare.Juvenile

Dallas County has received continuation funding from CJD since 2000 for the purpose of creating and operating a centralized database for juvenile records, called the Juvenile Case Management System (JCMS)/ Techshare. Juvenile. Historically, the award will provide for the cost of the JCMS System's Data Analyst, a fultime employee of the Juvenile Department, and other costs associated with the ongoing operations and modifications of the JCMS in Dallas County including the local law enforcement and other agencies currently utilizing the JCMS. The JCMS System's Data Analyst is responsible for records management in the JCMS, including consolidating duplicate records, warrant management, and account maintenance. Any remaining grant funds will be allocated to the cost of modifications of the JCMS; upgrade of any necessary hardware, software and license fees; and maintenance and operational costs. For FY2016, Dallas County received notice of available CJD funding for \$54,347.00. This will cover 87% of the JCMS System Data Analyst salary and benefits. The remaining 13% will be provided by Dallas County.

#### Drug Court

The Juvenile Department currently operates the Drug Court program that began in 2002. This program serves youth referred for misdemeanor and limited felony drug offenses based on criteria approved by the Juvenile Division of the District Attorney's office. The Drug Court Program's team includes a program coordinator, a full-time probation officer, a part-time probation officer, a part-time clerk, and a Referee-Master working under a contractual arrangement. Youth involved in the Drug Court Program receive a comprehensive assessment and referral to community substance abuse treatment and support resources. The youth and family appear before the Referee-Master on a routine basis to reinforce positive achievements and re-direct negative behavior. The

probation officers monitor the youth to ensure compliance with treatment programs, school attendance, and to provide additional support as needed. In FY2015 the department requested \$93,071 with a ten percent cash match (\$10,341) of total project expenditures (\$103,412) that paid for the coordinator and full-time probation officer. However, funding was reduced to \$45,635.36 with a ten percent cash match (\$5,071.00) for a total project fund of \$50,706.36 which covered a portion of the probation officer. This year the department will request the maximum allowed which is \$45,635.36 with no cash match required. This award will pay for 73% of the total salary and benefits for a full time probation officer. The remaining 27% will be covered by Dallas County.

#### E.S.T.E.E.M. (Experiencing Success Through Empowerment, Encouragement and Mentoring) Court

The E.S.T.E.E.M. (Experiencing Success Through Empowerment, Encouragement and Mentoring) Court is a diversion program targeted specifically to combat the potential for sexual exploitation and sex trafficking among at-risk juvenile girls within Dallas County. The mission of ESTEEM Court is to provide positive experiences for referred female youth that will foster success and empowerment and thereby prevent further involvement in the legal system. The ESTEEM Court program fosters pro-social development of the youth and her family through many means including case management, family therapy, group therapy, mentorship, educational advocacy and life skills training among others. For FY2014, the Dallas County Juvenile Department requested and was awarded \$64,402 for a dedicated full-time Functional Family Therapist. The department will request the same amount in funding with no cash match for FY2016. This will be year three of a three year award.

#### **Evening Reporting Center**

The Dallas County Juvenile Department Evening Reporting Center (ERC) is a program that increases the opportunity for youth on probation to successfully complete the terms and conditions of their probation by providing a supportive program to address their deficiencies and reduce their future involvement with the legal system. This funding enhances and expands the program to include drug education and intervention as well as clinical services such as group counseling. In FY2015, the Juvenile Department requested and was awarded \$69,213.61 to establish two part-time positions for a Drug Intervention Specialist and a Psychologist Assistant as well as additional contracted programs for art and mentoring. The department will request the same amount in funding with no cash match required for FY2016. This will be year two of a three year award.

#### Residential Drug Treatment Program

The purpose of this program is to provide residential substance abuse treatment (RSAT) projects within state and local correctional facilities and jail-based substance abuse projects within jails and local correctional facilities. The RSAT grant funding pays for three drug intervention specialists for youth enrolled in the Residential Drug Treatment program operated in the Henry Wade Juvenile Justice Center. The Juvenile Department has received RSAT continuation funding from CJD for 16 consecutive years. The Juvenile Department currently utilizes evidence-based practices in the delivery of services under this grant. The projected length of residential drug treatment is 90 days of inpatient treatment followed by 90 days of community-based treatment. For FY2014, funding was reduced to \$162,414. For FY2015, Dallas County received funding for \$125,435 with a 25% cash match requirement (\$41,813.00). The department will request the same amount \$125,435 with a 25% cash match requirement. The match requirement will be part of the FY2016 general fund budget request.

#### Strategic Plan Compliance:

This request complies with Vision 3: Dallas is *safe*, *secure*, *and prepared*, by expanding disposition alternatives with regard to treatment for youth/families involved in the juvenile justice system.

#### Legal Information:

The grant application submission deadline for JCMS, Drug Court, ESTEEM Court, and Evening Reporting Center is February 27, 2015. The deadline for the Residential Drug Treatment Program is March 31, 2015. All applications are certified electronically by the Dallas County Judge. The signature of the Dallas County Judge as Authorized Official is required on the Grant Application Certification forms. If funding is awarded, the signature of the Dallas County Judge as Authorized Official, Dallas County Auditor as Financial Officer, and Director of Juvenile Services as Project Director are required on the Grantee Acceptance Notices. CJD requires specific language in the Court Order that states in the event of the loss or misuse of these grant funds, the funds will be returned by Dallas County to CJD in full.

#### Financial Impact/Considerations:

The department is requesting grant funding in the amount of \$54,347.00 for JCMS, \$45,635.36 for Drug Court, \$64,402 for ESTEEM Court, \$69,213.61 for Evening Reporting Center, and \$125,435 for the Residential Drug Treatment Program. There is a cash match for 25% for the total award of the Residential Drug Treatment Program, but not for the other grants. The Drug Court funding will cover 73% of the total salary of the grant funded personnel. The JCMS funding will cover 87% of the total salary for the grant funded personnel. The remaining portions of the salaries will be requested from general funds in FY2016. The financial information has been reviewed by Ms. Carmen Williams, Budget Supervisor.

#### **Performance Impact Measures:**

Quarterly, six month and annual performance reports for each grant are required by CJD. Grant Services staff will coordinate the collection of data from each grant's program manager and the manager of research and submit reports to CJD as required.

#### Project Schedule/Implementation:

If approved, applications will be submitted to CJD prior to their due dates. If awarded, the grant period will be from September 1, 2015 to August 31, 2016 for four applications and October 1, 2015 to September 30, 2016 for the Residential Drug Treatment Program.

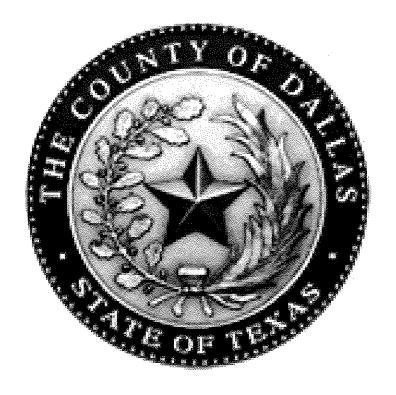
#### Recommendation:

It is recommended that the Dallas County Juvenile Board approve submitting the continuation grant applications for FY2016 prior to their due dates of February 27, 2015 and April 17, 2015 for continuation funding for FY2016.

Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department



# ACTION ITEM



# DALLAS COUNTY JUVENILE DEPARTMENT

Dr. Terry S. Smith
Director Juvenile Services
Chief Juvenile Probation Officer

#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5 Dallas, Texas 75212

#### **MEMORANDUM**

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

**Probation Services Division Policy and Procedures** 

#### Background of Issue:

Texas Juvenile Justice Department standards mandate the Juvenile Board to adopt written policies and procedures, and mandate the Chief Probation Officer to enforce and annually review those policies and procedures adopted by the Juvenile Board:

#### §341.3 Policy and Procedures.

(b) Department Policies. The Juvenile Board shall adopt written department policies and procedures.

#### §341.9 Policy and Procedure Manual.

- (a) The chief administrative officer shall maintain and enforce a policy and procedure manual for the juvenile probation department, which shall include the policies, procedures, and regulations of the juvenile probation department as adopted by the juvenile board.
- (b) The chief administrative officer shall provide all employees with a copy of or access to the policy and procedure manual, review the manual on an annual basis and update it as necessary.

#### Impact on Operations and Maintenance:

The Probation Services Division of the Dallas County Juvenile Department has a unique set of policies and procedures for both pre- and post-adjudicated juveniles who are referred to our agency. Since the February 2014 Juvenile Board approval, this manual has updated some of the procedural and policy changes that have been implemented. The updates are reflected in the current policies and procedures and each time a revision was made, the information was disseminated to staff via electronic mail, outlining the specific changes. Each unit supervisor is responsible of ensuring their respective employees have access to and clearly understand the policies and procedures. The updated policies and procedures manual has been uploaded to the common network drive for access and review by all staff.

#### Strategic Plan Compliance:

This request complies with Vision 3: Dallas is *safe*, *secure*, *and prepared*, by implementing policy and procedure in the Probation Services Division that demonstrates best practices and promotes complete understanding by staff of their departmental responsibilities with referred youth and families.

#### **Legal Information:**

A copy of the updated Probation Services Division Policy and Procedure Manual and a red line version outlining all changes made since February 2014 were provided to Administrative Legal Advisor Ms. Denika Caruthers for review. Ms. Caruthers approved both documents as to form.

#### Recommendation:

It is recommended that the Dallas County Juvenile Board approve the Probation Services Division Policy and Procedures. It is further recommended that the Juvenile Board authorizes the Director of Juvenile Services or designee to modify any policy and procedure as needed before the next Juvenile Board review.

#### Recommended by:

Dr. Terry S. Smith, Director

Dallas County Javenile Department

## DALLAS COUNTY JUVENILE DEPARTMENT



# 2015 PROBATION SERVICES POLICIES AND PROCEDURES MANUAL

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Dallas County Juvenile Department Probation Services

Policies and Procedures, 2014 Revision

Chapter 1: Juvenile Probation Officer Certification/Duties/Responsibilities

Section 1: Eligibility for Employment Related Standards: TAC 344.200, 210, 500

#### I. Policy:

To be eligible for employment as a juvenile probation officer, an applicant shall:

- (1) Be at least 21 years of age;
- (2) Be of good moral character and have no disqualifying criminal history;
- (3) Have acquired a bachelor's degree conferred by a college or university accredited by an accrediting organization recognized by the Texas Higher Education Coordinating Board;
- (4) Possess the work experience or graduate study required in Chapter 344.210 of Title 37 of the Texas Administrative Code (TAC);
- (5) Never have had any type of certification revoked by lawful authority of the TJJD and not be currently under an order of suspension as described in 344.840 (d) of Title 37 of the TAC.

In lieu of the graduate study requirement in TAC 344.500(a)(2), an applicant for the position of juvenile probation officer shall have one year of experience in full time casework, counseling, community, or group work:

- (1) In a social service, community, corrections, or juvenile agency that deals with offenders or disadvantaged persons; and
- (2) That the TJJD has determined it provides the kind of experience necessary to meet this requirement.

Internships may be counted toward meeting one year's experience based on actual hours completed when duties performed were related the field of juvenile justice.

An applicant for employment as a juvenile probation officer must meet the following educational requirements:

- (1) Have acquired a bachelor's degree conferred by a college or university accredited by an accrediting agency recognized by the Texas Higher Education Coordinating Board; and
- (2) Have one year of graduate study in criminology, corrections, counseling, law, social work, psychology, sociology, or other field of instruction approved by the TJJD or qualifying work experience as specified in TAC 344.210.

Individuals employed as juvenile probation officers prior to September 1, 1981 and who have maintained continuous certification since that date shall not be subject to the minimum educational requirements set forth in Texas Human Resources Code 14.061. An interruption or lapse of certification shall result in a requirement for the officer to meet all current applicable employment, certification and training requirements.

#### II. Definitions:

<u>Juvenile Probation Officer:</u> an individual whose primary responsibility and essential job function is to provide juvenile probation services and supervision duties authorized under statutory and agency administrative law that can only be performed by an active certified juvenile probation officer in good standing with the TJJD.

TJJD: Texas Juvenile Justice Department works in partnership with local juvenile boards and juvenile probation departments to support and enhance juvenile probation services throughout the state by providing funding, technical assistance, and training; establishing and enforcing standards; collecting, analyzing and disseminating information; and facilitating communications between state and local entities.

#### III. Procedure: None

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 1: Juvenile Probation Officer Certification/Duties/Responsibilities		
Section 2: Requirements for Certification	Related Standards: TAC 344.600, 800	

#### I. Policy:

To be eligible for certification as a juvenile probation officer, an individual must:

- (1) Be 21 years of age or older:
- (2) Have a achieved a level of education required for the certification, or been granted an exemption from this requirement;
- (3) Be of good moral character and have no disqualifying criminal history as described in TAC 344.400;
- (4) Not be currently under an order of suspension issues under lawful authority of the TJJD;
- (5) Never had any type of certification revoked by lawful authority of the TJJD;
- (6) Have satisfactorily completed all pre-service training required by the TJJD;
- (7) Have passed the competency exam as required by the TJJD; and
- (8) Be employed by a governmental unit or a public or private vendor under contract with a governmental unit.

The Department shall submit, within 24 months of the initial certification date, and every 24 months thereafter based on the officer's birth month, documentation that:

- (1) The officer has completed the continuing education requirements in TAC 344.640; and
- (2) The criminal history search requirements in TAC 344.300 have been met.

An officer shall be required to maintain an active certification in order to perform the duties of a juvenile probation officer. The individual and the Department shall ensure that all requirements under Chapter 344 are met in order to maintain the certification in active status. An active certification status requires that the officer shall have:

- (1) No disqualifying criminal history as described in TAC 344.300;
- (2) No current suspension or revocation of certification under lawful authority of the TJJD; and
- (3) Met the continuing education requirements set forth in TAC 344.640.

An individual whose certification is inactive is not eligible to perform the duties of a certified officer or to receive salary adjustment funds from the TJJD. The Department shall submit documentation through the TJJD's automated certification system that an officer has completed all reporting requirements in accordance with TAC 344.830 in order to reactivate the officer's certification.

All certification applications shall be submitted through the TJJD's automated certification system.

The Director of Juvenile Services or designee shall submit the certification application for a juvenile probation officer and juvenile supervision officer. The certification application shall be submitted to the TJJD no more than 180 calendar days from the date of initial employment.

An individual whose application for certification has not been submitted within this time frame shall not perform the duties of a certified officer.

An extension of up to 90 days may be allowed for part-time staff who have not completed the required training.

Criminal history searches shall have been completed within 180 days prior to submission of the initial certification or certification renewal application. Dates of return shall be included in the application.

The Department will be notified of certification decisions through the TJJD's automated certification information system. Any officer whose application is denied shall not perform the duties of a certified officer.

The Department shall utilize the TJJD's training and tracking system or an equivalent automated system to document training and continuing education received by certified officers. Training information shall be included in the certification application and submitted through the TJJD's automated certification system.

The TJJD may grant an extension in the event of an unexpected absence from employment to allow a certified officer additional time to obtain training necessary to maintain active certification status. Approved extension will be granted in increments of up to 90 days from the date the certification renewal information was due. Additional time may be requested in special circumstances such as leave under the Family Medical Leave Act (FMLA) or worker's compensation leave.

An officer whose absence is due to leave for military duty will be granted an extension for an amount of time equal to the period of military leave up to a maximum of 24 months.

An officer who does not satisfy all requirements necessary to maintain active status within the extension period shall not perform the duties of a certified officer or receive salary adjustment funds from the TJJD.

The Director of Juvenile Services or designee shall notify the TJJD of the resignation or termination of individuals employed in positions requiring certification within 10 working says of the date or their separation from employment. Upon receipt of notice, the TJJD shall place the certified officer's certification on inactive status.

#### II. Definitions:

Training: an organized, planned and evaluated activity designed to achieve specific learning objectives.

<u>Mandatory Topics</u>: specified training topics mandated in the TJJD administrative standards designed to provide officers the essential skills and knowledge necessary for certification and to fulfill the duties and responsibilities of a certified officer.

III. Procedure: None

Dallas County Juvenile Department Probation Services	
Policies and Procedures, 2014 Revision	
Chapter 1: Juvenile Probation Officer Certification/Duties/Responsibilities	
Section 3: Training Requirements Related Standards: TAC 344.600	

#### I. Policy:

An applicant for certification as a juvenile probation officer or juvenile supervision officer shall receive a minimum of 80 hours of training including training in mandatory topics discussed in TAC 344.620 prior to certification. Duties that may be performed by a juvenile supervision officers or juvenile probation officers prior to their certification are described in applicable chapters under Title 37 of the Texas Administrative Code (TAC).

Training must be relevant to the knowledge and skills required in the performance of the officer's job duties to be considered for certification or continuing education credit. Training in the mandatory topics shall be conducted by training providers who have received specialized training in the curriculum from TJJD or from the Juvenile Department. The standardized curriculum provided by TJJD shall be used in the provision of training on the mandatory topics.

TJJD reserves the right to refuse to approve or grant credit for training hours that do not comply with Chapter 344 of the Texas Administrative Code (TAC).

#### Required Training for Certification

Successful completion of a competency exam based upon the following topics is required prior to performing the duties of a certified officer and for certification:

- (1) Juvenile Probation Officer:
  - a. role of the probation officer;
  - b. case planning and management;
  - c. recognizing and supervising youth with mental health issues;
  - d. officer safety and mechanical restraints;
  - e. Texas Family Code and related laws;
  - f. legal liabilities;
  - g. courtroom proceedings and presentation;
  - h. Code of Ethics, disciplinary and revocation hearing procedures;
  - i. identifying and reporting abuse, neglect, and exploitation;
  - j. Prison Rape Elimination Act; and
  - k. suicide prevention and intervention.

#### On the Job Training

The Department may implement a structured on-the-job-training program for use in meeting certification and continuing education requirements as described in TAC 344.620. The training program shall utilize the format developed by TJJD or an equivalent format developed by the Department to document the provision of on the job training. The Director of Juvenile Services or designee shall select staff, based on experience, qualifications, and/or education to provide on the job training. A maximum of 40 hours of on the job training provided in accordance with TAC 344.630 may be used to meet the certification or continuing education requirement in a given reporting period.

#### Continuing Education Requirements for Maintaining Certification

A juvenile probation officer shall complete a minimum of 80 hours training every 24 months in topics related to the officer's job duties and responsibilities in order to maintain active certification.

Documentation of the required continuing education shall be submitted to TJJD through TJJD's automated certification information system within 24 months of the initial certification date and every 24 months thereafter based on the officer's birth month.

#### Non-Compliance with Training and Continuing Education Requirements

Failure to comply with TAC 344.640 shall result in the following:

- (1) The officer's certification shall be placed on inactive status;
- (2) The officer shall be restricted from performing the duties of a certified officer; and
- (3) The officer shall be ineligible for salary adjustment funding from TJJD.

The officer's certification will be returned to active status upon receipt of receipt of documentation that the required continuing education has been completed.

#### Approval and Review of Training Topics

All certification and continuing education training shall be approved by TJJD. Training that is not applicable to the duties of a certified officer shall not be applied to the individual's certification or continuing education hours.

The Department may request a review of TJJD's decision not to approve a topic for certification credit. In support of the request, the Department shall describe how the topic relates to the job duties and responsibilities of the officer. TJJD may request additional documentation to evaluate the appropriateness of the topic.

#### Training Methods and Limitations

Credit shall not be allowed for training that is duplicative in nature unless the training is required to maintain certification, such as CPR or First Aid, or is required to maintain an understanding of the officer's job duties and responsibilities. Topics listed in TAC 344.620 are exempt from this limitation. Credit for policy and procedure review shall be allowed when documentation reflects that the review was a part of a structured training event.

Training on employment related benefits and plans shall not be accepted for certification purposes unless the officer is a supervisor and the training relates to supervisory duties or the training provided is being provided as a part of a formal leadership development plan.

The limitations in TAC 344.670 apply to continuing education credits earned in a given 24 month period.

A maximum of 40 hours may be earned for the successful completion of correspondence courses provided by recognized juvenile justice organizations or accredited colleges or universities. Correspondence courses may not be used to meet the requirement for training in the mandatory training topics.

Credit for a combined total of 40 hours of video conferencing and web-based training methods may be applied toward certification and continuing education requirements.

A maximum of 20 hours of video training that is part of a structured training program may be applied to certification or continuing education requirements.

A maximum of 10 hours of credit in a given continuing education period may be allowed for the development of training curriculum.

Training providers may claim actual training time up to a maximum of 10 hours for the provision of training. The credit is allowed only for the provision of training in topics listed in TAC 344.620.

Meetings shall not be considered for training activity unless supporting documentation indicates that all or part of the meeting was designed solely for the purpose of training.

Up to 40 hours of continuing education credit may be applied for successful completion of a three hour college course in a topic relevant to the officer's job duties and that is provided by a college or university accredited by an organization recognized by the Texas Higher Education Coordinating Board and approved by TJJD.

#### Documentation

Documentation of all training received shall be maintained in the Department's files for monitoring purposes. Documentation may include sign-in sheets, agendas, certificates of completion, correspondence from the instructor, registration receipts, and/or exam results. The Director of Juvenile Services or designee shall, upon request, submit training records to a juvenile probation department in which an officer has obtained subsequent employment.

#### Competency Examination Requirement (Date to Be Determined by TJJD)

A juvenile probation officer shall pass the competency exam prescribed by TJJD in order to be eligible for certification. A juvenile probation officer shall complete the mandatory training required in TAC 344.620(a) (1) or (2) prior to attempting the competency exam. TJJD shall establish a plan for the administration of the examination, including any required fees. TJJD shall determine the satisfactory level of performance. Scores shall be sent electronically or by other means established by TJJD to the examinee and the Director of juvenile Services or designee upon completion of the exam. TJJD shall maintain a record of the competency results.

The requirements of TAC 344.700 apply to applicants for positions requiring certification who begin employment as a juvenile probation officer on or after September 1, 2011.

Dallas County Juvenile Department Probation Services	
Policies and Procedures, 2014 Revision	
Chapter 1: Juvenile Probation Officer Certification/Duties/Responsibilities	
Section 4: Duties of Juvenile Probation Officers	Related Standards: TAC 341.29

#### I. Policy:

In addition to any duties, responsibilities, or powers granted by title III of the Texas Family Code, the following duties and responsibilities shall be performed only by certified juvenile probation officers:

- 1. Dispositional recommendations in formal court proceedings;
- 2. Final approval of written social history reports;
- 3. Acting as the primary supervising officer for all court ordered and deferred prosecution cases;
- 4. Writing and administering case plans in accordance with TJJD case management standards, and
- 5. If authorized by the juvenile board under Texas Family Code 53.01, conducting intake interviews, investigations, and making release decisions.

An individual hired as a juvenile probation officer, who is not yet certified as a juvenile probation officer may perform the duties outlined above so long as the individual:

- 1. Has not worked for the probation department for more than six (6) months from the individual's date of hire:
- 2. Has received training on each duty listed above; and
- 3. Has received training in recognizing and reporting abuse, exploitation and neglect.

#### II. Definitions: None

#### III. Procedure:

A. Supervision personnel shall ensure that all juvenile probation officers are certified within 180 days of their hire date.

Dallas County Juvenile Department Probation Services

Policies and Procedures, 2014 Revision

Chapter 1: Juvenile Probation Officer Certification/Duties/Responsibilities

Section 5: Duty to Report Arrest

#### I. Policy:

All employees are representatives of the Dallas County Juvenile Department and are expected to adhere to the highest standards of personal conduct while on and off duty. Any actions on the part of any employee that jeopardizes the image or integrity of the Juvenile Department or that calls into question the employee's ability to perform effectively in his/her position or that casts doubt upon the integrity of the employee is prohibited.

Any employee that is arrested or detained by any police agency shall report the matter to his/her assigned Deputy Director (Deputy Director of Institutional Services, Deputy Director of Clinical Services, Deputy Director of Probation Services, Deputy Director of Education, Deputy Director of Executive and Administrative Services) or the Human Resources Coordinator within 24 hours upon release of the arrest. It is permissible to leave a telephone message with the identified personnel after business hours. Additionally, the employees shall include the location, time and reason for the arrest along with the release date and time, if applicable.

Depending upon the circumstances surrounding the arrest, administrative or other personnel action may be required.

Chapter 344 of the Texas Administrative Code provides for the revocation of juvenile probation officer and/or juvenile supervision officer certification and termination of employment for any individual with a disqualifying criminal history. Disqualifying criminal history includes: a felony conviction against the laws of this state, another state, or the United States within the past 10 years; a deferred adjudication for a felony against the laws of this state, another state, or the United States within the past 10 years; a current felony deferred adjudication, probation, or parole; a jailable misdemeanor conviction against the laws of this state, another state, or United States within the past five years; a deferred adjudication for a jailable misdemeanor against the laws of this state, another state, or United States within the past five years; a current jailable misdemeanor deferred adjudication, probation, or parole; or the requirement to register as a sex offender under Chapter 62 of the Texas Code of Criminal Procedure.

All Department employees are notified that they shall:

- (1) Avoid misconduct that jeopardizes the image and integrity of the Juvenile Department or calls into question the ability to perform effectively in the employee's position or conduct that casts doubt upon the integrity of Department employees; and
- (2) Report any arrest that you the employee is personally involved in, to one of the aforementioned points of contact within twenty-four (24) hours following the arrest.

Failure to report any arrest or detainment by any police agency within twenty-four (24) hours upon release may lead to additional sanctions, up to and including termination. Reporting must be made to only the identified individuals listed above.

II. Definitions: None

III. Procedure: None

Dallas County Juvenile Department Probation Services	
Policies and Procedures, 2014 Revision	
Chapter 1: Juvenile Probation Officer Certification/Duties/Responsibilities	
Section 6: Abuse, Neglect & Exploitation	Related Standards: TAC 358

#### I. Policy:

Texas Family Code 261.101 requires that if a professional, employee, or contractor has cause to believe that a child has been abused, neglected, exploited, or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has cause to believe that the child has been abused as defined by Section 261.001 or 261.401, the professional shall make a report no later than the 48th hour after the professional first suspects that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely upon another person to make the report.

The requirement to report applies without exception to an individual, whose personal communications may be otherwise privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, a mental health professional, and an employee of a clinic or health care facility that provides reproductive services.

Unless waived in writing by the person making the report, the identity of the individual making a report under Chapter 261 of the Family Code is confidential and may be disclosed only: as provided by Texas Family Code 261.021; or to a law enforcement officer for the purposes of conducting a criminal investigation of the report.

#### A report shall be made to:

- 1. Appropriate local or state law enforcement agency.
- 2. The Texas Department of Families and Protective Services if the alleged or suspected abuse involves a person not affiliated with the Dallas County Juvenile Department who is responsible for the care, custody, or welfare of the child.
- 3. The state agency that operates, licenses, certifies or registers the facility in which the alleged abuse or neglect occurred; or
- 4. The agency designated by the court to be responsible for the protection of children.

The person making a report shall identify, if known:

- 1. The name and address of the child;
- 2. The name and address of the person responsible for the care, custody, or welfare of the child; and
- 3. Any other pertinent information concerning the alleged or suspected abuse or neglect.

A person commits an offense if the person has cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect and knowingly fails to report as provided by Chapter 261 of the Texas Family Code. An offense under this section is a Class A misdemeanor.

Additionally, TJJD requires any employee, volunteer or intern of a juvenile justice program or facility to report any allegations of abuse, neglect or exploitation to TJJD and local law enforcement within 24 hours.

Unless otherwise noted, standards for TAC Chapter 358 apply to all allegations of abuse, neglect, and exploitation, death and serious incidents, involving a juvenile and an employee, intern, volunteer, contractor, or service provider in a juvenile probation department, juvenile justice program, or juvenile justice facility regardless of the location of the alleged abuse, neglect, exploitation death, or serious incident.

The Dallas County Juvenile Department has policies and procedures for reporting serious incidents to the TJJD and for reporting deaths, serious incidents and alleged abuse, neglect, and exploitation to local law enforcement, TJJD, and other appropriate governmental units.

#### **Data Collection**

Juvenile probation departments, juvenile justice programs, and juvenile justice facilities shall fully and promptly provide requested data pertinent to alleged abuse, neglect, exploitation, death, and serious incidents to TJJD.

The data shall be submitted in the electronic format requested or supplied by TJJD.

#### The data shall include:

- 1. Alleged victim's name;
- 2. Alleged victim's personal identification number (PID);
- 3. Name of subject(s) of investigation;
- 4. Date of birth and driver's license or state issued identification number of subject(s) of investigation;
- 5. Date of alleged incident:
- 6. Time of alleged incident;
- 7. Date the alleged incident was reported to TJJD;
- 8. Type of alleged incident (i.e., abuse, neglect, or exploitation (ANE), death or serious incident(SI));
- 9. Type of injury if applicable;
- 10. Restraint related, if so, what type (i.e., personal, mechanical, or chemical);
- 11. Disposition of internal investigation (i.e., founded, unfounded, inconclusive); and
- 12. County generated case identification number.

The data shall be supplied at least annually or as required by TJJD.

#### Serious Incidents

Any person who witnesses, learns, of, receives an oral or written statement from a juvenile or other person with knowledge of or who has a reasonable belief as to the occurrence of a serious incident involving a juvenile shall report to TJJD.

A report of a serious incident shall be made within 24 hours from the time a person gains knowledge of or suspects the serious incident occurred.

The report shall be made by phone (877-786-7263) or by faxing (512-424-6716) or e-mailing a completed Incident Report form to TJJD (abuseneglect@tjjd.texas.gov). If the report is made by phone, a completed Incident Report Form shall be subsequently submitted to TJJD within 24 hours of the phone report.

A treatment discharge form or other medical documentation that contains evidence of medical treatment pertinent to the reported incident shall be submitted to TJJD within 24 hours of receipt.

#### Abuse, Neglect, and Exploitation

Any person who witnesses, learns of, or receives an oral or written statement from an alleged victim or other person with knowledge of or who has reasonable belief as to the occurrence of an alleged abuse, neglect, or exploitation involving a juvenile shall report to TJJD and local law enforcement.

In accordance with Texas Family Code 261.101, the duty to report cannot be delegated to another person. A report of alleged abuse, neglect, or exploitation, other than death and allegations involving serious physical abuse or sexual abuse, shall be made within 24 hours from the time a person gains knowledge of or suspects the alleged abuse, neglect, or exploitation.

The report shall be made by phone (877-786-7263) or by faxing (512-424-6716) or e-mailing a completed Incident Report form to TJJD (abuseneglect@tjjd.texas.gov). If the report is made by phone, a completed Incident Report Form shall be subsequently submitted to TJJD within 24 hours of the phone report.

#### Allegations Occurring Outside of the Juvenile System

Any person who witnesses, learns of, or receives an oral or written statement from an alleged victim or other person with knowledge of or who has reasonable belief as to the occurrence of an alleged abuse, neglect, or exploitation involving a juvenile, but that is not alleged to involve an employee, intern, volunteer, contractor, or service provider of a juvenile probation department, juvenile justice program, or juvenile justice facility, shall be reported to law enforcement or the appropriate governmental unit as required in Texas Family Code Chapter 261.

Reporting to the Texas Department of Family and Protective Services may be made by calling the toll free number (800-252-5400) or online at <a href="https://www.txabusehotline.org">www.txabusehotline.org</a>.

Reporting to the Texas Department of State Health Services may be made by calling the toll free number (800-832-9623).

#### Reporting of Allegations by Juveniles

Juveniles in a facility have the right to report to TJJD alleged abuse, neglect, and exploitation, including death.

Juveniles shall be advised in writing during orientation into the facility of their right to report allegations of abuse, neglect, and exploitation and of TJJD's toll free number (877-786-7263) available for reporting the allegations.

The Dallas County Juvenile Department shall ensure that juveniles have reasonable, free, and confidential access to TJJD for reporting allegations of abuse, neglect, and exploitation. Upon request of a juvenile, staff shall facilitate the juvenile's unimpeded access to TJJD to report allegations of abuse, neglect, and exploitation.

#### Parental Notification

Notification, or diligent efforts to notify, shall be made to the parents, guardians, custodians of a juvenile who has died or who is the alleged victim of alleged abuse, neglect, or exploitation. The notification, or the diligent efforts to make the notification shall be made as soon as possible, but no later than 24 hours from the time a person gains knowledge of or suspects the alleged abuse, neglect, exploitation, or death occurred.

The notification shall be made by phone, in writing, or in person by the administrator or designee. The notification, or the diligent efforts to make the notification, shall be documented on the TJJD Incident Report Form or in the internal investigation report.

#### Serious Physical Abuse and Sexual Abuse

Any person who witnesses, learns of, or receives an oral or written statement from an alleged victim or other person with knowledge of or who has reasonable belief as to the occurrence of alleged serious physical abuse or sexual abuse involving a juvenile shall report to TJJD and local law enforcement.

A report of alleged serious physical abuse or sexual abuse shall be made to local law enforcement immediately, but no later than one hour from the time a person gains knowledge of or suspects the alleged serious physical abuse or sexual abuse; and a report of serious physical abuse or sexual abuse shall be made to TJJD immediately, but no later than four hours from the time a person gains knowledge of or suspects the alleged serious physical abuse or sexual abuse.

The initial report shall be made by phone to law enforcement. The initial report shall be made by phone to TJJD using the toll free number (877-786-7263) as designated by TJJD; and within 24 hours of the report by

phone of alleged serious physical abuse or sexual abuse, the completed Incident Report Form shall be submitted to TJJD by fax (512-424-6716) or e-mail (abuseneglect@tjjd.texas.gov).

#### Death

The administrator or designee shall report to TJJD and local law enforcement the death of a juvenile that: occurs on the premises of a juvenile probation department, juvenile justice program, or juvenile justice facility; or emanates from an illness, incident, or injury that occurred, was discovered, or reported on the premises of a juvenile probation department, juvenile justice program, or juvenile justice facility; or occurs while in the presence of a juvenile probation department, juvenile justice program, or juvenile justice facility employee, intern, volunteer, contractor, or service provider, regardless of the location.

A report of a death shall be made to local law enforcement immediately, but no later than one hour of the discovery or notification of the death; and a report of death shall be made to TJJD immediately, but no later than four hours from the discovery or notification of the death.

The initial report shall be made by phone to law enforcement. The initial report shall be made by phone to TJJD using the toll free number (877-786-7263) as designated by TJJD; and within 24 hours of the death of a juvenile, the completed Incident Report Form shall be submitted to TJJD by fax (512-424-6716) or e-mail (abuseneglect@tjjd.texas.gov).

#### Custodial Death Investigation in a Facility

Upon the death of a juvenile residing in a juvenile justice facility, the administrator shall: in accordance with Texas Code of Criminal Procedure Article 49.18(b) conduct an investigation of the death; and the investigation shall be conducted in accordance with TAC 358.700.

#### Custodial Death Investigation Report

Upon the conclusion of the internal investigation of the custodial death of a juvenile in a facility, the administrator shall: in accordance with Texas Code of Criminal Procedure Article 49.18(b), file a written report of the cause of death with the state Attorney General no later than 30 days after the juvenile's death; submit a copy of the death investigation report to the TJJD within 10 calendar days of completion; and complete an internal investigation report in accordance with TAC 358.800.

#### Internal Investigation

An internal investigation shall be conducted by a person qualified by experience or training to conduct a comprehensive investigation in case in which abuse, neglect, exploitation, or death is alleged to have occurred. The Dallas County Juvenile Department shall ensure that internal investigations are completed as required by applicable laws and professional standards. The internal investigation shall be conducted in accordance with the policies and procedures of the Dallas County Juvenile Department.

The internal investigation shall be initiated immediately upon the administrator or designee gaining knowledge of the alleged abuse, neglect, exploitation, or death. However, the initiation of the internal investigation shall be postponed if: directed by law enforcement; requested by TJJD; or initiating the internal investigation compromises the integrity of a potential crime scene.

The internal investigation shall be completed within 30 days of the initial report to TJJD. TJJD may extend this timeframe upon request. If an extension is granted, TJJD may request submission of all information compiled to date or a statement of the status of the investigation.

#### Reassignment or Administrative Leave During the Internal Investigation

Upon gaining knowledge of alleged abuse, neglect, or exploitation, and until the finding of the internal investigation is determined, the administrator or designee shall immediately place any person alleged to have

abused, neglect, or exploited a juvenile eon administrative leave or reassign the person to a position having no contact with the alleged victim or other juveniles.

If during the internal investigation, the person(s) alleged to have abused, neglected, or exploited a juvenile resigns or is terminated from employment, TJJD shall be notified no later than the second business day after the resignation or termination.

If an individual who has resigned or was terminated obtains employment in another jurisdiction prior to the finding of the internal investigation being determined, the persons(s) under investigation shall not be placed in a position having any contact with any juveniles until the disposition of the internal investigation is finalized in the county of previous employment.

#### Written and Electronically Recorded Statements

During the internal investigation, diligent efforts shall be made to obtain written or electronically recorded oral statements from all persons with direct knowledge of the alleged incident.

#### Juvenile Board Responsibilities

If the administrator is the person alleged to have abused, neglected, or exploited a juvenile and the administrator is the highest ranking member of the juvenile probation department, juvenile justice program, or juvenile justice facility, the juvenile board shall: conduct the internal investigation in accordance with TAC 358.700; or appoint an individual to conduct the internal investigation in accordance with TAC 358.700 who is not one of the following: the person alleged to have abused, neglected, or exploited a juvenile; a subordinate of the person alleged to have abused, neglected, or exploited a juvenile; or a law enforcement officer currently acting in the capacity as a criminal investigator for the alleged abuse, neglect, exploitation, or death of a juvenile.

#### Corrective Measures

At the conclusion of an internal investigation, the governing board, the juvenile board, administrator, or designee shall take appropriate corrective measures, if warranted, that may include, but are not limited to: a review of the policies and procedures pertinent to the alleged incident; revision or modification of any policies or procedures as needed; administrative disciplinary action or appropriate personnel actions against all persons found to have abused, neglected, or exploited a juvenile; and the provision of additional training for all appropriate persons to ensure the safety of the juveniles, employees, interns, volunteers, contractors, and service providers.

#### Internal Investigation Report

An internal investigation report shall be completed at the conclusion of all internal investigations resulting from alleged abuse, neglect, exploitation, or death of a juvenile.

#### Internal Investigation Report Components

The internal investigation report shall include:

- 1. The date the internal investigation was initiated;
- 2. The date the internal investigation was completed;
- 3. The date the alleged victim's parent, guardian, or custodian was notified of the allegation, or documentation of diligent efforts to provide the notification was made;
- 4. A summary of the internal investigation;
- 5. Relevant policies and procedures related to the incident;
- 6. A summary or listing of the steps taken during the internal investigation;
- 7. A written summary of the content of all oral interviews conducted;
- 8. A listing of all evidence collected during the internal investigation, including al audio and/or video recordings, polygraph examinations, etc.;
- 9. Relevant findings of the investigation that support the disposition;
- 10. The assigned disposition of the internal investigation: founded; unfounded; or inconclusive;

- 11. The administrative disciplinary action or corrective measures taken to date, if applicable (e.g. termination, suspension, retrained, returned to duty, or none, etc.);
- 12. The date the internal investigation report was completed;
- 13. The names of all persons who participated in conducting the investigation; and
- 14. The name and signature of the person who submitted the internal investigation report.

A copy of the internal investigation report shall be submitted to TJJD within five calendar days following tis completion.

The following documentation collected during the internal investigation shall be submitted to TJJD with the internal investigation report: written statements; relevant medical documentation, if the release is authorized by law; training records, if applicable; and any other documentation used to reach the disposition of the internal investigation.

#### Cooperation with TJJD Investigation

The juvenile board, administrator or designee shall fully and promptly cooperate with a TJJD investigation of alleged abuse, neglect, exploitation, or death of a juvenile by providing all evidence requested by TJJD in the format requested.

All persons shall fully cooperate with any investigation of alleged abuse, neglect, exploitation, or death of a juvenile.

The juvenile board, administrator, or designee shall make a diligent effort to identify and make available for questioning all persons with knowledge of alleged abuse, neglect, exploitation, or death which is the subject of a TJJD investigation.

#### II. Definitions:

Abuse, Neglect, or Exploitation: is defined as having the meaning ascribed under the Texas Family Code 261.001 and 261.401. For the purposes of TAC Chapter 358, "abuse" includes serious physical abuse and sexual as defined in this section.

<u>Abuse</u> - means an intentional, knowing or reckless act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program that causes or may cause emotional harm or physical injury to, or the death of a child served by the facility or program.

<u>Neglect</u> - means a negligent act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program, including failure to comply with an individualized treatment plan, plan of care, individualized service plan, that causes or may cause substantial emotional harm or physical injury to, or the death of, a child serviced by the facility or program.

Exploitation – means the illegal or improper use of a child or of the resources of a child for monetary or personal benefit, profit, or gain by an employee, volunteer, or other individual working under the auspices of a facility or program.

<u>Alleged Victim</u>: is defined as a juvenile under the jurisdiction of the juvenile court or participating in a program operated under the authority of the governing board or juvenile board who is alleged to be a victim of abuse, neglect, or exploitation.

Attempted Suicide: is defined as any voluntary and intentional action that could reasonable result in taking one's own life.

<u>Emotional Abuse</u>: is defined as mental or emotional injury to a juvenile that results in an observable and material impairment in the juvenile's growth, development, or psychological functioning; causing or permitting a juvenile to be in a situation that causes mental or emotional injury; and is generally verbal in nature.

<u>Escape</u>: is defined as the voluntary, unauthorized departure, or attempt to depart, by an individual who is in custody; or failure to return to custody following an authorized temporary leave for a specific purpose or limited period.

<u>Founded</u>: is defined as the finding assigned to an internal investigation when the evidence indicates that the conduct, which formed the basis of an allegation of abuse, neglect, or exploitation, occurred.

<u>Incident Report Form</u>: is defined as the required form used to report to TJJD allegations of abuse, neglect, exploitation, death, and serious incidents.

<u>Inconclusive:</u> is defined as the finding assigned to an internal investigation when the evidence does not clearly indicate whether or not the conduct, which formed the basis of an allegation of abuse, neglect, or exploitation, occurred.

<u>Internal Investigation</u>: is defined as a formalized and systematic inquiry conducted by the administrator or designee of a juvenile probation department, juvenile justice program, or juvenile justice facility in response to an allegation of abuse, neglect, or exploitation, or death.

<u>Internal Investigation Report</u>: is defined as the written report submitted to TJJD that summarizes the steps taken and evidence collected during an internal investigation of alleged abuse, neglect, exploitation, or death.

<u>Juvenile</u>: is defined a person who is under the jurisdiction of the juvenile court, confined in a juvenile justice facility, or participating in a juvenile justice program.

Medical Neglect: is defined as failure to seek, obtain, or follow through with medical care for a juvenile.

<u>Medical Treatment</u>: is defined a medical care, processes, and procedures that are performed by a physician, physician assistant, licensed nurse practitioner, emergency medical technician(EMT), paramedic, or dentist. Diagnostic procedures are excluded unless further intervention beyond basic first aid is required.

<u>Physical Abuse</u>: is defined as physical injury that results in substantial harm and for the purposes of this section includes the following acts or omissions: physical injury that results in substantial harm or the threat of substantial harm; failure to prevent an action by another that causes physical injury; and causing, permitting, or encouraging a child to use a controlled substance.

<u>Professional</u>: is defined by the Texas Family Code 261.101 (b) as an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who in the normal course of official duties or duties for which a license or certification is required has direct contact with children. The term includes teachers, nurses, doctors, daycare employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile supervision officers.

Reasonable Belief: is defined as a belief that would be held by an ordinary and prudent person in the same circumstance as the reporter.

<u>Report</u>: is defined as formal notification to TJJD of an alleged abuse, neglect, exploitation or death, or of serious incident.

Reportable Injury: is defined as any injury sustained accidentally, intentionally, or recklessly or otherwise that: Requires medical treatment as defined in this section; or Results from a personal, mechanical, or chemical restraint as defined in this section.

<u>Serious Incident</u>: is defined as attempted escape, attempted suicide, escape, reportable injury, youth on youth physical assault or youth sexual conduct as defined in this section.

<u>Serious Physical Abuse</u>: is defined as bodily harm or condition that resulted directly or indirectly from the conduct that formed the basis of an allegation of abuse, neglect, or exploitation, if the bodily harm or condition requires medical treatment as defined in this section.

<u>Sexual Abuse</u>: is defined as conduct committed by any person against a juvenile that includes sexual abuse by contact or sexual abuse by non-contact. A juvenile may not affirmatively or impliedly consent to sexual abuse by contact or sexual abuse by non-contact. Sexual abuse includes sexual conduct with a juvenile; failure to prevent sexual conduct; and compelling or encouraging sexual conduct.

Sexual Abuse by Contact: is defined as any physical contact with a juvenile that includes intentional touching of the genitalia, anus, groin, breast, inner thigh or buttocks with the intent to abuse, intimidate, hurt, humiliate, harass, arouse, or gratify sexual desire. These behaviors include deviate sexual intercourse, sexual contact, sexual intercourse, and sexual performance.

<u>Deviate Sexual Intercourse</u> - means any contact between any parts of the genitals of one person and the mouth or anus of another person; or the penetration of the genitals or anus of another person with a hand, finger, or other object.

<u>Sexual Contact</u> - means the following acts, if committed with the intent to arouse or gratify the sexual desire of any person: any touching by a person, including touching through clothing, of the anus, breast, or any part of the genitals of a person; or any touching of any part of the body of a person, including touching though clothing, with the anus, breast, or any part of the genitals of a person.

Sexual Intercourse – means any penetration of the female sex organ by the male sex organ.

<u>Sexual Performance</u> – means acts of a sexual or suggestive nature performed in front of one or more persons including simulated or actual sexual intercourse, deviate sexual intercourse, bestiality, masturbation, sadomasochistic abuse or lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola.

Sexual Abuse by Non-Contact: is defined as any sexual behavior, conduct, harassment or actions other than those defined by sexual abuse by contact, which are exhibited, performed, or simulated: in the presence of a juvenile or with reckless disregard for the presence of a juvenile; with the intent to arouse or gratify the sexual desire of any person; with the intent to intimidate, hurt, humiliate, or harass any person; including repeated verbal statements or comments of a sexual nature; and including demeaning references to gender, derogatory comments about body or clothing, or profane or obscene language or gestures. These behaviors include indecent exposure, voyeurism, distribution or exhibition of pornographic or sexually explicit material or sexual performance.

<u>Subject of Investigation</u>: is defined as a person alleged as being responsible for the abuse, neglect, or exploitation of a juvenile through the person's own actions or failure to act.

Substantial Injury: is defined as an injury that is significant in size, degree, or severity.

<u>Supervisory Neglect</u>: is defined as failure to provide juvenile with food, shelter, or clothing; failure to conduct timely room checks; and failing to remove a juvenile from a situation where he/she would be exposed to harm committed by another juvenile.

<u>Unfounded</u>: is defined as the finding assigned to an internal investigation when the evidence indicates the conduct, which formed the basis of the allegation of abuse, neglect, or exploitation, did not occur.

Youth on Youth Physical Assault: is defined as a physical altercation between two or more juveniles that results in any of the involved parties sustaining an injury that requires medical treatment as defined in this section.

Youth Sexual Conduct: is defined as two or more juveniles, regardless of age, who engage in deviate sexual intercourse, sexual contact, sexual intercourse, sexual performance as defined in this section, conduct or actions which are exhibited, performed, or simulated. A juvenile may not consent to sexual abuse by contact or sexual abuse by non-contact as defined in this section under any circumstances. Consent may not be implied regardless of the age of the juvenile.

#### III. Procedure:

A. Any staff member, volunteer, intern, or contract service provider who witnesses, learns of, or receives an oral or written statement from an alleged victim or other person with knowledge of or who has reasonable belief as to the occurrence of an alleged abuse, neglect, or exploitation involving a juvenile that is alleged to involve an employee, intern, volunteer, contractor, or service provider of the Dallas County Juvenile Department shall immediately notify his/her immediate supervisor and write an incident report.

- 1. Supervision personnel shall:
  - a. ensure that the report of alleged abuse, neglect, or exploitation, other than death and allegations involving serious physical abuse or sexual abuse, is made within 24 hours from the time a person gains knowledge of or suspects the alleged abuse, neglect, or exploitation; and
  - b. make the report by phone (877-786-7263) or by faxing (512-424-6716) or e-mailing a completed Incident Report Form to TJJD (abuseneglect@tjjd.texas.gov);
  - c. if the report is made by phone, complete an Incident Report Form and subsequently submit to TJJD within 24 hours of the phone report;
  - d. initiate and complete an internal investigation within 30 business days of the initial report to TJJD in the manner required by TAC 358.700;
  - e. re-assign the person(s) alleged to have abused, neglected, or exploited where he/she has no contact with the alleged victim, relatives of the alleged victim, or other juveniles until the finding of the internal investigation is determined (it is the Department's practice to re-assign a person alleged to have abused, neglected, or exploited a juvenile whenever possible rather than place him/her on administrative leave); and
  - f. Complete and submit to TJJD an internal investigation report within five calendar days of its completion as required by TAC 358.800 by using TJJD's ANE Internal Investigation Report Form. Copies of the Internal Investigation Report Form shall be submitted to the Manager of Field Services or Manager of Pre-Adjudication Services, Deputy Director of Probation Services, and Quality Assurance Administrator.
- 2. Supervision personnel shall:
  - a. ensure that a report of alleged serious physical abuse or sexual abuse shall be made to local law enforcement immediately, but no later than one hour from the time a person gains knowledge of or suspects the alleged serious physical abuse or sexual abuse;
  - b. make a report of serious physical abuse or sexual abuse to TJJD immediately, but no later than four hours from the time a person gains knowledge of or suspects the alleged serious physical abuse or sexual abuse;
  - c. make the initial report of alleged serious physical abuse or sexual abuse by phone to law enforcement;

- d. make the initial report by phone to TJJD using the toll free number (877-786-7263) as designated by TJJD;
- e. within 24 hours of the report by phone of alleged serious physical abuse or sexual abuse, the completed Incident Report Form shall be submitted to TJJD by fax (512-424-6716) or e-mail (abuseneglect@tjjd.texas.gov);
- f. initiate and complete an internal investigation within 30 business days of the initial report to TJJD in the manner required by TAC 358.700;
- g. re-assign the person(s) alleged to have abused, neglected, or exploited where he/she has no contact with the alleged victim, relatives of the alleged victim, or other juveniles until the finding of the internal investigation is determined (it is the Department's practice to re-assign a person alleged to have abused, neglected, or exploited a juvenile whenever possible rather than place him/her on administrative leave);
- h. Complete and submit to TJJD an internal investigation report within five calendar days of its completion as required by TAC 358.800 by using TJJD's ANE Internal Investigation Report Form. Copies of the Internal Investigation Report Form shall be submitted to the Manager of Field Services or Manager of Pre-Adjudication Services, Deputy Director of Probation Services, and Quality Assurance Administrator.
- 3. The administrator or designee shall:
  - a. make a report of a death shall to local law enforcement immediately, but no later than one hour of the discovery or notification of the death;
  - b. make a report of death shall be made to TJJD immediately, but no later than four hours from the discovery or notification of the death;
  - c. make the initial report by phone to law enforcement;

unit as required in the Texas Family Code Chapter 261.

- d. make the initial report by phone to TJJD using the toll free number (877-786-7263) as designated by TJJD; and within 24 hours of the death of a juvenile, the completed Incident Report Form shall be submitted to TJJD by fax (512-424-6716) or e-mail (abuseneglect@tjjd.texas.gov);
- e. in accordance with Texas Code of Criminal Procedure Article 49.18(b) conduct an investigation of the death;
- f. conduct the investigation in accordance with TAC 358.700; and
- g. upon the conclusion of the internal investigation of the custodial death of a juvenile in a facility, the administrator shall:
  - (1) in accordance with Texas Code of Criminal Procedure Article 49.18(b), file a written report of the cause of death with the state Attorney General no later than 30 days after the juvenile's death;
  - (2) submit a copy of the death investigation report to the TJJD within 10 calendar days of completion; and
  - (3) complete an internal investigation report in accordance with TAC 358.800.
- B. Any staff member, volunteer, intern, or contract service provider who witnesses, learns of, or receives an oral or written statement from an alleged victim or other person with knowledge of or who has reasonable belief as to the occurrence of an alleged abuse, neglect, or exploitation involving a juvenile, but that is not alleged to involve an employee, intern, volunteer, contractor, or service provider of the Dallas County Juvenile Department shall be reported to law enforcement or the appropriate governmental
- C. Any staff member, volunteer, intern, or contract service provider who witnesses, learns of, or receives an oral or written statement from an alleged victim or other person with knowledge of or who has reasonable belief as to the occurrence of an alleged abuse, neglect, or exploitation involving a juvenile in a program or facility operated, licensed, certified, or registered by the Texas Department of Protective and Family Services or Texas Department of State Health Services shall immediately notify his/her immediate supervisor and write an incident report. Reporting those agencies shall be completed as required.

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Section 7: Code of Ethics	Related Standards: TAC 345, 349

#### I. Policy:

The People of Texas, the Texas Juvenile Justice Department (TJJD), the Dallas County Juvenile Department and the Dallas County Juvenile Board expect professionals working within the Juvenile Department to exhibit honesty and respect for the dignity and individuality of human beings and display a commitment to professional and compassionate service. Toward this end, the Dallas County Juvenile Department and the Dallas County Juvenile Board have adopted and subscribe to the same Code of Ethics established by TJJD as outlined in the Chapter 345 for juvenile justice professionals.

To ensure the safety, protection, and welfare of the juveniles and families served by the juvenile justice system, juvenile justice professionals shall adhere to the Code of Ethics set forth in Chapter 345. Juvenile justice professionals shall report to the appropriate authorities and/or entities any unethical behavior or violations of the Code of Ethics.

As described by TAC 344.810 and 349.307, TJJD may take disciplinary action against the certification or deny certification of a juvenile justice professional who is found by TJJD to have violated the code of ethics

All Department employees, volunteers, interns, and contract employees shall adhere to the following the TJJD Code of Ethics. Failure to do so may result in disciplinary action up to and including termination. All employees, volunteers, interns, and contract employees shall receive training on the TJJD Code of Ethics.

#### The Code of Ethics is as follows:

- (1) All employees, volunteers, interns, and contractors shall:
  - a. abide by all federal laws, guidelines and rules, state laws, and TJJD administrative rules;
  - b. respect the authority and follow the directives of the juvenile court and governing juvenile board;
  - c. respect and protect the legal rights of all children and their parents and/or guardians;
  - d. serve each child with concern for the child's welfare and with no expectation of personal gain;
  - e. respect the significance of all elements of the justice and human services systems and cultivate a professional cooperation with each segment;
  - f. respect and consider the right of the public to be safeguarded from juvenile delinquency;
  - g. be diligent in their responsibility to record and make available for review any and all information that could contribute to sound decisions affecting a child or the public safety;
  - h. report without reservation any corrupt or unethical behavior that could affect a juvenile or the integrity of the juvenile justice system;
  - i. maintain the integrity and confidentiality of juvenile information and not seek more information than needed to perform their duties, nor reveal information to any person who does not have authorized access to the information for a proper professional use;
  - j. perform all duties impartially and without regard to race, ethnicity, gender, disability, national origin, religion, sexual orientation, political belief or socioeconomic status; and
  - k. treat all juveniles and their families with courtesy, consideration, and dignity.
- (2) All employees, volunteers, interns, and contractors shall not:
  - a. use their official position to secure privileges or advantages;
  - b. permit personal interest to impair the objectivity that must be maintained to impartially execute their official duties:
  - c. accept gifts, presents, favors, or other advantages that could give the appearance of impropriety

- or impair the impartial and objective exercise of professional responsibilities;
- d. maintain or give the appearance of maintaining an inappropriate relationship with a juvenile residing in a facility or under the jurisdiction of the juvenile court that includes, but is not limited to, bribery, solicitation or acceptance of gifts, favors, or services from juveniles or their families;
- e. discriminate against any employee, juvenile, parent or guardian on the basis of race, ethnicity, gender, disability, national origin, religion, sexual orientation, political belief or socioeconomic status;
- f. engage in behaviors that misuse government property or resources, or that use personal effects or funds belonging to a juvenile;
- g. be designated as a perpetrator in a TJJD abuse, neglect, or exploitation investigation conducted under the authority of the Texas Family Code, Section 261 and TAC Chapter 350;
- h. interfere with or hinder any abuse, neglect, or exploitation investigation, including a criminal investigation conducted by law enforcement or an investigation conducted pursuant to Texas Family Code Section 261 or TAC Chapter 350 and TAC Chapter 358;
- i. deliver into or remove from the grounds of a juvenile facility, program or department any item of contraband or possess or control any item of contraband beyond the time period required to immediately report and deliver such item to the proper authority within the facility, program or department;
- j. utilize unnecessary force or violence and shall only use the amount of force reasonable necessary and appropriate when justified to ensure the security of juveniles, the facility, program or department; or
- k. falsify or make material omissions entries to governmental records.

Each employee shall be provided a copy of the Code of Ethics at the time of hiring and the Code of Ethics shall be discussed during the Juvenile Probation Officer and Juvenile Supervision Officer Academy. Each staff member is expected to sign a copy of the Code of Ethics, which will be maintained in the staff member's personnel file.

Volunteers and interns shall receive a copy of the Code of Ethics during Volunteer/Intern training. A signed copy of the Code of Ethics will be maintained in the volunteer's or intern's files.

#### II. Definitions:

<u>Juvenile</u>: a person who is under the jurisdiction of the juvenile court, confined in a juvenile justice facility, or participating in a juvenile justice program.

<u>Juvenile Justice Professional</u>: is defined as a person who is certified as a juvenile probation officer, youth activities supervisor, or juvenile supervision officer and employed by a juvenile probation department, juvenile justice program, or a juvenile justice facility as a juvenile probation officer, youth activities supervisor, or juvenile supervision officer.

III. Procedure: None

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Section 8: Physical & Mechanical	Related Standards: TAC 341.65; 341.66; 341.67;	
Restraints	341.68; 341.69; 341.70	

#### I. Policy:

#### Restraint Requirements [341.66]:

The use of physical and mechanical restraints shall only be utilized by juvenile probation officers (outside of secure pre-adjudication detention, short-term detention (holdover), and post-adjudication correctional facility settings). Prior to participating in any restraint, juvenile probation officers shall be certified in the use of an approved physical restraint technique (the Department utilizes Handle With Care) and trained in the use of all approved mechanical restraint devices. Restraints shall only be used in instances of threat of imminent self-injury, injury to others, or serious property damage. A restraint shall only be used as a last resort, and only the amount of force and type of restraint necessary to control the situation shall be used. Restraints shall be implemented in such a way as to protect the health and safety of the juvenile and others. Restraints shall be terminated as soon as the juvenile's behavior indicates that the threat of imminent self-injury, injury to others, or serious property damage has subsided.

A juvenile must be under the jurisdiction of the juvenile court for a physical or mechanical restraint to be applied by a juvenile probation officer.

#### Prohibitions [341.67]:

Restraints that employ a technique listed below are prohibited:

- 1. Restraints used for punishment, discipline, retaliation, harassment, compliance, or intimidation;
- 2. Restraints that deprive the juvenile of basic human necessities including restroom privileges, water, food and clothing:
- 3. Restraints that are intended to inflict pain;
- 4. Restraints that put a juvenile face down with sustained or excessive pressure on the back or chest cavity;
- 5. Restraints that put a juvenile face down with pressure on the neck or head;
- 6. Restraints that obstruct the airway or impair the breathing of the juvenile;
- 7. Restraints that restrict the juvenile's ability to communicate;
- 8. Restraints that obstruct the view of the juvenile's face;
- 9. Any technique that does not require the monitoring of the juvenile's respiration and other signs of physical distress during the restraint; and
- 10. Percussive or electrical shocking devices.

#### Documentation [341.68]:

Except as provided by TAC 341.71(a), all restraints shall be fully documented and maintained. Written documentation regarding the use of restraints shall require at a minimum:

- 1. Name of juvenile;
- 2. Staff member(s) name and title (s) who administered the restraint;
- 3. Date of the restraint;
- 4. Duration of the restraint including notation of the time the restraint began and ended;
- 5. Location of the restraint;
- 6. Description of the preceding activities:
- 7. Behavior which prompted the restraint;
- 8. Type of restraint applied
- 9. Efforts made to de-escalate the situation and alternatives to restraint that were attempted; and

10. Any injury that occurred during the restraint.

#### Physical Restraint [TAC 341.69]:

In addition to the requirements found in 341.66, 341.67, and 341.68, juvenile probation officers shall be recertified in the approved physical restraint technique at least every two years. However, the Department utilizes Handle with Care as its approved personal restraint technique and it requires certification on an annual basis. TJJD holds the Department to the higher of the two requirements, and juvenile probation officers shall be recertified in Handle with Care every year.

#### Mechanical Restraint [341.70(1) and 341.70(2)]:

In addition to the requirements found in TAC 341.66, 341.67, and 341.68, the use of mechanical restraint shall be governed by the following criteria:

- 1. Requirements:
  - a. mechanical restraints shall only be used in a manner consistent with their intended use; and
  - b. there shall be provisions for the inspection and maintenance of mechanical restraint devices.
- 2. Prohibitions:
  - a. mechanical restraint devices shall not be altered from the manufacturers design;
  - b. a juvenile shall not be placed face down while restrained in any mechanical restraint for a period of time longer than necessary to apply the restraint devices;
  - c. a mechanical restraint shall not secure a juvenile in a prone (face down) position with his or her arms and/or hands behind the juvenile's back and secured to the juvenile's legs ("hog-tying");
  - d. mechanical restraint devices shall not be secured so tightly as to interfere with circulation nor so loosely as to cause chafing of the skin;
  - e. mechanical restraint devices shall not be secured to a stationary object.
  - f. a juvenile in mechanical restraints shall not participate in any non-essential physical activity (other than walking, sitting, etc.); and
  - g. plastic cuffs shall only be used in emergency situations (riots, mass restraints, etc.).

The inspection and maintenance of mechanical restraint devices shall be conducted on at least an annual basis. The inspection shall include a physical inventory of all restraint devices, and a determination that each restraint device is in working order and that it has not been altered from the manufacturer's original design.

A juvenile shall not be mechanically restrained to any stationary object (non-moveable object such as a pole, wall, etc.) or to any non-stationary object (chair, desk, table, etc.)

#### II. Definitions:

Approved Physical Restraint Technique: a professionally trained restraint technique that uses a person's physical exertion to completely or partially constrain another person's body movement without the use of mechanical restraints. The approved physical restraint technique shall be approved for use by the TJJD and adopted by the juvenile board.

<u>Approved Mechanical Restraint Devices:</u> a professionally manufactured mechanical device to aid in the restriction of a person's bodily movement. The approved mechanical restraint shall be approved by the TJJD and adopted by the juvenile board. The following are TJJD approved mechanical restraint devices:

<u>Ankle Cuffs</u>: metal, cloth or leather band designed to be fastened around the ankle to restrain free movement of the legs;

Anklets: cloth or leather band designed to be fastened around the ankle or leg;

<u>Handcuffs:</u> metal devices designed to be fastened around the wrist to restrain free movement of the hands and arms;

<u>Plastic Cuffs:</u> plastic devices designed to be fastened around the wrist or legs to restrain free movement of hands, arms or legs;

Waist Band: a cloth, leather, or metal band designed to be fastened around the waist used to secure the arms to the sides or front of the body; and

Wristlets: a cloth or leather band designed to be fastened around the wrist or arm which may be secured to a waist belt.

Restraints: physical or mechanical restraint.

#### III. Procedure:

- A. Juvenile probation officers shall only use restraints in instances of threat of imminent self-injury, injury to others, or serious property damage. A restraint shall only be used as a last resort, and only the amount of force necessary to control the situation shall be used.
- B. Any restraint that is applied shall be documented on an Incident Report.
- C. All juvenile probation officers are responsible for ensuring that they maintain re-certification of Handle with Care annually.
- D. When a juvenile's behavior indicates that the threat of imminent self-injury, injury to others or serious property damage are present, law enforcement should be contacted to take the subject into custody. It is preferred that law enforcement transports all juveniles needing to be brought into custody. However, when circumstances require a juvenile probation officer to take a juvenile into custody, prior approval is required from Administration. Two certified juvenile probation officers trained in Handle with Care shall be present during the custody process. Due to safety precautions, juvenile probation officers shall not pursue a juvenile that runs from custody.

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Section 9: Prohibited Weapons

#### I. Policy:

All employees are prohibited from carrying firearms, knives, or chemical dispensing devices on any properties owned, operated, or leased by/or under the jurisdiction of the Dallas County Juvenile Department. Law Enforcement/Security Staff assigned to the Dallas County Juvenile Department shall adhere to policies set forth by their supervising agencies in compliance with Texas laws, regulations, and statues governing them while performing their duties.

II. Definitions: None

#### III. Procedure:

A. All employees are prohibited from possessing any weapons on Dallas County premises, whether in the course of performing work duties or not (i.e. attending meetings, trainings, visiting, etc.).

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Section 10: Officer Safety

#### I. Policy:

The Juvenile Department promotes and encourages safety measures to ensure the safety of all employees.

II. Definitions: None

#### III. Procedure:

- A. Juvenile probation officers shall leave a detailed itinerary with all visits that shall be conducted while in the field and shall be required to contact the secretary, assistant supervisor or supervisor with any changes. The itinerary shall list specific names of schools, juveniles for home visits, etc.;
- B. Juvenile probation officers are required to carry a cell phone while conducting field visits. Officers shall be required to give their supervisor contact information if they choose to use their personal cell phones while in the field. Supervisors must have access to officers at all times during the course of their work day;
- C. Juvenile probation officers are required to check in with their unit secretary, assistant supervisor or supervisor every two (2) hours while in the field;
- D. Juvenile probation officers are encouraged to conduct home visits with another officer when possible;
- E. Juvenile probation officers are encouraged to conduct home visits after dark only during the ride along with the assigned police sub-division;
- F. All field juvenile probation officers are required to participate in the ride along program if it is available in their district;
- G. Juvenile probation officers should restrict juveniles from bringing anyone to reporting other than the parent, guardian or custodian and/or mentors, counselors, etc. Friends, cousins, other relatives, etc. shall not be allowed:
- H. Juvenile probation officers shall restrict juveniles from wearing or bringing any gang related paraphernalia to the reporting site or field office;
- I. Juvenile probation officers shall avoid being left along with a juvenile and/or family during reporting or field office visits when possible;
- J. All non-Departmental employee visitors shall be escorted to and from the waiting area.
- K. Juvenile probation officers shall not use personal vehicles to transport juveniles unless prior approval is granted by Administration. Approval may be granted on a case by case basis. When approval has been granted, two probation officers shall be present and one officer should be seated in the back seat with the juvenile; and
- L. Probation officers shall not provide routine transportation of juveniles and families to program visits, to and from reporting, etc. Use of personal vehicles should be avoided due to liability issues.

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Section 11: GLBTO Policy

## I. Policy:

It shall be the policy of Dallas County Juvenile Department to maintain and promote a safe environment for gay, lesbian, bisexual, transgender, and questioning (GLBTQ) youth in Dallas County Juvenile Department operated pre-adjudication and post-adjudication institutional facilities. All Department staff, volunteers, interns and contract providers are prohibited from engaging in any form of discrimination against or harassment of youth on the basis of actual or perceived sexual orientation, gender identity, and gender expression. The Dallas County Juvenile Department is committed to providing a healthy and accepting setting for all youth placed in its facilities and treating all with dignity and respect. Any discrimination against or harassment of youth, including by other youth, will not be tolerated. Department staff shall recognize and address the individual needs of the youth and shall apply policies and practices fairly to all youth in our facilities.

#### II. Definitions:

<u>GLBTO</u> youth: For purposes of the protections of this policy, youth shall include youth who have self-identified or are perceived by others as gay, lesbian, bisexual, transgender or questioning their sexual orientation or gender identity.

<u>GLBTQ</u>: is an acronym commonly used to refer to gay, lesbian, bisexual, transgender, and questioning individuals.

<u>Gay</u>: refers to a person who is emotionally, romantically, and sexually attracted to people of the same gender. Sometimes, it may be used to refer to gay men and boys only. It is preferred over the term "homosexual."

Lesbian: refers to a female who is emotionally, romantically, and sexually attracted to other females.

<u>Bisexual</u>: refers to a person who is attracted to, and may form sexual and romantic relationships with either males or females.

Questioning: refers to a person, often an adolescent, who is exploring or questioning issues of sexual orientation or gender identity or expression in his or her life. Some questioning people will ultimately identify as gay, lesbian, bisexual or transgender; others will self-identify as heterosexual and not transgender.

<u>Sexual orientation</u>: refers to a person's emotional, romantic, and sexual attraction to persons of the same or different gender.

<u>Gender identity</u>: refers to a person's internal sense of themselves as male, female, no gender, or another gender, regardless of anatomy.

<u>Gender expression</u>: refers to the manner in which a person expresses his or her gender through clothing, appearance, behavior, speech, etc. A person's gender expression may vary from the norms traditionally associated with his or her assigned sex at birth. Gender expression is a separate concept from sexual orientation and gender identity. For example, a male may exhibit an effeminate manner, but identify as a heterosexual male.

<u>Transgender</u>: may be used as an umbrella term to include all persons whose gender identity or gender expression do not match society's expectations of how an individual of that gender should behave in relation to his or her gender. For purposes of protection from discrimination and harassment, transgender refers to both self-identified transgender individuals and individuals perceived as transgender without regard to whether they qualify for a diagnosis of Gender Identity Disorder.

- A. Safety and security, as well as good child care practices (Dallas County Juvenile Department core values and code of ethics), remain paramount for all youth in Dallas County Juvenile Department facilities.
- B. All youth, regardless of gender identity, gender expression or sexual orientation, need to feel safe in their surroundings, in order for positive programming and youth outcomes to occur.
- C. Rules must be maintained with dignity and respect for all residents, regardless of their gender identity, gender expression, or sexual orientation.
- D. Staff should help youth to understand their decisions, and youth should be given the appropriate opportunity to express themselves.
- E. Staff should provide youth with information about the staffing process, and the right to request a uniform or facility change through the outlined Grievance Procedure.
- F. Unless there is reason to the contrary, staff should not over—emphasize gender identity, gender expression, and sexual orientation issues (i.e., youth are placed in Dallas County Juvenile Department facilities because of their behaviors, not their gender identities, gender expression, or sexual orientations).
- G. Staff should set a good example and make residents aware that any anti-GLBTQ threats of violence, actual violence, or disrespectful or suggestive comments or gestures will not be tolerated concerning any Dallas County Juvenile Department youth.
- H. The treatment team should decide how to approach certain issues, as they would with behavior of any youth (i.e., as a team or in each specific unit). Good childcare practice requires consistency.
- I. Certain behaviors are inappropriate regardless of gender identity, gender expression or sexual orientation (e.g., seductive or sexual behavior, exchanging sexually suggestive notes). Staff must maintain boundaries for safe and appropriate behavior with all residents.
- J. As with all residents, GLBTQ residents shall be included in all activities or jobs for which they qualify and show a positive interest.

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Section 12: Prison Rape Elimination Act

#### I. Policy:

The Prison Rape Elimination Act of 2003(PREA) is a federal law that supports the elimination, reduction, and prevention of sexual abuse in adult and juvenile facilities as well as community correction programs. Pursuant to PREA, the National Standards to Prevent, Detect, and Respond to Prison Rape: Final Rule were posted to the Federal Register on June 20, 2012 and became law on August 20, 2012.

The standards apply to all facilities operated by the Juvenile Department, and any facility that contracts with the Department shall be obligated to adopt and comply with the PREA standards [§ 115.312].

# **Prevention Planning**

## Zero Tolerance; PREA Coordinator [§ 115.311]:

The Dallas County Juvenile Department mandates zero tolerance toward all forms of sexual abuse and sexual harassment. The safety and well—being of all referred juveniles is paramount, and the Department shall extend all efforts to prevent, detect, and respond to such conduct.

The Department shall designate a PREA coordinator with sufficient time and authority to develop, implement, and oversee the Department's efforts to comply with the PREA standards in all of its facilities. Further, PREA compliance managers shall be designated for each Department operated facility with sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.

#### Supervision and Monitoring [§ 115.313]:

The Department shall ensure that all of the facilities it operates develop, implement and document a staffing plan that provides for adequate levels of staffing, and where applicable, video monitoring, to protect residents against sexual abuse. The following shall be taken into consideration:

- (1) Generally accepted juvenile detention and correctional/secure residential practices:
- (2) Any judicial findings of inadequacy;
- (3) Any findings of inadequacy from Federal investigative agencies;
- (4) Any findings of inadequacy from internal or external oversight bodies:
- (5) All components of the facility's physical plant (including "blind spots" or areas where staff or residents may be isolated);
- (6) The composition of the resident population;
- (7) The number and placement of supervisory staff;
- (8) Institution programs occurring on a particular shift;
- (9) Any applicable State or local laws, regulations, or standards;
- (10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- (11) Any other relevant factors.

Each secure facility shall maintain staff ratios of a minimum 1:8 during resident waking hours and 1:16 during resident sleeping hours, except during limited and discrete exigent circumstances, which shall be fully documented. Only security staff (juvenile supervision officers) shall be included in these ratios. Each facility shall have until October 1, 2017 to achieve compliance with the staffing ratios set forth in this paragraph.

Whenever necessary, but no less frequently than one year, each Department operated facility shall, in consultation with the PREA coordinator, assess, determine, and document whether adjustments are needed to

the staffing plan; prevailing staffing patterns; the facility's deployment of video monitoring systems and other technologies; and the resources the facility has available to commit to ensure adherence to the staffing plan.

Each secure facility shall ensure that supervisory staff conduct and document unannounced rounds on all shifts to identify and deter staff sexual abuse and sexual harassment. Staff shall be prohibited from alerting other staff members that these supervisory rounds are occurring.

# Limits to Cross-Gender Viewing and Searches [§ 115.315]:

Cross gender pat-down searches and strip searches of any resident is prohibited in all Department operated facilities. Anal or genital body cavity searches are also prohibited.

All Department facilities shall require that a staff member of the opposite gender announce his or her presence when entering a resident housing unit.

# Residents with Disabilities and Residents who are Limited English Proficient [§ 115.316]:

The Department shall take appropriate steps to ensure that residents with disabilities (including, for example, residents who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

The Department shall take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to residents who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

The Department shall not rely on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety.

#### Hiring and Promotion Decisions [§ 115.317]:

The Department shall not hire or promote anyone who may have contact with residents, and shall not enlist the services of any contractor who may have contact with residents, who:

- (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);
- (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
- (3) Has been civilly or administratively adjudicated to have engaged in the activity described in number 2 above.

The Department shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents.

Before hiring new employees who may have contact with residents, the Department shall:

- (1) Perform a criminal background records check:
- (2) Consult any child abuse registry maintained by the State or locality in which the employee would work; and
- (3) Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.

The Department shall also perform a criminal background records check, and consult applicable child abuse registries, before enlisting the services of any contractor who may have contact with residents.

The Department shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees.

The Department shall also ask all applicants and employees who may have contact with residents directly about previous misconduct described in the first paragraph of this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The Department shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.

Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

Unless prohibited by law, the Department shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

A criminal history search through the Texas Department of Public Safety (DPS) Fingerprint Applicant Services of Texas (FAST) shall be conducted on all prospective employees, volunteers, interns, and contractors in accordance with TAC 344 prior to employment and/or access to juveniles in the Department. The Department prohibits direct unsupervised access to juveniles in the Department by any person with a disqualifying criminal history as described in TAC 344.400 (Disqualifying Criminal History). Further, The Department shall submit, within 24 months of the initial certification date, and every 24 months thereafter based on the officer's birth month, documentation that the criminal history search requirements in TAC 344.300 (Criminal History Searches for Positions Requiring Certification) have been met.

# Upgrades to Facilities and Technologies [§ 115.318]:

When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the Department shall consider the effect of the design, acquisition, expansion, or modification upon the Department's ability to protect residents from sexual abuse.

When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the Department shall consider how such technology may enhance the agency's ability to protect residents from sexual abuse.

## Responsive Planning

# Evidence Protocol and Forensic Medical Examinations [§ 115.321]:

To the extent the Department is responsible for investigating allegations of sexual abuse, the Department shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

The protocol shall be developmentally appropriate for youth and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.

The Department shall offer all residents who experience sexual abuse access to forensic medical examinations whether on-site or at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be

performed by other qualified medical practitioners. The Department shall document its efforts to provide SAFEs or SANEs.

The Department shall attempt to make available to the victim a victim advocate from a rape crisis center. If a rape crisis center is not available to provide victim advocate services, the Department shall make available to provide these services a qualified staff member from a community-based organization or a qualified Department staff member. The Department shall document efforts to secure services from rape crisis centers.

For the purpose of this standard, a rape crisis center refers to an entity that provides intervention and related assistance such as the services specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault of all ages. The Department may utilize a rape crisis center that is part of a governmental unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a nongovernmental entity that provides similar victim services.

The Parkland Health and Hospital System Victim Intervention Program /Rape Crisis Program is the designated provider.

As requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.

To the extent the Department itself is not responsible for investigating allegations of sexual abuse, the Department shall request that the investigating agency follow the requirements of paragraphs of this section listed above.

The requirements of paragraphs this section listed above of shall also apply to:

- (1) Any State entity outside of the Department that is responsible for investigating allegations of sexual abuse in juvenile facilities; and
- (2) Any Department of Justice component that is responsible for investigating allegations of sexual abuse in juvenile facilities.

For the purposes of this standard, a qualified Department staff member or a qualified community-based staff member shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general.

#### Policies to Ensure Referrals of Allegations for Investigations [§ 115.322]:

The Department shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

The Department shall ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior.

The Dallas County Sheriff's Office is the designated law enforcement agency to conduct investigations of any potentially criminal behavior that stems from a sexual abuse or sexual harassment allegation that occurs in any Department operated facility.

#### **Training and Education**

### Employee Training [§ 115.331]:

The Department shall train all employees who may have contact with residents on:

(1) Its zero-tolerance policy for sexual abuse and sexual harassment;

- (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- (3) Residents' right to be free from sexual abuse and sexual harassment;
- (4) The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- (5) The dynamics of sexual abuse and sexual harassment in juvenile facilities;
- (6) The common reactions of juvenile victims of sexual abuse and sexual harassment;
- (7) How to detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between residents;
- (8) How to avoid inappropriate relationships with residents;
- (9) How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents;
- (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities; and
- (11) Relevant laws regarding the applicable age of consent.

Such training shall be tailored to the unique needs and attributes of the residents of the Department's operated facilities and to the gender of the residents at the employee's facility. The employee shall receive additional training if the employee is reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa.

All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards (August 20, 2013), and the Department shall provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures.

In years in which an employee does not receive refresher training, the Department shall provide refresher information on current sexual abuse and sexual harassment policies.

The Department shall document, through employee signature or electronic verification, that employees understand the training they have received.

TAC 344 requires that all juvenile supervision officers and juvenile probation officers employed by the Department receive training on PREA prior to performing the duties of a certified officer and for certification.

#### Volunteer and Contractor Training [§ 115.332]:

The Department shall ensure that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the Department's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

The level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with residents, but all volunteers and contractors who have contact with residents shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

The Department shall maintain documentation confirming that volunteers and contractors understand the training they have received.

#### Resident Education [§ 115.333]:

During the intake process, residents shall receive information explaining, in an age appropriate fashion, the Department's zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.

Within 10 days of intake, the agency shall provide comprehensive age-appropriate education to residents either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding Department policies and procedures for responding to such incidents.

Current residents who have not received such education shall be educated within one year of the effective date of the PREA standards, and shall receive education upon transfer to a different facility to the extent that the policies and procedures of the resident's new facility differ from those of the previous facility.

The Department shall provide resident education in formats accessible to all residents, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to residents who have limited reading skills.

The Department shall maintain documentation of resident participation in these education sessions. In addition to providing such education, the agency shall ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats.

# Specialized Training: Investigations [§ 115.334]:

In addition to the general training provided to all employees pursuant to § 115.331, the Department shall ensure that, to the extent the Department itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings.

Specialized training shall include techniques for interviewing juvenile sexual abuse victims, proper use of *Miranda* and *Garrity* warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Department shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

# Specialized Training: Medical and Mental Health Care [§ 115.335]:

The Department shall ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:

- (1) How to detect and assess signs of sexual abuse and sexual harassment;
- (2) How to preserve physical evidence of sexual abuse;
- (3) How to respond effectively and professionally to juvenile victims of sexual abuse and sexual harassment; and
- (4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

If medical staff employed by the Department conduct forensic examinations, such medical staff shall receive the appropriate training to conduct such examinations.

The Department shall maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere.

Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.331 or for contractors and volunteers under § 115.332, depending upon the practitioner's status with the agency.

All medical practitioners that provide services in Department operated facilities are employees of Parkland Health and Hospital System and are contractors with the Department.

## Screening for Risk of Sexual Victimization and Abusiveness

## Obtaining Information from Residents [§ 115.341]:

Within 72 hours of the resident's arrival at the facility and periodically throughout a resident's confinement, the Department shall obtain and use information about each resident's personal history and behavior to reduce the risk of sexual abuse by or upon a resident.

Such assessments shall be conducted using an objective screening instrument.

At a minimum, the Department shall attempt to ascertain information about:

- (1) Prior sexual victimization or abusiveness:
- (2) Any gender nonconforming appearance or manner or identification as lesbian, gay, bisexual, transgender, or intersex, and whether the resident may therefore be vulnerable to sexual abuse;
- (3) Current charges and offense history;
- (4) Age;
- (5) Level of emotional and cognitive development;
- (6) Physical size and stature;
- (7) Mental illness or mental disabilities;
- (8) Intellectual or developmental disabilities;
- (9) Physical disabilities;
- (10) The resident's own perception of vulnerability; and
- (11) Any other specific information about individual residents that may indicate heightened needs for supervision, additional safety precautions, or separation from certain other residents.

This information shall be ascertained through conversations with the resident during the intake process and medical and mental health screenings; during classification assessments; and by reviewing court records, case files, facility behavioral records, and other relevant documentation from the resident's files.

The Department shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents.

Placement of Residents in Housing, Bed, Program, Education, and Work Assignments [§ 115.342]:

The Department shall use all information obtained pursuant to § 115.341 and subsequently to make housing, bed, program, education, and work assignments for residents with the goal of keeping all residents safe and free from sexual abuse.

Residents may be isolated from others only as a last resort when less restrictive measures are inadequate to keep them and other residents safe, and then only until an alternative means of keeping all residents safe can be arranged. During any period of isolation, agencies shall not deny residents daily large-muscle exercise and any legally required educational programming or special education services. Residents in isolation shall receive daily visits from a medical or mental health care clinician. Residents shall also have access to other programs and work opportunities to the extent possible.

Lesbian, gay, bisexual, transgender, or intersex residents shall not be placed in particular housing, bed, or other assignments solely on the basis of such identification or status, nor shall agencies consider lesbian, gay, bisexual, transgender, or intersex identification or status as an indicator of likelihood of being sexually abusive.

In deciding whether to assign a transgender or intersex resident to a facility for male or female residents, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether the placement would present management or security problems.

Placement and programming assignments for each transgender or intersex resident shall be reassessed at least twice each year to review any threats to safety experienced by the resident.

A transgender or intersex resident's own views with respect to his or her own safety shall be given serious consideration.

Transgender and intersex residents shall be given the opportunity to shower separately from other residents.

If a resident is isolated pursuant to paragraph two of this section, the facility shall clearly document:

- (1) The basis for the facility's concern for the resident's safety; and
- (2) The reason why no alternative means of separation can be arranged.

Every 30 days, the facility shall afford each resident described in paragraph above a review to determine whether there is a continuing need for separation from the general population.

#### Reporting

# Resident Reporting [§ 115.351]:

The Department shall provide multiple internal ways for residents to privately report sexual abuse and sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

The Department shall also provide at least one way for residents to report abuse or harassment to a public or private entity or office that is not part of the agency and that is able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials, allowing the resident to remain anonymous upon request. Residents detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.

Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

The facility shall provide residents with access to tools necessary to make a written report.

The Department shall provide a method for staff to privately report sexual abuse and sexual harassment of residents.

TAC Chapter 358.440 (Reporting of Allegations by Juveniles) requires that juveniles in a facility shall have the right to report to the Texas Juvenile Justice Department alleged abuse, neglect, and exploitation, including death. Juveniles shall be advised in writing during orientation into the facility of their right to report allegations and of TJJD's toll-free number (877-786-7263) available for reporting allegations.

#### Exhaustion of Administrative Remedies [§ 115.352]:

The Department shall be exempt from this standard if it does not have administrative procedures to address resident grievances regarding sexual abuse.

Any allegations regarding sexual abuse discovered by a grievance would be reported to the appropriate oversight agency and law enforcement.

# Resident Access to Outside Support Services and Legal Representation [§ 115.353]:

The facility shall provide residents with access to outside victim advocates for emotional support services related to sexual abuse, by providing, posting, or otherwise making accessible mailing addresses and telephone numbers, including toll free hotline numbers where available, of local, State, or national victim advocacy or

rape crisis organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies. The facility shall enable reasonable communication between residents and these organizations and agencies, in as confidential a manner as possible.

The facility shall inform residents, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

The Department shall maintain or attempt to enter into a memoranda of understanding or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse. The agency shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

The facility shall also provide residents with reasonable and confidential access to their attorneys or other legal representation and reasonable access to parents or legal guardians.

## Third-Party Reporting [§ 115.354]:

The Department shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of a resident.

All Department staff, volunteers, and interns are trained on how to report any allegations of abuse, neglect, and exploitation involving a juvenile. Further, required postings and brochures are located throughout all public and housing areas of the Department's operated facilities containing information on how to report any alleged abuse, neglect, or exploitation.

# Official Response Following a Resident Report

#### Staff and Agency Reporting Duties [§ 115.361]:

The Department shall require all staff to report immediately and according to Department policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the Department; retaliation against residents or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

The Department shall also require all staff to comply with any applicable mandatory child abuse reporting laws.

Apart from reporting to designated supervisors or officials and designated State or local services agencies, staff shall be prohibited from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.

Medical and mental health practitioners shall be required to report sexual abuse to designated supervisors and officials pursuant to paragraph one of this section, as well as to the designated State or local services agency where required by mandatory reporting laws.

Such practitioners shall be required to inform residents at the initiation of services of their duty to report and the limitations of confidentiality.

Upon receiving any allegation of sexual abuse, the facility head or his or her designee shall promptly report the allegation to the appropriate agency office and to the alleged victim's parents or legal guardians, unless the facility has official documentation showing the parents or legal guardians should not be notified.

If the alleged victim is under the guardianship of the child welfare system, the report shall be made to the alleged victim's caseworker instead of the parents or legal guardians.

If a juvenile court retains jurisdiction over the alleged victim, the facility head or designee shall also report the allegation to the juvenile's attorney or other legal representative of record within 14 days of receiving the allegation.

The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators.

## Agency Protection Duties [§ 115.362]:

When the Department learns that a resident is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the resident.

## Reporting to Other Confinement Facilities [§ 115.363]:

Upon receiving an allegation that a resident was sexually abused while confined at another facility, the head of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred and shall also notify the appropriate investigative agency.

Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation. The Department shall document that it has provided such notification. The facility head or Department office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.

# Staff First Responder Duties [§ 115.364]:

Upon learning of an allegation that a resident was sexually abused, the first staff member to respond to the report shall be required to:

- (1) Separate the alleged victim and abuser;
- (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate
- the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

### Coordinated Response [§ 115.365]:

The facility shall develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

#### Preservation of Ability to Protect Residents from Contact with Abusers [§ 115.366]

Neither the Department nor any other governmental entity responsible for collective bargaining on the Department's behalf shall enter into or renew any collective bargaining agreement or other agreement that limits the Department's ability to remove alleged staff sexual abusers from contact with residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.

Nothing in this standard shall restrict the entering into or renewal of agreements that govern:

(1) The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of §§ 115.372 and 115.376; or

(2) Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.

## Agency Protection Against Retaliation [§ 115.367]:

The Department shall establish a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff and shall designate which staff members or departments are charged with monitoring retaliation.

The Department shall employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

For at least 90 days following a report of sexual abuse, the Department shall monitor the conduct or treatment of residents or staff who reported the sexual abuse and of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff, and shall act promptly to remedy any such retaliation. Items the agency should monitor include any resident disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The Department shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

In the case of residents, such monitoring shall also include periodic status checks.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the Department shall take appropriate measures to protect that individual against retaliation.

The Department's obligation to monitor shall terminate if the Department determines that the allegation is unfounded.

TAC 358.720 (Reassignment or Administrative Leave During the Internal Investigation) requires that upon gaining knowledge of alleged abuse, neglect or exploitation, and until the finding of the internal investigation is determined, the administrator or designee shall immediately place any person alleged to have abused, neglected or exploited a juvenile on administrative leave or reassign the person to a position having no contact with the alleged victim, relatives of the alleged victim, or other juveniles.

TAC 345.310 (Code of Ethics) requires that all juvenile justice professionals shall not interfere with or hinder any abuse, exploitation and neglect investigation, including a criminal investigation conducted by law enforcement or an investigation conducted pursuant to Texas Family Code Chapter 261 or Chapter 350 and Chapter 358 of this title.

The Department prohibits any form of retaliation directed at a person who reports an allegation of abuse, neglect, or exploitation whether that person is a resident, resident's parent, staff member, contractor, volunteer, intern, or member of the public. Further, the Department requires that all staff shall be vigilant in monitoring any form of retaliation and alert supervisory personnel immediately in accordance with TAC 345.310 (H) which requires that juvenile justice professionals shall report without reservation any corrupt or unethical behavior that could affect a juvenile or the integrity of the juvenile justice system.

#### Post-Allegation Protective Custody [§ 115.368]:

Any use of segregated housing to protect a resident who is alleged to have suffered sexual abuse shall be subject to the requirements of § 115.342.

#### Investigations

# Criminal and Administrative Agency Investigations [§ 115.371]:

When the Department conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

Where sexual abuse is alleged, the Department shall use investigators who have received special training in sexual abuse investigations involving juvenile victims pursuant to § 115.334.

Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.

The Department shall not terminate an investigation solely because the source of the allegation recants the allegation.

When the quality of evidence appears to support criminal prosecution, the Department shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as resident or staff. No agency shall require a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.

## Administrative investigations:

- (1) Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and
- (2) Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.

The agency shall retain all written reports referenced in paragraphs of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years, unless the abuse was committed by a juvenile resident and applicable law requires a shorter period of retention.

The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.

Any State entity or Department of Justice component that conducts such investigations shall do so pursuant to the above requirements.

When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.

TAC 358.700 (Internal Investigation), TAC 358.800 (Internal Investigation Report), and TAC 358.820 (Internal Investigation Report Components) contain internal investigation requirements including conducting the internal

investigation, initiation of the investigation, timeframe for internal investigation, and components of the internal investigation report.

# Evidentiary Standard for Administrative Investigations [§ 115.372]:

The Department shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

# Reporting to Residents [§ 115.373]:

Following an investigation into a resident's allegation of sexual abuse suffered in a Department operated facility, the Department shall inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

If the Department did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the resident.

Following a resident's allegation that a staff member has committed sexual abuse against the resident, the Department shall subsequently inform the resident (unless the agency has determined that the allegation is unfounded) whenever:

- (1) The staff member is no longer posted within the resident's unit;
- (2) The staff member is no longer employed at the facility;
- (3) The Department learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
- (4) The Department learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

Following a resident's allegation that he or she has been sexually abused by another resident, the Department shall subsequently inform the alleged victim whenever:

- (1) The Department learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
- (2) The Department learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

All such notifications or attempted notifications shall be documented.

The Department's obligation to report under this standard shall terminate if the resident is released from the Department's custody.

# Discipline

# Disciplinary Sanctions for Staff [§ 115.376]:

Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.

Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.

Disciplinary sanctions for violations of Department policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of Department sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

TAC 345.310(F) (Code of Ethics) requires that juvenile justice professionals shall not be designated as a perpetrator in a TJJD abuse, exploitation, and neglect investigation, including a criminal investigation conducted by law enforcement or an investigation conducted pursuant to Texas Family Code Chapter 261 or Chapter 350 and Chapter 358 of this title. In accordance with TAC 345.310(a), juvenile justice professionals found to be in violation of this subsection shall be subject to disciplinary action, including, but not limited to suspension, revocation, or denial of the professional certification issued under the authority of TJJD.

## Corrective Action for Contractors and Volunteers [§ 115.377]:

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with residents and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with residents, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

# Interventions and Disciplinary Sanctions for Residents [§ 115.378]:

A resident may be subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse or following a criminal finding of guilt for resident-on-resident sexual abuse.

Any disciplinary sanctions shall be commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories. In the event a disciplinary sanction results in the isolation of a resident, agencies shall not deny the resident daily large-muscle exercise or access to any legally required educational programming or special education services. Residents in isolation shall receive daily visits from a medical or mental health care clinician. Residents shall also have access to other programs and work opportunities to the extent possible.

The disciplinary process shall consider whether a resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to offer the offending resident participation in such interventions. The Department may require participation in such interventions as a condition of access to any rewards-based behavior management system or other behavior based incentives, but not as a condition to access to general programming or education.

The Department may discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

The Department prohibits all forms of youth on youth sexual conduct between residents. Youth sexual conduct is defined as two or more juveniles, regardless of age, who engage in deviate sexual intercourse, sexual contact, sexual intercourse or sexual performance as defined as sexual abuse by contact or sexual behavior, conduct, or actions which are exhibited, performed, or simulated as those terms defined as sexual abuse by non-contact in

TAC Chapter 358. A juvenile may not legally consent to sexual conduct with another resident in a facility. Consent may not be implied regardless of the age of the juvenile.

#### Medical and Mental Care

# Medical and Mental Health Screenings; History of Sexual Abuse [§ 115.381]:

If the screening pursuant to § 115.341 indicates that a resident has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the resident is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

If the screening pursuant to § 115.341 indicates that a resident has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the resident is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.

Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.

Medical and mental health practitioners shall obtain informed consent from residents before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the resident is under the age of 18.

### Access to Emergency Medical and Mental Health Services [§ 115.382]:

Resident victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim pursuant to § 115.362 and shall immediately notify the appropriate medical and mental health practitioners.

Resident victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.

Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

# Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers [§ 115.383]:

The facility shall offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.

The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.

The facility shall provide such victims with medical and mental health services consistent with the community level of care.

Resident victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.

If pregnancy results from conduct specified in the above paragraph of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.

Resident victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.

Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

The facility shall attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health.

#### **Data Collection and Review**

## Sexual Abuse Incident Reviews [§ 115.386]:

The facility shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded.

Such review shall ordinarily occur within 30 days of the conclusion of the investigation.

The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.

#### The review team shall:

- (1) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- (2) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or, gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
- (3) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- (4) Assess the adequacy of staffing levels in that area during different shifts;
- (5) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
- (6) Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to numbers 1 through 5 of this section, and any recommendations for improvement and submit such report to the facility head and PREA compliance manager.
- (7) The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.

#### Data Collection [§ 115.387]:

The Department shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.

The agency shall aggregate the incident-based sexual abuse data at least annually.

The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

The Department shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

The Department also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents.

Upon request, the Department shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

## Data Review for Corrective Action [§ 115.388]:

The Department shall review data collected and aggregated pursuant to § 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including:

- (1) Identifying problem areas;
- (2) Taking corrective action on an ongoing basis; and
- (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the Department as a whole.

Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.

The Department's report shall be approved by the Department head and made readily available to the public through its Web site or, if it does not have one, through other means.

The Department may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

# Data Storage, Publication, and Destruction [§ 115.389]:

The Department shall ensure that data collected pursuant to § 115.387 are securely retained.

The Department shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its Web site or, if it does not have one, through other means.

Before making aggregated sexual abuse data publicly available, the Department shall remove all personal identifiers.

The Department shall maintain sexual abuse data collected pursuant to § 115.387 for at least 10 years after the date of its initial collection unless Federal, State, or local law requires otherwise.

#### II. Definitions:

<u>Contractor</u>: means a person who provides services on a recurring basis pursuant to a contractual agreement with the agency.

Employee: means a person who works directly for the agency or facility.

<u>Facility</u>: means a place, institution, building (or part thereof), set of buildings, structure, or area (whether or not enclosing a building or a set of buildings) that is used by an agency for the confinement of individuals.

<u>Gender nonconforming</u>: means a person whose appearance or manner does not conform to traditional societal gender expectations.

<u>Intersex</u>: means a person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to disorders of sex development.

<u>Juvenile</u>: means any person under the age of 18, unless under adult court supervision and confined or detained in a prison or jail.

<u>Juvenile facility</u>: means a facility that is primarily used to confine juveniles pursuant to the juvenile justice system or criminal justice system.

Resident: means any person confined or detained in a juvenile facility.

<u>Sexual abuse</u>: includes sexual abuse of a resident by another resident; and sexual abuse of a resident by a staff member, contractor, or volunteer.

Sexual abuse by another resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however, slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of any person, excluding contact incidental to a physical altercation.

Sexual abuse by a staff member, contractor, or volunteer includes:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has The intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however, slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional touching, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks that is unrelated to official duties or where the staff member contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt threat, or request by a staff member, contractor or volunteer to engage in the activities described in numbers (1) (5) directly above:
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of a resident; and
- (8) Voyeurism by a staff member contractor, or volunteer.

<u>Sexual harassment</u>: includes repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one resident directed toward another; and repeated verbal comments or gestures of a sexual nature to a resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Staff: means employees.

Substantiated allegation: means an allegation that was investigated and determined to have occurred.

<u>Transgender</u>: means a person whose gender identity (internal sense of feeling male or female) is different from the person's assigned sex at birth.

<u>Unfounded allegation</u>: means an allegation that was investigated and determined not to have occurred. Unsubstantiated allegation: means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

<u>Volunteer</u>: means an individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.

<u>Voyeurism by a staff member, contractor, or volunteer</u>: means an invasion of privacy of a resident by staff for reasons unrelated to official duties, such as peering at a resident who is using the toilet in his or her cell to perform bodily functions; requiring a resident to expose his or her buttocks, genitals, or breasts; or taking images of all or part of a resident's naked body, or of a resident performing bodily functions.

#### III. Procedure:

A. Any juvenile probation officer employed by the Department shall comply with the PREA standards as required.

- 1	Dallas County Juvenile Department Probation Services Policies and Procedures, 2014 Revision		
Н	Chapter 2 Case Management		
ľ	Section 1: Records Management		

### I. Policy:

The Dallas County Juvenile Department maintains a juvenile record management system to enhance planning, implementation, and evaluation of programs and to increase the efficiency and effectiveness of service delivery.

#### II. Definitions:

<u>Case File</u>: is defined as the physical record for all documents pertaining to a juvenile referred to the Department.

- A. TechShare.Juvenile is the juvenile record management system used by the Department.
- B. Upon referral to the Department, a juvenile is assigned a personal identification (PID) number, and this number is the primary identifying number for all records pertaining to that juvenile.
- C. The confidentiality and security of all juvenile case files shall be maintained in accordance with 58.005 and 58.007 of the Texas Family Code.
- D. A juvenile's case file will be transferred to central storage at the age of 18 once the case file meets eligibility requirements for closure to Records. Juvenile case files may remain active past the age of 18 under certain circumstances (e.g., active warrant for felony adjudication, pending felony offense, specifically 3g felony offenses, active Determinate Sentence case, active courtesy supervision through Interstate Compact, pending Motion for Discretionary Transfer).

Policies and Procedures, 2014 Revision

Chapter 2: Case Management

Section 2: Confidentiality of Juvenile Records

### I. Policy:

The confidentiality and security of all juvenile case files shall be maintained in accordance with 58.005 and 58.007 of the Texas Family Code. Information provided to a parent, guardian, or custodian shall be in accordance with 61.102 of the Texas Family Code.

Further, TJJD's Code of Ethics under TAC 345.310 (c)(1)(I) requires that "juvenile justice professionals shall maintain the integrity and confidentiality of juvenile information and not seek more information than needed to perform their duties, nor reveal information to any person who does not have authorized access to the information for proper professional use."

#### II. Definitions: None

- A. All information contained in the juvenile's case file, any reports, and any other information known to the Department are considered to be confidential according to both law and professional ethics and must be treated accordingly.
- B. Under no circumstances, shall any unauthorized person be permitted access to the case file, nor will a juvenile probation officer share information with any unauthorized person.
- C. Records and files concerning a child, including personally identifiable information, and information obtained for the purpose of diagnosis, examination, evaluation, or treatment or for making a referral for treatment of a child by a public or private agency or institution providing supervision of a child by arrangement of the juvenile court or having custody of the child under order of the juvenile court may be disclosed to [TFC 58.005]:
  - 1. The professional staff or consultants of the agency or institution;
  - 2. The judge, probation officers, and professional staff or consultants of the juvenile court;
  - 3. An attorney for the child;
  - 4. A governmental agency if the disclosure is required or authorized by law;
  - 5. A person or entity to who the child is referred for treatment or services if the agency or institution disclosing the information has entered into a written confidentiality agreement with the person;
  - 6. The Texas Department of Criminal Justice and the Texas Juvenile Justice Department for the purpose of maintaining statistical records of recidivism and for diagnosis and classification; or
  - 7. With leave of the juvenile court, any other person, agency, or institution having a legitimate interest in the proceeding or in the work of the court;
- D. The records and files of a juvenile court, a clerk of court, a juvenile probation department, or a prosecuting attorney relating to a child who is a party to a proceeding under this title are open to inspection only by [TFC 58.007 (b)]:
  - 1. The judge, probation officers, and professional staff or consultants of the juvenile court;
  - 2. A juvenile justice agency;
  - 3. An attorney for the party to the proceeding;
  - 4. A public or private agency or institution providing supervision of the child by arrangement of the juvenile court, or having custody of the child under juvenile court order; or
  - 5. With leave of the juvenile court, any other person, agency, or institution having a legitimate interest in the proceeding or in the work of the court.
- E. The parent of a child referred to a juvenile court is entitled as soon as practicable after the referral to

be informed by staff designated by the juvenile board, based on the information accompanying the referral to the juvenile court, of [TFC 61.102]:

- 1. The date and time of the offense;
- 2. The date and time the child was taken into custody;
- 3. The name of the offense and its penal category;
- 4. The type of weapon, if any, that was used;
  - 5. The type of property taken or damaged and the extent of damage, if any;
  - 6. The physical injuries, if any, to the victim of the offense;
  - 7. Whether there is reason to believe that the offense was gang-related;
  - 8. Whether there is reason to believe that the offense was related to the consumption of alcohol or use of an illegal controlled substance;
  - 9. If the child was taken into custody with adults or other juveniles, the names of those persons;
  - 10. The aspects of the juvenile court process that apply to the child;
  - 11. If the child is in detention, the visitation policy of the detention facility that applies to the child;
  - 12. The child's right to be represented by an attorney and the local standards and procedures for determining whether the parent qualifies for appointment of counsel to represent the child; and
  - 13. The methods by which the parent can assist the child with the legal process.

Dallas County Juvenile Department Probation Services
Policies and Procedures, 2014 Revision
Chapter 2 Case Management
Section 3: TechShare.Juvenile Data Entry

## I. Policy:

The Department shall maintain the TechShare.Juvenile as prescribed by the Texas Juvenile Justice Department. Many entries required by TechShare.Juvenile are time sensitive and shall be made accordingly. TJJD creates a monthly error report that lists errors and missing required entries. This report shall be addressed and resolved by each unit responsible for the error.

II. Definitions: None

- A. All information entered into TechShare.Juvenile shall be in accordance with the TechShare.Juvenile User Guide which can be found on the Department's network K Drive.
- B. All information and documentation that is contained in the physical case file shall be reflected in TechShare.Juvenile.
- C. Specific data entries have been assigned to certain units and positions while the majority of entries apply to the Department as a whole.
- D. General rules and duties are as follows:
  - 1. Each assigned juvenile probation officer or unit shall enter new and updated information (with the exception of chronological entries) within 24 hours of the receipt of the information (effective October 20, 2014, all face sheets shall be generated from TechShare.Juvenile rather than JIS).
  - 2. The legal name and date of birth of the juvenile shall be entered as listed on the birth certificate, and a copy of the birth certificate shall be scanned and uploaded into TechShare.Juvenile;
  - 3. The Social Security number shall be verified by the Social Security card, and a copy of the Social Security Card shall be scanned and uploaded into TechShare.Juvenile;
  - 4. The parent and/or legal guardian shall be correctly identified on the Juvenile ID screen
  - 5. The Behavioral Health screen status of the juvenile shall not be left blank or listed as "unknown";
  - 6. Abuse history and substance abuse status shall not be left blank or listed as "unknown" on the Abuse screen;
  - 7. School information shall be entered and updated timely and accurately
  - 8. All referrals and dispositions shall be entered timely and accurately (Court Liaison only enters dispositions handled by that unit);
  - 9. Supervision types and dates shall be entered timely and accurately;
  - 10. The Temporary Supervision screen shall be used for those juveniles participating in programs under Intake release conditions
  - 11. The MAYSI scores shall be entered on the Assessment screen, and the Risk and Needs Assessment (RANA) levels shall be entered on the Referral Disposition screen;
  - 12. Financial statement information shall be entered and updated on the Financial screen as well as scanned and uploaded into TechShare.Juvenile;
  - 13. The date of the most recent medical consent, health insurance information, and Medicaid status shall be entered on the Medical screen;
  - 14. All completed case plans shall be entered on the Case Management screen;
  - 15. CSR hours assessed and completed shall be entered timely and accurately on the CSR screen.
  - 16. Probation officer and unit assignments shall be entered on the Juvenile ID and Case Management Screens:
  - 17. Department procedures with regard to transferring and closing case files (Section 9 of this

chapter) shall be followed;

- 18. Remove the transferring alert from the Alert screen upon receipt of the case file.
- E. Specific rules and duties are as follows:
  - 1. The TechShare.Juvenile Training Specialist shall:
    - a. Participate in the development of policies and procedures that are applicable to TechShare.Juvenile data entries; and
    - b. Train and assist staff with:
      - (1) TechShare.Juvenile entries;
      - (2) problems; and
      - (3) errors as identified by TJJD.
  - 2. Intake Screening staff shall:
    - a. Enter all referrals that are processed through the Detention Center; and
    - b. Enter victim information from the arrest report.
  - 3. District Attorney Liaison shall:
    - a. Enter all referrals for Inter-County Transfer and Interstate Compact requests, Transfers of Disposition, and changes of venue for Deferred Prosecution cases;
    - b. Enter all paper referrals from police agencies, municipal courts, and Dallas Challenge Truancy Enforcement Program; and
    - c. Enter all information available on the juvenile on the appropriate TechShare.Juvenile screens for the above cases.
  - 4. Records staff shall:
    - a. Enter the receipt and recall of all warrants on the Alert screen;
    - b. Upon receipt of a petition, enter the JD number on the Disposition screen, enter the court date on the Court Hearing screen, and complete a chronological entry documenting the date filed and date received of that petition;
    - c. Complete a chronological entry for the receipt of all court orders and signed conditions and instructions;
    - d. Enter "HW Records" on the Juvenile ID screen on all closed case files upon receipt; and
    - e. Return any case file to the sending unit if closed incorrectly.
  - 5. Court Liaison staff shall:
    - a. Enter all hearing results and add any reset information under Result Description on the TechShare.Juvenile/Court/Court Hearings page;
    - b. Upon disposition, complete the Result Disposition box with a comment and start a TechShare. Juvenile Supervision record (if the assigned JPO represents the case, then the Court Liaison chronological worksheet shall be forwarded to the Court Liaison secretary immediately after court);
    - c. Enter assessed CSR hours;
    - d. Verify that restitution amounts are entered properly if ordered by the court;
    - e. Complete a chronological entry when Adjudication and Disposition occur on the same day, and when only Disposition has occurred (Adjudication occurred on a prior date); and
    - f. Formalize paper referrals, and update addresses/contact information/associates screen if juvenile is placed on PAIS at his/her Announcement Hearing.
  - 6. Placement Services staff shall complete all information on the Placement screen when a juvenile is admitted to and discharged from a contract facility.
  - 7. DCJD operated placement facilities (START, RDT, Medlock, & Youth Village) staff shall complete all information on the Placement screen when a juvenile is admitted to and discharged from the facility.
  - 8. Victim Services staff shall update all victim information and services on the Victim screen.
  - 9. Program, JJAEP, and School screen information (begin date, end date, outcome, etc.) shall be entered within 48 hours by the appropriate unit(s).
    - a. Contract Services staff shall enter all non-residential contract program information on the Program screen.

- b. Psychological Services staff shall enter all psychological program information on the Program Screen and any referrals and testing on the Behavioral Health screen.
- c. SAU shall enter all SAU program information on the Program screen.
- d. Electronic Monitoring staff shall enter all EM program information on the Program screen.
- e. Home Detention staff shall enter all HD program information on the Program screen.
- f. Day Reporting staff shall enter all DRC program information on the Program and School screens.
- g. JJAEP staff shall enter all JJAEP information on the JJAEP and School screens.
- h. Special Needs staff shall enter all SNU program information on the Program screen.
- i. FEDI, DMC, ESTEEM, Mental Health Court, and Drug Court staff shall enter their program information on the Program screen.
- j. Family Functional Therapy staff shall enter FFT program information on the Program screen.
- k. Letot staff shall enter all Letot non-residential services program information on the Program screen.

Dallas County Juvenile Department Probation Services	
Policies and Procedures, 2014 Revision	
Chapter 2: Case Management	
Section 4: TechShare.Juvenile and Data	Related Standards: TAC 341.47; 341.48;
Collection	341.49; 341.50; 341.51

#### I. Policy:

The Dallas County Juvenile Board has designated an employee to serve as the Data Coordinator. The Data Coordinator shall function as the primary contact with the Texas Juvenile Justice Department (TJJD) on all matters relating to data collection, reporting and TechShare. Juvenile.

#### II. Definitions:

<u>TechShare.Juvenile</u>: user defined as a computer-based tracking and case management system that provides juvenile probation officers a systematic method to track and manage juvenile offender caseloads.

<u>Data Coordinator</u>: is defined as a person employed by Dallas County Juvenile Department who is designated by the juvenile board to serve and function as the primary contact with TJJD on all matters relating to data collection and reporting.

<u>TJJD Monthly Folder Extract</u>: is defined as an automated process to gather data relating to all case files in the case management system designed to analyze crime and juvenile trends, program success, and profiling of juvenile offenders. The extract shall be submitted in the format specified by the TJJD Electronic Data Specifications.

<u>Comprehensive Folder Edit</u>: is defined as a report generated in TechShare. Juvenile that performs an extensive edit of the folder information. This report identifies incorrectly entered data, unrecoverable files, and questionable data that impact the accuracy of the reports and programs.

<u>Electronic Data Interchange Specifications</u>: is defined as a document developed by TJJD outlining the data fields and file structures that each department is required to follow in submitting the TJJD Monthly Folder Extract. The Electronic Data Interchange Specifications are published in Subchapter I, TAC 341.60.

- A. The Data Coordinator shall attend training, as required and deemed necessary by TJJD, relating to updates on statistical and research-based information and requirements.
- B. The Data Coordinator shall have a thorough understanding of TJJD reporting requirements and shall be trained on TechShare.Juvenile by TJJD.
- C. If the designation of the Data Coordinator is changed by the juvenile board, TJJD shall be notified in writing within 10 business days.
- D. Within 90 days from date of a new designation as Data Coordinator, the new Data Coordinator shall attend TechShare. Juvenile training provided by TJJD.
- E. The Data Coordinator is responsible for ensuring that the data submitted to TJJD by the Dallas County Juvenile Department is accurate, timely, and consistent with TJJD reporting requirements.
- F. The Data Coordinator shall ensure that the TJJD Monthly Folder Extract is received on or by the applicable due date.
- G. The extract is due to TJJD on the 10<sup>th</sup> day of each month following the reporting period.

- H. The Data Coordinator is responsible for ensuring that the TJJD Monthly Folder Extract data shall be sent to TJJD via the Internet on a monthly basis and shall include all data fields required by the TJJD Electronic Data Interchange Specifications.
- I. All Juvenile Probation Officers shall fill in all applicable data fields for each referral in TechShare.Juvenile to minimize missing information as specified in the TechShare.Juvenile Extract File Layout.
- J. Each assigned Probation Officer is responsible for entering new and updated data within 24 hours of receipt of the information (with the exception of chronological entries which should be entered within 5 days).
- K. A Comprehensive Folder Edit shall be run on a monthly basis by the Data Coordinator.
- L. If TJJD requires additional fields, the department shall update their case management system to include such information.
- M. The Dallas County Juvenile Board and the Chief Administrative Officer shall ensure that statistical and programmatic data pertaining to each student admitted to Dallas County JJAEP are gathered and documented. TAC 348.5(a). The Dallas County Juvenile Justice Alternative Education Program shall maintain accurate statistical and programmatic data on all students enrolled. TAC 348.5(a).
- N. Errors detected by the Comprehensive Folder Edit, the annual TJJD monitoring visit, or the TJJD Research and Training Division upon analysis shall be corrected prior to the next submission of the TJJD Monthly Folder Extract.
- O. Juvenile probation officers shall work diligently with the Department Data Coordinator to provide any information needed to accurately correct any missing information or errors previously reported.
- P. All Dallas County Juvenile Department users shall be required to obtain a password to TechShare.Juvenile. Passwords **shall not** be shared by employees or other persons. A limited amount of people shall be authorized to delete information contained within TechShare.Juvenile. Access to the TechShare.Juvenile shall be terminated for people no longer employed by the department.
- Q. To maintain password security, each user shall change his/her password every 60 calendar days. Once a password is 60 calendar days old, the system shall prompt the user to make the change. The user shall have grace logins in which he/she can change his/her password if he/she fails to change the password during the grace logins, the account shall be locked and the user must contact the Department's designated TechShare.Juvenile administrator.
- R. To ensure the security of the information, data collection, access to TechShare.Juvenile data and protection of the privacy of juvenile information in TechShare.Juvenile, the Administrator shall designate the level of entry/viewing for each employee with reference to the needs of the department.
- S. To further ensure continuity and security of information, any and all decisions in regard to the integration or implementation of TechShare. Juvenile or any other systems shall be the responsibility of the Dallas County Chief Information Technology Officer. The Chief Information Technology Officer manages Dallas County's processing through contract services and ensures that the county receives full value of services from contractor or other service provider. The Chief Information Technology Officer investigates problems and monitors the development, maintenance, conversion, installation, and modification of data bases, hardware, and software.
- T. Backups for Netware and Microsoft servers are executed across the Dallas County network from the central backup solution housed in the Dallas County Records building located at 509 Main Street.

  TechShare.Juvenile is housed on Rackspace through a contract with the Texas Conference of Urban Counties.

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Chapter 2: Case Management
Section 5: Chronological Entries

## I. Policy:

All juvenile case files shall contain timely and detailed chronological entries pertaining to any events, facts, or communication regarding a juvenile.

#### II. Definitions:

<u>Chronological Entry</u>: is defined as a documented account of an event, fact, or communication arranged in the order of occurrence related to a juvenile's record.

- A. All chronological entries shall be recorded into TechShare. Juvenile within 5 business days of the event.
- B. All chronological entries shall be accurate with regard to the time and date that the event occurred.
- C. All chronological entries shall be proof-read for clarity and grammatical errors.
- D. Appropriate TechShare.Juvenile chronological headings shall be used to document the event.
- E. Chronological entries do not need to be printed out on any type of schedule unless specifically requested by the court.

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Chapter 2: Case Management

Section 6: Case File Order

# I. Policy:

Information and documents for all juvenile case files shall maintained in a particular order and manner.

II. Definitions: None

#### III. Procedure:

A. All case files shall be filed in the following order:

## Left Side of Case File

- 1. Top Section
  - a. Updated Face Sheet
  - b. Chronological Records (including Court Liaison chronological sheets)
  - c. Court Reports (Pre-Disposition Reports, Supplements, Addendums, Review Hearing Reports, Victim Service Reports)
- 2. Assessment Section
  - a. Initial Case Plans, Case Plan Reviews, Foster Care Risk Assessments, Exit Plans with Sealing of Records and Restricted Access information, TJJD Risk and Needs Assessment (grouped in chronological order, most recent on top)
  - b. Safety plans (sex offender, domestic violence, suicide prevention/intervention).
  - c. Psychological screens, assessments, and addendums and psychiatric evaluations/consultations (grouped in chronological order, most recent on top)
  - d. Chemical assessments
  - e. Home Studies
  - f. Assessment Tool

#### Right Side of Case File

- 1. Court Section
  - a. Current Conditions of Probation signed by District Judge
  - b. Current Notification of Change in Conditions of Probation (if applicable)
  - c. Current Instructions to New Probationers
  - d. Current court order
  - e. All other court documents grouped in chronological order, most recent on top (Order of Non-Suit, Pre-Trial Orders, Order for Pre-Disposition Report, Order of Appointment, Referee orders, warrants)
- 2. Correspondence Section All documents filed by chronological order, most recent on top
  - a. Letters
  - b. Program progress reports
  - c. School attendance reports (present semester)
  - d. School sign-in sheets
  - e. EM reports, agreement
  - f. CPRC staffing sheets
  - g. Placement Match Notifications
  - h. Master referrals
  - i. UA lab reports
  - j. CSR time sheets
  - k. Notice to Schools

- 1. Deferred Prosecution agreement, monthly reports
- m. Miscellaneous correspondence (ICT / Interstate Compact requests, e-mails, etc)
- 3. Placement/Non-Residential Services Section
  - a. Progress reports
  - b. Incident reports
  - c. Discharge summaries
- 4. Vital Statistics Section
  - a. Birth certificate
  - b. Social Security card/verification
  - c. Immunization record
  - d. Current physical exam
  - e. Current dental exam
  - f. School transcripts (working document)
  - g. Consent form
  - h. Parkland Hospital Consent for Treatment
  - i. Financial statement
  - j. Interagency Application for Placement (formerly referred to as the Common Application) always filed at the bottom of this section
- 5. Referral Section Referral packet shall contain the items listed below in the following order, most recent on top:
  - a. Juvenile charging information sheet (if available)
  - b. Detention admission authorization form (if applicable)
  - c. Detention release authorization form (if applicable)
  - d. Most recent case history report
  - e. Notification of rights
  - f. Arrest report/offense report/incident report/ TechShare.Juvenile report/prosecution report
  - g. Magistrate warning
  - h. PO custody report
  - i. DPS reporting sheet
  - i. MAYSI (acknowledgement statement, instrument, scoring sheet)
- B. Brown folders have additional filing sections than manila folders and shall be filed accordingly:

## Left Side of Case File

1. Same as a manila folder

# Right Side of Case File

- 1. Court Section section 2
- 2. Correspondence Section section 3
- 3. Non-Residential/Placement Section section 4
- 4. Vital Statistics Section section 5
- 5. Referral Section section 6
- C. Blue dot (Title IV-E) folders follow the same file order as brown folders and have an additional IV-E section. Nothing in the IV-E section shall be removed at any time.
- D. Case files shall be reviewed routinely for items that can be discarded such as duplicates or items no longer essential to the case file. The following items shall be removed from the case file:
  - 1. Detention behavior sheets once a juvenile is released
  - 2. Old case history reports keep only the most current report
  - 3. Requests for warrants, Agreed Orders once the warrants/orders are received
  - 4. School attendance reports at the end of the semester
  - 5. Negative UA lab reports upon the expiration of probation
  - 6. EM reports with the exception of the agreement

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Section 7: Vital Statistics

# I. Policy:

The Department requires that all juvenile case files contain verification documents pertaining to the juvenile's date of birth, place of birth, citizenship, Social Security number, record of immunizations, educational history, and financial information as well as a consent from the parent, guardian, or custodian for certain services. As a rule, the birth certificate, social security card, and current financial statement shall be scanned and uploaded to TechShare.Juvenile for all cases.

If a juvenile has been ordered to the custody of the Chief Probation Officer for placement at a contract or DCJD operated facility, the case file shall also contain the most recent physical examination and dental examination.

If a juvenile is committed to the care and custody of the Texas Juvenile Justice Department or placed in a contract facility, the case file shall also contain an Interagency Application for Placement (formerly referred to as the Common Application).

## II. Definitions: None

- A. Each juvenile case file shall contain the following documents filed in the Vital Statistics section:
  - 1. Birth certificate:
  - 2. Social Security card/verification;
  - 3. Immunization record;
  - 4. Copy of most recent physical examination (if applicable):
  - 5. Copy of most recent dental examination (if applicable);
  - 6. School transcripts (working document);
  - 7. Consent form (must be signed and dated within 1 year);
  - 8. Parkland Hospital Consent for Treatment (dated from each admission to Detention, Letot, or Hill Center) \*Only needs to be kept until discharge date:
  - 9. Financial statement (must be signed and dated for each disposition, court or Deferred Prosecution); and
  - 10. Interagency Application for Placement (if committed to TJJD or ordered to a contract placement facility).
- B. All attempts to obtain the required verification documents shall be documented if any of the verification documents are missing from the case file.

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Section 8: Financial Statement

#### I. Policy:

The Department requires that all juvenile case files contain financial information provided by the juvenile's parent, guardian, or custodian. This information is essential in determining a juvenile's eligibility for certain grant programs as well as used by the court to determine court costs and fees. A financial statement shall be completed, not updated for each disposition on a juvenile's case whether it be court or Deferred Prosecution.

II. Definitions: None

- A. The Department approved financial statement shall be completed on all juvenile case files in the following manner:
  - 1. The financial statement shall be fully completed with no blank spaces on the form;
  - 2. The financial statement shall be completed prior to each disposition, court or deferred prosecution;
  - 3. The current financial statement information shall be entered into the TechShare.Juvenile financial screen and a legible copy of the financial statement scanned and uploaded into TechShare.Juvenile as well;
  - 4. A TechShare.Juvenile chronological entry shall be completed documenting the date that the financial statement was completed or updated; and
- B. The current financial statement shall be filed in the Vital Statistics section of the juvenile's case file and all previous copies discarded.

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Section 9: Consent and Waiver of Liability Form

# I. Policy:

The Department requires that the Consent and Waiver of Liability form be completed and signed by the juvenile's parent, guardian, or custodian on all case files.

II. Definitions: None

- A. The Consent and Waiver of Liability Form shall be completed on all juvenile case files in the following manner:
  - 1. The Consent and Waiver of Liability Form shall be dated and signed by the juvenile's parent, guardian, or custodian within 1 year from the date of signature;
  - 2. The parent, guardian, or custodian shall initial beside each space on items 1 through 6; and
  - 3. A witness signature shall be obtained.

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Section 10: Parkland Hospital Consent for Treatment

# I. Policy:

The Parkland Hospital Consent for Treatment form shall be completed for every juvenile who is admitted to Detention, the Marzelle Hill Transition Center, and Letot.

Parkland Hospital (the Department's medical provider) **requires** that the form be completed **each time** a juvenile is admitted to Detention (including the Hill Center and Letot) in order to receive medical services and/or treatment.

II. Definitions: None

#### III. Procedure:

A. The procedure for obtaining a signed Parkland Hospital medical consent form is as follows: The Facility Expediter will obtain the signature of the parent/guardian/custodian on the Parkland Hospital Consent for Treatment form at the initial detention hearing provided that the parent/guardian/custodian is present and on time for the hearing. A signed copy of the Parkland Hospital Consent for Treatment form is forwarded to the medical clinic and the assigned juvenile probation officer. If the parent/guardian/custodian is not present at the hearing, then the consent shall be signed by the Director of Juvenile Services.

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Section 11: Case File Transfers

## I. Policy:

Certain actions and / or circumstances may occur and require that a juvenile's case file be transferred to another unit or field district. The following are examples of actions and / or circumstances for case file transfer:

- A. A petition is filed;
- B. The juvenile is released from detention on Pre-Adjudication Intensive Supervision (PAIS);
- C. Disposition occurs;
- D. The juvenile is admitted to a residential facility;
- E. The juvenile is discharged from a residential facility;
- F. The juvenile moves to a different zip code area by change of address or custodian;
- G. The juvenile is participating in a specialized supervision or diversion program (SNU, SOS, FEDI, Mental Health Court, ESTEEM Court, or DMC Court); or
- H. The juvenile completes the specialized supervision or diversion program.

#### II. Definitions: None

## III. Procedures:

Each unit and field district in Probation Services as well as Letot Deferred Prosecution, Medlock, and Youth Village from Institutional Services shall follow the procedures listed below for their respective units with regard to case transfer:

- A. When a case file meets the criteria for transfer to another unit, the sender shall transfer the file within 3 business days to the receiving unit.
- B. If the case file is transferred appropriately and within the required time frame, the receiving unit is responsible for **all** case management responsibilities from the date of receipt of the case file with the following exceptions:
  - 1. If a review hearing is scheduled within 14 calendar days of transfer, the sending officer shall appear for the review hearing and complete the review hearing report.
  - 2. If a juvenile absconds from supervision or is arrested for a new offense while the file is in transit from one unit to the other, then that file shall be returned to the sending unit by the receiving unit.
- C. If the case file is not transferred within the required time frame, the current assigned unit shall be responsible for all case management responsibilities of the case file including court and case plans.
- D. If a juvenile admitted to or discharged from a residential facility has a petition filed for a new offense(s) or probation violation(s) within 14 calendar days of the admission or discharge, the sending unit shall be returned the file and assume case management responsibilities.
- E. A case file shall not be transferred if:
  - 1. The juvenile is in detention or the Marzelle Hill Center:
  - 2. It is a probation supervision case that has a pending offense(s) or probation violation(s);
  - 3. It is an assessment case that has a PDR Order, and the court date is within 30 days;
  - 4. It is a PAIS case that has a court date within 30 days;
  - 5. It is a case assigned to the Court Assessment Unit that has a court date within 10 business days from the juvenile's release from detention; and
  - 6. Probation supervision case is scheduled to expire within 30 days.

- 7. It is an Inter-County Transfer, and the receiving county has yet to accept the case.
- F. Some specialized supervision and/or diversion programs are allowed to transfer an active warrant case with a pending offense(s)/violation(s) to the appropriate field district.
- G. Each unit's or field district guidelines for case file transfer are listed below:

## Intake:

1. When a petition is filed, the case file shall be transferred to the appropriate field district according to the juvenile's zip code.

## Court Assessment:

- 1. Upon disposition, the case file shall be transferred to:
  - a. The appropriate field district or specialized unit if the juvenile is placed on probation at home or admitted to the START Program;
  - b. The appropriate field district designated by the Manager of Field Services if the juvenile is placed on probation at home through Inter-County Transfer or Interstate Compact;
  - c. The appropriate unit (Medlock, Youth Village, or Placement Services) once the juvenile is admitted to a contract or DCJD operated residential facility (Please note that the assigned officer is responsible for notifying the parent/guardian of a juvenile's departure date to an out of county placement facility);
  - d. The appropriate field district if the juvenile is placed on probation and admitted to a private residential facility; or
  - e. The appropriate field district designated by the Manager of Field Services if the juvenile is placed on probation in the custody of the Texas Department of Family and Protective Services and not identified as a "Crossover Youth."
- 2. Upon the juvenile's release from detention, the case file shall be transferred to the appropriate field district or unit (if ordered to participate in a specialized program).

## Field Supervision and Assessment:

- 1. A case file for a juvenile on supervision (PAIS or probation) shall be transferred to:
  - a. The appropriate specialized unit (please note that only a probation supervision case should be transferred to SNU as PAIS cases remain in the original unit until disposition);
  - b. The appropriate field district for a juvenile who has moved to a different zip code area;
  - c. The appropriate unit (Medlock, Youth Village, or Placement Services) once the juvenile is admitted to a contract or DCJD operated residential facility (Please note that the assigned officer is responsible for notifying the parent/guardian of a juvenile's departure date to an out of county placement facility);
  - d. Court Assessment if a Motion for Discretionary Transfer (certification) has been filed; or
  - e. Court Assessment if it is an assessment case, and the juvenile resides out of county.

# <u>Deferred Prosecution (Field and Letot):</u>

- 1. A case file shall be transferred to:
  - a. The appropriate field office if a petition has been filed;
  - b. Court Assessment if the juvenile is placed in detention on a new referral; or
  - c. The FEDI Unit if the juvenile is accepted.

## Drug Diversion, FEDI:

- 1. A case file shall be transferred to:
  - a. The appropriate field office if a petition has been filed; or
  - b. Court Assessment if the juvenile is placed in detention on a new referral.

## Medlock, Youth Village, Placement Services:

- 1. When continuing on the current term of probation, a case file shall be transferred to:
  - a. The appropriate field district or specialized unit if the juvenile is successfully discharged from the facility and returning to the community; or
  - b. The appropriate field district designated by the Manager of Field Services if the juvenile is successfully discharged from the facility and returning to the community through Inter-County Transfer or Interstate Compact;
- 2. Upon disposition, the case file shall be transferred to:

- a. The appropriate unit (Medlock, Youth Village, or Placement Services) once the juvenile is admitted to a contract or DCJD operated residential facility(Please note that the assigned officer is responsible for notifying the parent/guardian of a juvenile's departure date to an out of county placement facility); or
- b. The appropriate field district or specialized unit if the juvenile is placed on probation at home or admitted to the START Program.
- H. Prior to transfer of the case file, the sending officer shall complete the following:
  - 1. All screens in TechShare.Juvenile have been updated as required;
  - 2. The face sheet is updated and contains all required information;
  - 3. All TechShare.Juvenile referrals have been submitted;
  - 4. All paperwork regarding the juvenile has been documented and placed in the case file;
  - 5. All chronological entries are updated;
  - 6. Transfer summary chronological entered into TechShare.Juvenile;
  - 7. File order is correct; and
  - 8. File submitted to supervisor in a timely manner in order to meet 3 working day requirement.
- I. Once the file has been approved for transfer by supervisory staff, the sending unit shall complete a TechShare. Juvenile Alert documenting the date and destination of the transfer.
- J. The case file shall be sent to the receiving unit with a completed Case Folder Transfer Receipt.

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ļ	Section 12: Case File Closure to Records

A juvenile's case file shall be closed and sent to Records when supervision is terminated and / or the Department no longer has jurisdiction over the case. The following are examples of actions or circumstances for a case file to be closed to Records:

- A. The juvenile's probation supervision term is successfully completed;
- B. The juvenile is committed to the care and custody of the Texas Juvenile Justice Department;
- C. The juvenile receives No Formal Disposition on the pending offense(s) and has no remaining active supervision;
- D. The juvenile's pending offense(s) is non-suited, found Not True, or Dismissed from Want of Prosecution and has no remaining active supervision;
- E. No action is taken by the District Attorney's Office after 90 days and there is no other pending offense(s) or remaining active supervision;
- F. The juvenile has an active warrant due to violations for a misdemeanor adjudication(s) or pending misdemeanor offense(s) and reaches the age of 18;
- G. The juvenile has an active warrant due to violations for a felony adjudication(s) or pending felony offense(s) and reaches the age of 19 except:
  - a. The pending felony offense(s) is a 3g offense; or
  - b. A Motion for Discretionary Transfer has been filed on that offense(s).
- H. The juvenile's Determinate Sentence probation supervision is transferred to the adult system at a transfer hearing; or
- I. The Motion for Discretionary Transfer is granted, and the juvenile is certified as an adult and transferred to Lew Sterrett.

#### II. Definitions:

<u>3g offense</u>: is defined as an offense referenced in Texas Code of Criminal Procedure Article 42.12 Section 3g which includes Murder; Capital Murder; Indecency with a Child; Aggravated Kidnapping; Aggravated Sexual Assault; Aggravated Robbery; offenses under Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act) for which punishment is increased under Section 481.140 (Use of a Child) or Section 481.134 (Drug Free Zones); Sexual Assault; First Degree Injury to a Child;

Sexual Performance by a Child; and First Degree Criminal Solicitation.

## III. Procedure:

The procedures for case file closure to Records is applicable all units and field districts in Probation Services as well Letot Deferred Prosecution, Medlock, and Youth Village in Institutional Services.

- A. If an active warrant case is eligible for closure to Records as listed above, the assigned officer shall send a warrant recall letter to the appropriate district court and then verify that the warrant has been recalled via the TechShare.Juvenile Alert.
- B. Prior to forwarding of the case file to Records, the sending officer shall complete the following:
  - a. All referrals have a disposition entered into TechShare.Juvenile;
  - b. All screens in TechShare.Juvenile have been updated as required including no remaining balance of CSR hours;

- c. The face sheet is updated and contains all required information;
- d. All paperwork regarding the juvenile has been documented and placed in the case file;
- e. All chronological entries are updated, printed, and placed in the file;
- f. Closing summary chronological entered into TechShare.Juvenile; and
- g. File order is correct
- C. Once the file has been approved by supervisory staff to be sent to Records, the sending unit shall complete a TechShare. Juvenile Alert documenting the date and that the case file is being closed to Records.
- D. The case file shall be sent to Records with a completed Case Folder Transfer Receipt.

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Section 13: Mandatory Referrals for Specialized Supervision and Diversion Programs

# I. Policy:

All juveniles referred to the Department shall be screened for eligibility for any and all appropriate specialized supervision and diversion programs such as Special Needs Diversionary Program (SNU), Front End Diversionary Program (FEDI), Mental Health Court, Drug Court, Experiencing Success Through Encouragement, Empowerment and Mentoring Court (ESTEEM), and Diversionary Male Court (DMC). These programs are designed to increase the availability of effective services to juveniles with specific needs.

## II. Definitions: None

- A. Probation Services officers (field probation, field assessment, Deferred Prosecution, Court Assessment, and Intake) shall screen their cases for specialized supervision and diversion program eligibility.
- B. A referral to the appropriate program(s) shall be made to the program's supervisor.
- C. Upon receipt of a referral, the juvenile will be screened and/or interviewed, and his/her eligibility determination will be based upon appropriateness for the program, willingness to participate, and availability.

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Section 14: Supervisory Case File Audits

## I. Policy:

The Department utilizes supervisory audits of case files to monitor compliance with TJJD standards and Department policies and procedures; to ensure delivery of effective supervision and appropriate services to juveniles; and to assess performance by the assigned officer.

## II. Definitions: None

- A. Deferred Prosecution, Assessment (Field and Court Assessment), and Probation (field or placement) cases are audited by the Assistant Supervisor of the designated Probation Services units on a monthly basis. Each officer shall have at least 1 case file audited monthly.
- B. Case file audit forms and scoring guideline sheets are standardized with regard to the type of case and can be found on the K Drive/JD Forms/Administrative/Audit Forms.
- C. Upon completion of an audit, the Assistant Supervisor shall complete a chronological entry documenting that the case file was audited. A copy of the completed audit form shall be provided to the officer, Supervisor, Manager of Field Services or Pre-Adjudication Services, and Quality Assurance.
- D. Scores on the required contacts are "all or nothing" meaning **no** partial credit will be given for missing contact(s) or required information and documentation for the financial statement.
- E. If a case file fails the TJJD standards section, it is considered a failed audit no matter the score. Two additional files shall be audited from that officer's caseload.
- F. If a case file's audit score is 69 or below (Poor), two additional files shall be audited from that officer's caseload.
- G. If a case file requires correction(s), then it shall be documented on the audit form and the assigned officer given 5 business days to make the required correction(s). The Assistant Supervisor shall follow-up on completion of the correction(s).
- H. Additional audits may be conducted at supervisory discretion or by Department audit teams and Quality Assurance as needed.
- I. The Supervisor is responsible for addressing any audit scores that fall between the range of 70 and 84 based upon the probation officer's history and any area(s) needing improvement

Dallas County Juvenile Department Probation Services	
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Chapter 3: Intake	
Section 1: Admission	Related Standards: TFC 53.01, 53.02, 61.102; TAC
The state of the s	343.400; 343.404

The Dallas County Juvenile Department shall maintain an Intake Unit that is authorized by the Juvenile Board to perform the tasks mandated by the Texas Family Code associated with determining whether a child should be detained or released. The Juvenile Department shall maintain an Intake Unit staffed with probation officers twenty-four (24) hours a day seven (7) days a week, to receive juveniles, review and make decisions regarding the intake process. All policies and procedures shall be in accordance with applicable statutes and standards.

Upon presentation for detention, a juvenile shall not be left unsupervised pending the determination of whether to release or admit the juvenile into the facility. During this time, the juvenile shall remain under the constant visual observation of either the law enforcement officer presenting the juvenile for detention or appropriate Intake staff. When the juvenile is not being admitted into detention, the Intake probation officer shall release the juvenile to the law enforcement officer presenting the juvenile for detention.

Juveniles presented for detention shall be admitted into secure detention immediately but no later than six (6) hours from the time of entry. Once admitted into the facility, the juvenile becomes a resident of the facility and is subject to all supervision requirements.

#### II. Definitions:

<u>Child:</u> a person who is ten (10) years of age or older and under seventeen (17) years of age; or seventeen (17) years of age or older and under eighteen (18) years of age who is alleged or found to have engaged in delinquent conduct or conduct indicating a need for supervision as a result of acts committed before becoming seventeen (17) years of age.

<u>Risk Assessment Instrument (R.A.I)</u>: a tool designed to assess the risk of juveniles' recidivating, by being referred to the Juvenile Department for either a new referral and/or the risk of the juvenile absconding from the jurisdiction of the court while pending the final disposition of the original referral.

#### III. Procedure:

The Intake probation officer shall advise the juvenile of his/her rights and conduct a preliminary investigation to determine whether:

- A. The person referred to the juvenile court is a child within the meaning of this title; and there is probable cause to believe the person engaged in delinquent conduct or conduct indicating a need for supervision; or the person is a non-offender who has been taken into custody and is being held solely for deportation out of the United States, this individual shall be released within 24 hours.
- B. If it is determined that the person is not a child or there is not probable cause, the person shall immediately be released to the delivering agency.
- C. If it is determined that the person is a child, and regardless of a finding of probable cause, there is an allegation that the child engaged in delinquent conduct of the grade of a felony, or possession of a firearm, illegal knife, or club, as those terms are defined by Section 46.01, Penal Code, or prohibited weapon, as described by Section 46.05, Penal Code, the case shall be promptly forwarded to the office of the Prosecuting Attorney, accompanied by:
  - 1. All documents that accompanied the current referral; and

- 2. A summary of all prior referrals of the child to the juvenile department.
- D. When probable cause is established by the Intake probation officer, the officer shall:
  - 1. Notify the detention staff and the referring authority immediately;
  - 2. Document the date, time, and name of the authorizing intake officer;
  - 3. In compliance with the Texas Family Code 61.102, notify the parent, guardian or custodian of the juvenile's arrival to the Dallas County Juvenile Detention Center and provide the following information:
    - a. Date and time of offense;
    - b. Date and time juvenile was taken into custody;
    - c. Name of the offense and its penal category;
    - d. The type of weapon, if any, that was used;
    - e. The type of property taken or damaged and the extent of the damage, if any;
    - f. Physical injuries, if any, to the victim in the offense;
    - g. Whether there is reason to believe that the offense was gang related;
    - h. Whether there is reason to believe that the offense was related to the consumption of alcohol or use of an illegal controlled substance;
    - i. If the juvenile was taken into custody with adults and other juveniles, the names of those persons;
    - j. Aspects of the juvenile court process that apply to the juvenile;
    - k. If the juvenile is in detention, the visitation policy of the detention facility that applies to the juvenile;
    - I. The juvenile's right to be represented by an attorney and the local standards and procedures for determining whether the parent qualifies for appointment of counsel to represent the juvenile; and
    - m. Methods by which the parent can assist the juvenile with the legal process.
- E. The Intake probation officer shall provide the juvenile with the "Notification of Civil Rights," secure the appropriate signature and ensure the juvenile can read and understand the rights. If the juvenile is unable to read, the officer shall read the rights to the juvenile and explain. If the juvenile does not read or speak English, the appropriate translator shall be provided within 48 hours of admission.
- F. The Intake probation officer shall advise the juvenile of the intake process and decisions that can be made.
- G. The Intake probation officers shall create a new record or update an existing record on the referred juvenile utilizing the Juvenile Information System (JIS) and TechShare. Juvenile.
- H. When there are multiple records in JIS for the juvenile, the Intake probation officer shall contact the JIS Specialist to remove the duplicate records.
- I. The Intake probation officer shall administer the TJJD Standard Screening Tool (MAYSI-2) within 48 hours of admission into the Detention Center to determine the need for mental health services. When the juvenile does not read or speak English, the appropriate translation or translator shall be provided within 48 hours.
- J. A juvenile who scores a positive screening on the MAYSI-2 shall be administered a secondary screening immediately to assist in clarifying the juvenile's need for mental health intervention.
- K. If the secondary screening confirms the positive screening and indicate that mental health intervention is warranted, a mental health referral shall be made immediately for juveniles in detention. A juvenile who is not in detention should be immediately referred to a mental health provider within the community.
- L. If the secondary screening substantiates that the initial positive screening was false, then no further mental health intervention is required.
- M. The Intake probation officer shall record in TechShare. Juvenile in Chronological Notes and on the Assessment screen that the MAYSI-2 was administered, the scores and whether the juvenile was referred for mental health services.
- N. A copy of the MAYSI-2, Acknowledgement Statement and Secondary Screening shall be provided to the supervising probation officer if the tool was administered in the Intake Unit. The originals shall be maintained in the juvenile's resident file unless the tool was administered by the assigned probation officer.
- O. If the juvenile refuses to complete the MAYSI-2 or is incapacitated, the administration of the instrument may be delayed, but not longer than two (2) business days.
- P. If the juvenile, parent/custodian or attorney refuses permission to have the MAYSI-2 administered, it must be documented in TechShare.Juvenile.
- Q. Detention staff shall ensure that electronic fingerprints and photographs are appropriately documented.

- R. The decision to detain a juvenile following an in-custody referral to the Dallas County Juvenile Department Detention Center shall be made by a certified juvenile probation officer based on the following Department criteria and in accordance with applicable statutes.
- S. A juvenile taken into custody may be detained prior to a hearing on the petition only if:
  - 1. The child is likely to abscond or be removed from the jurisdiction of the court;
  - 2. Suitable supervision, care, or protection for the child is not being provided by a parent, guardian, custodian, or other person;
  - 3. The child has no parent, guardian, custodian, or other person able to return the child to the court when required;
  - 4. The child may be dangerous to himself/herself or the child may threaten the safety of the public if released;
  - 5. The child has previously been found to be a delinquent child or has previously been convicted of a penal offense punishable by a term in jail or prison and is likely to commit an offense if released; or
  - 6. The child is alleged to have engaged in delinquent conduct and to have used, possessed, or exhibited a firearm, as defined by Section 46.01, Penal Code, in the commission of the offense and shall be detained until the child is released at the direction of the judge of the juvenile court, a substitute judge authorized by Section 51.04(f), or a referee appointed under Section 51.04(G), including an oral direction by telephone, or until a detention hearing is held as required by Section 54.01.
- T. The Dallas County Juvenile Department shall determine if a juvenile shall be held for a detention hearing based upon the R.A.I score:
  - 1. A juvenile who scores 12 or more points or is referred for a mandatory offense is considered to be a high risk and may be held for a detention hearing;
  - 2. A juvenile who scores 7-11 points is considered to be a moderate risk and may be held for a detention hearing for the court to order services. Intake staff may also release the juvenile without a detention hearing;
  - 3. A juvenile who scores 1-6 points is considered to be a low risk and may be released without a detention hearing.
- U. The R.A.I. may not be applicable to all detention referrals. These referrals include:
  - 1. Texas Juvenile Justice Department (TJJD) Directives to Apprehend;
  - 2. Directives to Apprehend from other jurisdictions:
  - 3. Warrants from other jurisdictions;
  - 4. Subpoenas as "witnesses" to testify in other court proceedings;
  - 5. Transfer Release subpoenas for which the juvenile is subpoenaed from TJJD for the court to determine whether he/she shall be released from the Texas Juvenile Justice Department under some other supervision or whether he/she shall be remanded to the Texas Department of Criminal Justice;
  - 6. Referred persons who are 18 years of age and older;
  - 7. Holds which are officially executed from Immigration Agencies (ICE, INS, etc.).
- V. All Intake procedures apply to Dallas County Juvenile Department warrants and referee orders. A hard copy of a Directive to Apprehend is required for all other agencies, including TJJD juveniles presented for detention.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 3: Intake		
Section 2: Fingerprinting, Photographing & Related Standards: TFC 51.03, 58.002		
Interviewing Detained Juveniles		

The Dallas County Juvenile Department shall protect the rights of all detained juveniles. The fingerprinting, photographing, and interviewing of detained juveniles is limited by Texas Statutes.

A juvenile may not be photographed or fingerprinted without the consent of the juvenile court unless the juvenile is taken into custody or referred to the juvenile court for conduct that constitutes a felony or a misdemeanor punishable by confinement in jail. [Code of Criminal Procedure, Chapter 63]

#### II. Definitions: None

- A. Fingerprints and photographs may be taken if the juvenile is taken into custody for conduct that constitutes a felony or a misdemeanor punishable by confinement in jail on or before the tenth (10<sup>th</sup>) day after the date the juvenile is detain or taken into custody.
- B. Law enforcement officers who wish to interview detained juveniles shall contact the Facility Expediter who shall schedule the interview.
- C. The Facility Expediter shall notify the juvenile's attorney or the Public Defender's Office of the date, time and place of the scheduled interview. The Facility Expediter shall provide reasonable notice to allow the attorney or Public Defender the opportunity to be present or respond if desired.
- D. Prior to the interview, the law enforcement officer shall inform the juvenile of his/her civil rights pursuant to Section 51.09 of the Texas Family Code.
- E. When a law enforcement officer wishes to take a written or recorded statement from a juvenile, the juvenile must be taken before the juvenile court so that the judge can notify the juvenile of his/her legal rights.
- F. Law enforcement officers may assume temporary custody of a juvenile for investigatory purposes with the approval of the juvenile court. The attorney shall be notified prior to the temporary release of the juvenile.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 3: Intake		
Section 3: Release	Related Standards: TFC 53.02	

Based on the Risk Assessment Instrument score, an Intake probation officer is authorized to release a juvenile to a parent, guardian, custodian or other responsible person upon that individual's agreement to return the juvenile before the juvenile court as requested. The release may be conditioned upon requirements reasonably necessary to insure the juvenile's appearance at later proceedings, but the conditions of the release must be in writing and filed with the office or official designated by the court and a copy furnished to the juvenile. Intake probation officers may release and divert juveniles to deferred prosecution or other programs; or release and recommend filing with the District Attorney's office.

Dallas County Juvenile Department may hold a juvenile without a detention hearing up to 48 hours, pending release. In the event that the juvenile is not released from detention, a judicial determination of probable cause must be made within forty-eight (48) hours of the time the juvenile was taken into custody from the law enforcement agency. The forty-eight (48) hours does include weekends and holidays.

The assigned probation officer shall forward a Custody Report to the Intake Unit on all juveniles that they have knowledge of who will be entering detention, including active bench warrants, Referee Orders, and those juveniles pending violations of probation without and active bench warrant.

#### II. Definitions: None

- A. When releasing a juvenile, the Intake probation officer shall complete a Record of Release form or Intake conditions of release;
- B. The Resident Release Checklist shall be completed on all residents discharged from the Detention Center prior to their release.
- C. Detention staff shall complete all sections of the Resident Release Checklist except for the medical section which shall be completed by Parkland medical staff.
- D. Each and every section on the Resident Release Checklist shall be answered, and blank spaces shall be left on the form.

Dallas County Juvenile Department Probation Services Policies and Procedures, 2014 Revision

Chapter 3: Intake

Section 4: Paper Referrals

## I. Policy:

The DA Liaison shall obtain paper referrals from the District Attorney's office. The DA Liaison along with the District Attorney's office shall determine whether the case is appropriate for Deferred Prosecution, Drug Court Diversion Project, Supervisory Caution or if the case requires filing by the District Attorney's office.

#### II. Definitions: None

<u>Paper referral:</u> is a complaint that originates when the department receives paperwork from law enforcement, municipal court, or Dallas Challenge Truancy Enforcement Center for an alleged offense, but the probation department does not see the juvenile or take the juvenile into custody at that time.

- A. Misdemeanor referrals may be referred to Deferred Prosecution unless:
  - 1. The juvenile is currently on probation;
  - 2. The juvenile is currently on deferred prosecution, and the supervising probation officer indicates that the juvenile is non-compliant and the case requires filing.
- B. All misdemeanor assaults and Unlawful Carrying of a Weapon cases require approval from the District Attorney's office to be referred to Deferred Prosecution.
- C. Misdemeanor referrals that are referred to Deferred Prosecution shall be transferred to the respective field supervision unit.
- D. Felony referrals are normally filed with the District Attorney's office, however in some cases they may be referred to Deferred Prosecution or Drug Court Diversion Project with approval from the District Attorney's office.
- E. Felony referrals that are referred to Deferred Prosecution shall be transferred to the respective field supervision unit or Drug Court Diversion Project.
- F. Each case shall be looked at on a case by case basis to determine how the case shall be handled. Factors that may influence the determination may include the juvenile's age, whether it is the juvenile's first referral to the Department, has the juvenile previously been on probation, and if so how long was it before the juvenile recidivated, etc.
- G. The probation officer shall discuss the pending offense with the individual and administer the MAYSI-2 no later than 14 calendar days from the first face-to-face contact between the juvenile and the probation officer.
- H. A juvenile who scores a positive screening on the MAYSI-2 shall be administered a secondary screening immediately to assist in clarifying the juvenile's need for mental health intervention.
- I. If the secondary screening confirms the positive screening and indicate that mental health intervention is warranted, a mental health referral shall be made immediately for juveniles in detention. A juvenile who is in the community should be immediately referred to a mental health provider within the community.
- J. If the secondary screening substantiates that the initial positive screening was false, then no further mental health intervention is required.
- K. The probation officer shall document the MAYSI-2 results in TechShare.Juvenile.

Dallas County Juvenile Department Probation Services	
Policies and Procedures, 2014 Revision	
Chapter:3 Intake	
Section 5: Writ of Habeas Corpus	Related Standards: CCP, Article 11.01, 11.05

Writs of Habeas Corpus originating from a Texas Court of Criminal Appeals, District Court, County Court or any Judge of said Courts mandating the release of a child in detention shall be complied with immediately. The release of the juvenile from detention must be reviewed by a juvenile court judge or the Chair of the Juvenile Board prior to the release.

## **II. Definitions:**

Writ of Habeas Corpus: is defined as the remedy to be used when any person is restrained in his liberty. It is an order issued by a court or judge of competent jurisdiction, directed to anyone having a person in his/her custody, or under restraint, commanding him/her to produce such person, at a time and place named in the writ, and show why he/she is held in custody or under restraint.

- A. The Intake probation officer shall contact the Deputy Director of Probation Services, the Assistant Director or the Director and advise him/her of the writ issue.
- B. The contacted administrator shall advise a juvenile court judge or the Chair of the Juvenile Board to review the writ issue.
- C. The administrator shall instruct the Intake probation officer on what action is to be taken.

Policies and Procedures, 2014 Revision

Chapter 3: Intake

Section 6: Undocumented Juveniles

## I. Policy:

Undocumented juveniles who are referred to the Dallas County Juvenile Department shall be processed as any other juvenile referred to the Department.

# II. Definitions: None

- A. The citizenship of a juvenile shall be determined at the time the Intake probation officer is conducting a preliminary investigation in accordance with Texas Family Code, Section 53.01.
- B. The Intake probation officer shall release the juvenile to a parent, guardian, or custodian unless detention is warranted.
- C. If the juvenile is ordered release by the courts and there is no parent, guardian, or custodian to retrieve the juvenile, the consulate's office shall be contacted by the court coordinator.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 4: Assessment		
Section 1: MAYSI-2	Related Standards: TAC 341.36	

The MAYSI-2 shall be administered for all juveniles who receive a formal referral to the Dallas County Juvenile Department. A MAYSI-2 shall be administered to each juvenile admitted into detention within 48 hours from the time the juvenile is admitted. A MAYSI-2 must be administered on every juvenile who has a subsequent formal referral unless a MAYSI-2 was administered within the last 14 calendar days, and it is in the juvenile's case file. Referrals without detention require that a MAYSI-2 be administered no later than 14 calendar days from the first face-to-face contact between the juvenile and the probation officer. A new MAYSI-2 is not required if one has been completed within the previous 2 weeks of the formal referral.

#### II. Definitions:

<u>Massachusetts Youth Screening Instrument (MAYSI-2)</u>: screening instrument used to identify signs of mental and emotional disturbance or distress.

<u>Positive Screening:</u> a scored result on the MAYSI-2 recommending services requiring a primary service by a mental health professional.

- A. The MAYSI-2 shall be administered by an individual that has either received a training certificate from TJJD in administering the MAYSI-2 or from an individual who has been trained by an individual with a MAYSI-2 training certificate from TJJD.
- B. The individual administering the MAYSI-2 must administer the Legal Warning & Confidentiality Statement prior to screening the juvenile.
- C. The individual administering the MAYSI-2 must provide the juvenile with the MAYSI Acknowledgement Statement prior to administering the instrument. The Acknowledgement Statement must be signed by the juvenile and the person administering the MAYSI-2 and attached to the MAYSI instrument.
- D. The individual administering the MAYSI-2 should explain the process to the juvenile whether it is being administered in paper form or computer based. The person administering the MAYSI-2 shall not attempt to explain any statements to assist the juvenile in answering the questions. If the juvenile cannot read, it is permissible for the individual administering the MAYSI-2 to read the statements only and instruct the juvenile to mark their answers. If the juvenile does not read or speak English, the appropriate translation or translator shall be provided within 48 hours.
- E. A juvenile who scores a positive screening on the MAYSI-2 shall be administered a secondary screening immediately to assist in clarifying the juvenile's need for mental health intervention.
- F. If the secondary screening confirms the positive screening and indicate that mental health intervention is warranted, a mental health referral shall be made immediately for juveniles in detention. A juvenile who is not in detention should be immediately referred to a mental health provider within the community.
- G. If the secondary screening substantiates that the initial positive screening was false, then no further mental health intervention is required.
- H. The probation officer shall record in TechShare. Juvenile that the MAYSI-2 was administered, the scores and whether the juvenile was referred for mental health services.
- I. A copy of the MAYSI-2, Acknowledgement Statement and Secondary Screening shall be provided to the supervising probation officer if the tool was administered in the Intake Unit. The originals shall be maintained in the juvenile's detention case file unless the tool was administered by the assigned probation.

officer.

- J. If the juvenile refuses to complete the MAYSI-2 or is incapacitated, the administration of the instrument may be delayed, but not longer than two (2) business days.
- K. If the juvenile, parent/custodian or attorney refuses permission to have the MAYSI-2 administered, it must be documented in TechShare.Juvenile.

Policies and Procedures, 2014 Revision

Chapter 4: Assessment

Section 2: Risk and Needs Assessment

## I. Policy:

The Risk and Needs Assessment (RANA) shall be administered for all juveniles under the jurisdiction of the Dallas County Juvenile Department prior to disposition of a juvenile's case.

The Risk Assessment is designed to identify juveniles who are at risk of becoming chronic offenders, and the Needs Assessment identifies factors that, although not predictive of re-offense, target juveniles for more intensive or specialized services. The RANA is designed to assist departments determine the appropriate supervision and services for juveniles. The ultimate purpose of the RANA is to reduce recidivism

#### II. Definitions: None

- A. The assigned juvenile probation officer shall be responsible for completing the RANA.
- B. The RANA shall be completed prior to (or the same day) the disposition of the juvenile's case.
- C. The RANA shall be completed for all dispositions except for Dismissed, Dropped, or Nonsuited.
- D. Only one assessment is required per "disposition event." Multiple referrals disposed on the same day or within 14 days only require one assessment
- E. If disposition occurs without a completed RANA and two weeks have elapsed since the disposition date, the case will be non-compliant for TJJD purposes.
- F. The juvenile's risk and needs levels shall be included in the court report prior to the probation officer making a recommendation to the court. If the recommendation is being withheld, then the risk and needs levels shall **not** be included in the court report.
- G. The assessment must be completed in the county where case was disposed. For Inter-County Transfers, the sending county should complete an assessment and (ideally) send the assessment information to the receiving county.
- H. It is important that the juvenile probation officer completes the assessment as accurately and thoroughly as possible and uses the most current information available for the juvenile.
- I. The Risk and Needs Assessment form should be completed online at the RANA website:

  <a href="https://www.tjid.texas.gov/RANA">https://www.tjid.texas.gov/RANA</a>. A paper copy of the form can be used to gather the information needed. Please note that there is a male and female version of the paper form</a>
- J. The probation officer shall print a copy of the RANA and place it in the juvenile's case file under the assessment section in chronological order with the case plan, case plan review and exit plan.
- K. The risk and needs levels shall be entered in the Referral Screen of TechShare. Juvenile under the disposition tab as it is required by TJJD.
- L. The disposition and contacts section of the assessment shall be completed on the RANA website after the juvenile has been disposed and a determination has been made on the juvenile's level of supervision.

Policies and Procedures, 2014 Revision

Chapter 4: Assessment

Section 4: Psychiatric Evaluation

#### I. Policy:

A Psychiatric Evaluation shall be completed on a juvenile to determine if there is a need for medication and/or medication management.

## II. Definitions:

Psychiatric Evaluation: is defined as an assessment of a person's mental, social, and psychological functionality.

- A. A psychiatric evaluation may be completed for the following:
  - 1. The juvenile has a previous mental health diagnosis;
  - 2. The juvenile exhibits symptoms of a mental health diagnosis;
  - 3. The juvenile has previously been prescribed a psychotropic medication; or
  - 4. A mental health professional has noticed something while completing a psychological assessment prompting them that a psychiatric evaluation is needed to rule out a need for medication.
- B. A juvenile probation officer may request a psychiatric evaluation via JIS on a juvenile who is currently detained.
- C. A juvenile who is in the community shall be referred to a psychiatric provider within the community.

Policies and Procedures, 2014 Revision

Chapter 4: Assessment

Section 4: Psychological Screen

#### I. Policy:

A psychological screen may be completed on a juvenile to identify services the juvenile and/or family may require to meet the needs of the family and assist the juvenile in becoming a law abiding citizen.

#### II. Definitions:

<u>Psychological Screen</u>: is defined as an interview by a mental health professional to identify the needs, services or additional tests that may be required to aid in meeting the needs of the juvenile and/or family.

- A. The probation officer shall submit a referral for a psychological assessment to the Dallas County Psychology Department via JIS or notify the Intake probation officer that the juvenile is in need of a psychological assessment when the juvenile is detained. The detention referee may order that a psychological assessment be completed on a juvenile who is detained.
- B. A psychological screen is normally completed when a referral has been made for a psychological assessment, unless the following apply:
  - 1. The juvenile is being referred for out of home placement;
  - 2. The juvenile appears to be lower functioning and requires IQ testing; or
  - 3. The juvenile does not understand their rights in the court proceeding.
- C. When intervention or services are recommended for a juvenile, the probation officer shall:
  - 1. Include the recommended services on the juvenile's Terms and Conditions of Probation or complete a Notice of Change in Conditions of Probation to notify the courts of any additional services that the juvenile was not ordered to receive at disposition;
  - 2. Submit a referral via JIS for services through the department's Psychology Division or a contract provider;
  - 3. A juvenile with Northstar Value Options insurance, Medicaid, CHIP, STARS or private insurance may be referred to a service provider within the community. When the family does not have insurance the probation officer shall assist the parent/guardian in applying for Northstar Value Options, CHIPS, Medicaid or STARS:
  - 4. When the family does not qualify for any of the above programs, the family may be referred to Dallas Metrocare Services.
  - 5. When the juvenile is referred to a service provider within the community, the probation officer shall maintain contact with the provider to ensure that the juvenile is receiving the recommended services.

Dallas County Juvenile Department Probation Service	es
Policies and Procedures, 2014 Revision	
Chapter 4: Assessment	
Section 5: Psychological Assessment	

A psychological assessment shall be completed on a juvenile who appears to be lower functioning or does not appear to understand their rights, to determine if there is a mental health diagnosis or the juvenile should be considered for placement outside of the home.

#### II. Definitions:

<u>Psychological Assessment</u>: is defined as an interview by a mental health professional, with testing that is used to gather information about one's history and family history to determine what services or needs that may be required to assist the juvenile and/or family and diagnose any mental health disorder that the juvenile may have.

- A. The probation officer shall submit a referral for a psychological assessment to the Dallas County Psychology Department via JIS when the juvenile is detained. The detention referee may order that a psychological assessment be completed on a juvenile who is detained.
- B. A juvenile who is in the community, shall be referred to a mental health provider within the community for a psychological assessment.
- C. When the juvenile has been referred within the community, the probation officer shall follow up with the provider to ensure that an appointment has been scheduled and request a copy of the psychological assessment upon completion.
- D. Upon completion of the psychological assessment, the assigned probation officer and/or detention referee shall be notified as to the recommendation.
- E. When intervention or services are required for the juvenile, the probation officer shall:
  - 1. Include the recommended services on the juvenile's Terms and Conditions of Probation or complete and submit a Notice of Change in Conditions of Probation to notify the courts;
  - 2. Submit a referral for services through the Department's Psychology Division or a contract provider;
  - 3. A juvenile with Northstar Value Options insurance, Medicaid or private insurance may be referred to a service provider within the community. When the family does not have insurance the probation officer shall assist the parent/guardian in applying for Northstar Value Options, CHIPS, Medicaid or STARs;
  - 4. When the family does not qualify for any of the above programs, the family may be referred to Dallas Metrocare Services.
  - 5. When the juvenile is referred to a service provider within the community, the probation officer shall maintain contact with the provider to ensure that the juvenile is receiving the recommended services.
  - 6. Staff the case with the Case Planning and Review Committee when the recommendation is for a Family Preservation Program, Functional Family Therapy services, or placement outside of the home.

Dallas County Juvenile Department Probati	on Services
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Chapter 4: Assessment	
Section 6: Urinalysis	

The Department shall collect urinalysis samples on referred juveniles as needed to determine the presence of alcohol and/or drug use.

#### II. Definitions:

<u>Visual observation</u>: is defined as the process by which a juvenile probation officer or a juvenile supervision officer of the same gender maintains unimpeded visual observation of a juvenile when the juvenile is submitting to urinalysis testing. Visual observation should begin from the moment that the juvenile is prepared to submit the urine sample until the sample is appropriately collected in the specimen cup and secured in the collection bag.

- A. Juveniles on probation or PAIS shall submit to urinalysis when court ordered and in accordance with the Level of Supervision and Contact Schedule found in Section 5 of the Supervision Chapter or when deemed necessary by the supervising juvenile probation officer.
- B. Urinalysis may be collected on referred juveniles who are not court ordered to submit to urinalysis testing, provided that the juvenile agrees to the testing.
- C. Any positive urinalysis results shall require additional assessment by the juvenile probation officer and violations shall be addressed promptly.
- D. All urine samples shall be properly collected, marked, stored, and submitted to the laboratory.
- E. The preferred method of urinalysis collection is by visual observation. Visual observation shall only be conducted by a juvenile probation officer or juvenile supervision officer of the same gender.
- F. All urinalysis results shall be documented with an entry in the Chronological Notes Screen and the Substance Abuse Screen in TechShare.Juvenile.
- G. All available urinalysis lab reports shall be filed in the correspondence section of the juvenile's case file.
- H. Prior to submitting a probation violation to the District Attorney, the supervising juvenile probation officer shall obtain a confirmation of the positive result from the laboratory.

Policies and Procedures, 2014 Revision

Chapter 4: Assessment

Section 7: Chemical Assessment

## I. Policy:

A chemical assessment shall be completed on each juvenile who has a history of or has experimented with drug usage, alcohol, or dealing drugs. The probation officer may be prompted to request a chemical assessment by the courts, the juvenile and/or parent reporting drug and/or alcohol usage, a positive screen for drug and/or alcohol usage or the juvenile being detained for trafficking drugs.

#### II. Definitions:

<u>Chemical Assessment</u>: is defined as an interview with the juvenile by a Licensed Chemical Dependency Counselor to determine whether intervention and treatment services are required for the juvenile to address drug and/or alcohol issues or concerns.

- A. The probation officer shall submit a referral to the Dallas County Substance Abuse Unit via JIS or refer the juvenile to a substance abuse provider within the community for a chemical assessment.
- B. When the juvenile is in the community and a referral is made to the Dallas County Substance Abuse Unit, the probation officer shall be contacted via e-mail to notify the family of when the chemical assessment has been scheduled. When the juvenile has been referred within the community, the probation officer shall follow up with the provider to ensure that an appointment has been scheduled and request a copy of the chemical assessment upon completion. A chemical assessment for a detained juvenile shall be completed prior to the "due by" date when requested by the detention referee or prior to the juvenile's next 10 day hearing when requested by the probation officer.
- C. Upon completion of the chemical assessment, the assigned probation officer and/or detention referee shall be notified of the recommendation via a chronological entry in TechShare.Juvenile.
- D. A copy of the chemical assessment shall be provided to the assigned probation officer within a week of the assessment being completed.
- E. When intervention or services are required for the juvenile, the probation officer shall:
  - 1. Include the recommended services on the juvenile's Terms and Conditions of Probation or submit a Notice of Change in Conditions of Probation to the court if the juvenile is currently on probation;
  - 2. Submit a referral via JIS for outpatient services through the department's Substance Abuse Unit or refer the juvenile to a substance abuse provider within the community;
  - 3. When the juvenile has been referred to a provider within the community, the probation officer shall maintain contact with the provider to ensure the juvenile is receiving the recommended services;
  - 4. Staff the case with the Case Planning and Review Committee when the recommendation is Residential Drug Treatment.

Policies and Procedures, 2014 Revision

Chapter 4: Assessment

Section 8: TJSORAI-2

## I. Policy:

A juvenile who has been adjudicated for a registerable sex offense shall have a Texas Juvenile Sex Offender Risk Assessment Instrument (TJSORAI- 2) completed and scored so that the judge can assign a risk level if the juvenile is ordered to register as a sex offender.

The court's order regarding registration shall initially occur at the disposition hearing of the adjudicated registerable sex offense. If registration is deferred pending the outcome of sex offender treatment, then the issue of registration may be re-visited at a sex offender registration hearing upon a motion by the District Attorney, or if a Motion to Modify Disposition was subsequently filed due to probation violations of the adjudicated registerable sex offense.

A TJSORAI-2 prepared for the initial disposition hearing shall remain valid for subsequent decision(s) regarding sex offender registration provided that the instrument was correctly scored, the correct instrument format was used, and the juvenile probation officer who scored the instrument was appropriately trained and demonstrated the required level of proficiency to assess juveniles required to register as sex offenders.

The TJSORAI-2 may be revised if there was an error or change in scoring, or there is a new adjudication on a registerable sex offense.

A TJSORAI-2 shall also be completed for any juvenile who meets sex offender registration requirements, was previously ordered to register as a sex offender, and is released from a secure pre or post-adjudicated secure facility after January 1, 2000. In this instance, the risk level shall be assigned by the facility's designee.

#### II. Definitions:

<u>Registerable sex offense</u>: is defined as an offense which requires sex offender registration under Chapter 62 of the Texas Criminal Code of Procedure. It is also referred to as a reportable sex offense.

- A. The TJSORAI-2 risk level is not actually assessed until a juvenile has been ordered to register as a sex offender by the court or the facility's designee assigns the risk level upon a registered juveniles' release from a secure pre or post-adjudicated facility.
- B. The TJSORAI-2 shall only be completed by juvenile probation officers who have been trained by a TJJD certified trainer and demonstrated the required level of proficiency by passing the testing component of the TJSORAI-2 training. No juvenile probation officer shall prepare a TJSORAI-2 without attending the training and passing the testing component of the training.
- C. The TJSORAI-2 shall be prepared for any juvenile adjudicated for a registerable sex offense prior to disposition. If the juvenile's registration was deferred at disposition, then the TJSORAI-2 shall be filed in the juvenile's case file and made available at the juvenile's sex offender registration hearing.
- D. If it is determined that the TJSORAI-2 prepared for disposition was scored incorrectly or the previous format (TJSORAI) was used, and then a revised TJSORAI-2 shall be prepared for the sex offender registration hearing.
- E. The TJSORAI-2 shall be prepared in paper format and shall not be submitted electronically until the juvenile is ordered by the court to register as a sex offender. At that time, the TJSORAI-2 and Supplemental

Information shall be transmitted to TJJD electronically within ten (10) days of the order.

F. If a registered juvenile under the Department's jurisdiction is being released from a secure pre or post-adjudication facility, then a TJSORAI-2 shall be prepared seven (7) days prior release.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 5: Court		
Section 1: Progressive Sanctions Model	Related Standards: TFC Chapter 59	

After a juvenile's first commission of delinquent conduct or conduct indicating a need for supervision, the Dallas County Juvenile Department, the District Attorney's office or the juvenile court may assign the juvenile a sanction level according to the juvenile's conduct.

The Dallas County Juvenile Department may, in accordance with Section 54.05 Texas Family Code, request the extension of a period of probation specified under sanction levels one through five if the circumstances of the juvenile warrant the extension.

Prior to the court assigning the juvenile a sanction level that involves the revocation of the juvenile's probation and the commitment of the juvenile to the Texas Juvenile Justice Department, the court shall hold a hearing to modify the disposition as required by Section 54.05 Texas Family Code.

#### II. Definitions:

<u>Progressive Sanctions Model</u>: is defined as a set of recommended graduated dispositional guidelines defined in the Texas Family Code, Chapter 59. The model provides uniform and consistent standards in juvenile case dispositions, taking into account the seriousness of conduct, history of delinquent conduct, previous interventions, special treatment/training needs and special circumstances of the juvenile.

## III. Procedure:

Sanction Level One - The Dallas County Juvenile Department or court may:

- A. Require counseling for the juvenile regarding the juvenile's conduct;
- B. Inform the juvenile of the progressive sanctions that may be imposed on the juvenile if the juvenile continues to engage in delinquent conduct or conduct indicating a need for supervision;
- C. Inform the juvenile's parents/guardians of their responsibility to impose reasonable restrictions on the juvenile to prevent the conduct from recurring;
- D. Provide information or other assistance to the juvenile or the juvenile's parents/guardians in securing needed social services;
- E. Require the juvenile and/or the juvenile's parents/guardians to participate in a program for services under TFC Section 264.302 (Early Youth Intervention Services) if such a program is available to the juvenile or the juvenile's parents or guardians;
- F. Refer the juvenile to a community-based intervention program approved by the juvenile court; and
- G. Release the juvenile to the juvenile's parents/guardians.
- H. The Dallas County Juvenile Department shall discharge the juvenile from custody of the department after the provisions are met.

Sanction Level Two – The Dallas County Juvenile Department, District Attorney's office or court may:

- A. Place the juvenile on deferred prosecution for not less than three (3) months or more than six (6) months;
- B. Require the juvenile to make restitution to the victim of the juvenile's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the juvenile's ability;
- C. Require the juvenile's parents/guardians to identify restrictions the parents/guardians shall impose on the iuvenile's activities and requirements the parents/guardians shall set for the juvenile's behavior;

- D. Inform the juvenile of the progressive sanctions that may be imposed on the juvenile if the juvenile continues to engage in delinquent conduct or conduct indicating a need for supervision;
- E. Provide information or other assistance to the juvenile or the juvenile's parents/guardians in securing needed social services:
- F. Require the juvenile and/or the juvenile's parents/guardians to participate in a program for services;
- G. Refer the juvenile to a community-based citizen intervention program approved by the juvenile court; and
- H. If appropriate, impose additional conditions of probation.
- I. The juvenile court or the department shall discharge the juvenile from the custody of the department on the date the provisions are met or on the juvenile's eighteenth (18<sup>th</sup>) birthday, whichever is earlier.

# <u>Sanction Level Three</u> – The court may:

- A. Place the juvenile on probation for not less than six (6) months;
- B. Require the juvenile to make restitution to the victim of the juvenile's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the juvenile's ability;
- C. Impose specific restrictions on the juvenile's activities and requirements for the juvenile's behavior as conditions of probation;
- D. Require a juvenile probation officer to closely monitor the juvenile's activities and behavior;
- E. Require the juvenile or the juvenile's parents/guardians to participate in programs or services designated by the court or probation officer; and
- F. If appropriate, impose additional conditions of probation.
- G. The juvenile court shall discharge the juvenile from the custody of the department on the date the provisions are met or on the juvenile's eighteenth (18<sup>th</sup>) birthday, whichever is earlier.

## Sanction Level Four – The court may:

- A. Require the juvenile to participate as a condition of probation for not less than three (3) months or more than twelve (12) months in an intensive services probation program that emphasizes frequent contact and reporting with a probation officer, discipline, intensive supervision services, social responsibility, and productive work;
- B. After release from the intensive services program, the juvenile shall continue on probation supervision;
- C. Require the juvenile to make restitution to the victim of the juvenile's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the juvenile's ability;
- D. Impose highly structured restrictions on the juvenile's activities and requirements for behavior of the juvenile as conditions of probation;
- E. Require a juvenile probation officer to closely monitor the juvenile;
- F. Require the juvenile or the juvenile's parents/guardians to participate in programs or services designed to address their particular needs and circumstances; and
- G. If appropriate, impose additional sanctions.
- H. The juvenile court shall discharge the juvenile from the custody of the department on the date the provisions are met or on the juvenile's eighteenth (18<sup>th</sup>) birthday, whichever is earlier.

# <u>Sanction Level Five</u> – The juvenile court may:

- A. As a conditions of probation, place the juvenile for not less than six (6) months or more than twelve (12) months in a post-adjudication secure correctional facility;
- B. After release from the program, continue the juvenile on probation supervision;
- C. Require the juvenile to make restitution to the victim of the juvenile's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the juvenile's ability;
- D. Impose highly structured restrictions on the juvenile's activities and requirements for behavior of the juvenile as conditions of probation;
- E. Require a juvenile probation officer to closely monitor the juvenile;

- F. Require the juvenile or the juvenile's parents/guardians to participate in programs or services designed to address their particular needs and circumstances; and
- G. If appropriate, impose additional sanctions.
- H. The juvenile court shall discharge the juvenile from the custody of the department on the date the provisions are met or on the juvenile's eighteenth (18<sup>th</sup>) birthday, whichever is earlier.

Sanction Level Six – The court may commit the juvenile to the custody of the Texas Juvenile Justice Department. The Commission may:

- A. Require the juvenile to participate in a highly structured residential program that emphasizes discipline, accountability, fitness, training, and productive work for not less than nine (9) months or more than twenty-four (24) months unless the commission extends the period and the reason for an extension is documented;
- B. Require the juvenile to make restitution to the victim of the juvenile's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the juvenile's ability, if there is a victim of the juvenile's conduct:
- C. Require the juvenile and the juvenile's parents/guardians to participate in programs and services for their particular needs and circumstances; and
- D. If appropriate, impose additional sanctions.

# On release of the juvenile under supervision, the Texas Juvenile Justice Department parole programs may:

- A. Impose highly structured restrictions on the juvenile's activities and requirements for behavior of the juvenile as conditions of release under supervision;
- B. Require a parole officer to closely monitor the juvenile for not less than six months; and
- C. If appropriate, impose any other conditions of supervision.
- D. The Texas Juvenile Justice Department may discharge the juvenile from the commission's custody on the date the provisions are met or on the juvenile's nineteenth (19<sup>th</sup>) birthday, whichever is earlier.

<u>Sanction Level Seven</u> – The court may certify and transfer the juvenile under Section 54.02 or sentence the juvenile to commitment to the Texas Juvenile Justice Department under Section 54.04(d)(3), 54.04(m), or 54.05(f). The commission may:

- A. Require the juvenile to participate in a highly structured residential program that emphasizes discipline, accountability, fitness, training, and productive work for not less than twelve (12) months or more than ten (10) years unless the commission extends the period and the reason for the extension is documented;
- B. Require the juvenile to make restitution to the victim of the juvenile's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the juvenile's ability, if there is a victim of the juvenile's conduct;
- C. Require the juvenile and the juvenile's parents/guardians to participate in programs and services for their particular needs and circumstances; and
- D. If appropriate, impose additional sanctions.

# On release of the juvenile under supervision, the Texas Juvenile Justice Department parole programs may:

- A. Impose highly structured restrictions on the juvenile's activities and requirements for behavior of the juvenile as conditions of release under supervision;
- B. Require a parole officer to closely monitor the juvenile for not less than twelve months; and
- C. Impose any other appropriate conditions of supervision.

Dallas County Juvenile Department Probation Services
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Chapter 5: Court
Section 2: Case Planning and Review Committee

# I. Policy:

Juvenile probation officers shall staff all cases recommending a Family Preservation Program (FPP), Functional Family Therapy (FFT), placement outside the home and commitment to the Texas Juvenile Justice Department (TJJD) with the Case Planning and Review Committee (CPRC). Determinate sentence cases shall also be staffed with CPRC. All cases that require staffing with CPRC should be staffed immediately to allow the programs and/or facilities time to determine whether the juvenile is appropriate for the program and to ensure that cases are not being reset in court due to needing to be staffed with CPRC.

#### II. Definitions:

<u>Case Planning and Review Committee</u>: is defined as a committee that consists of an Administrator, Probation Supervisor, Psychology staff, Placement Services Placement Officer/Supervisor who make a recommendation regarding juveniles based on information received from the probation officer pursuant to the case file notes, police reports, and supporting documents such as the predisposition report, psychological screen/assessment, psychiatric evaluation and chemical assessment.

- A. The juvenile probation officer shall staff all cases with the assistant supervisor or supervisor prior to staffing the case with CPRC.
- B. The juvenile probation officer shall e-mail the Placement Services secretaries and copy the assistant supervisor and supervisor of Placement Services to schedule a CPRC staffing. It should be specified whether the case will be staffed in person or via conference call.
- C. The juvenile probation officer shall complete a staffing packet with all the documents listed on the CPRC/Placement Packet Checklist, secure the signature of the assistant supervisor or supervisor, and attach the packet in digital format to the juvenile's TechShare.Juvenile ID Screen. The instructions for attaching all the documents required for CPRC have been saved to the K Drive/JD Forms/Administrative/CPRC Documents Preparation Instructions.
- D. The juvenile probation officer shall ensure that the digital CPRC packet is uploaded to TechShare.Juvenile prior to the scheduled staffing date and time.
- E. The juvenile probation officer shall be in his/her office and available at the specified time for a conference call staffing.
- F. When a juvenile has been recommended for Medlock, the juvenile probation officer shall e-mail the staffing sheet to the Medlock Assistant Superintendent advising that the juvenile has been referred to their program.
- G. When a juvenile has been recommended for the Dallas County Residential Drug Treatment or START program, the juvenile probation officer shall e-mail the staffing sheet to the Detention Center Assistant Superintendent for post-adjudication advising that the juvenile has been referred to their program.
- H. When a juvenile has been recommended for FPP or FFT through a contract provider, the juvenile probation officer shall e-mail the staffing sheet to the appropriate non-residential specialist responsible for making referrals to these programs advising that the juvenile has been referred to a contract FPP or FFT.
- I. Any recommendation for Dallas County FFT requires that the juvenile probation officer e-mail the staffing sheet to the Dallas County FFT Supervisor.
- J. When a juvenile has been recommended to a contract residential facility or residential drug treatment program, the Placement Services individual serving on the committee shall forward the referral information to the Placement Services placement specialist.

Dallas County Juvenile Department Probation Services Policies and Procedures, 2014 Revision

Chapter 5: Court

Section 3: Juveniles Pending Sexual Conduct Offenses

## I. Policy:

The assigned probation officer (Court Assessment, PAIS, Field Assessment) shall ensure that a juvenile pending a sexual conduct offense has a psychological assessment and sex offender screen completed by Psychological Services. The recommendations from the assessment may indicate that the victim, younger child, or other person residing in the home would prohibit the juvenile's return. Recommendations from the assessment shall be taken into consideration when the assigned probation officer staffs the juvenile's case with the supervisor or CPRC.

Regardless of the recommendation for disposition (probation in the community, placement facility, or commitment to TJJD), the assigned probation officer shall attempt to conduct a home study and complete a safety plan on any viable parent, guardian, or custodian. No court orders are needed to complete home studies for an alternative parent, guardian, or custodian.

Upon completion of the home study and safety plan, the assigned probation officer shall staff the results with his/her supervisor.

The home study and safety plan shall be submitted with all court paperwork (10 Day Hearing Report, PDR, Addendum, etc.) regardless of the recommendation.

Results of the home study and safety plan shall be made to the court at the earliest possible time and shall not be delayed.

#### II. Definitions: None

- A. All juveniles pending a sexual conduct offense shall have a psychological assessment and sex offender screen completed by Psychological Services.
- B. A home study and safety plan shall be completed on any viable parent, guardian, or custodian regardless of the recommendation for disposition.
- C. If probation at home is being recommended, the assigned probation officer shall ensure that mandatory recommendations are included. These can be found on the K Drive/JD Forms/ Sex Offender subfolder.
- D. If outpatient sex offender treatment is being recommended then it may only be provided by the DCJD STARS Program or an approved LSOTP provider. The treatment provider shall be indicated on the conditions of probation as well as a start date.
- E. The TJSORAI-2 shall be prepared for any juvenile pending a registerable sex offense. Only those probation officers who have been properly trained shall complete the TJSORAI-2.

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Section 4: TDFPS Cases		

A juvenile who is in the custody of the Texas Department of Family and Protective Services (TDFPS) in kinship care, foster care, or a residential placement facility and not identified as a "Crossover Youth" shall be supervised by a field unit designated by the Manager of Field Services when placed on court ordered supervision.

When a TDFPS juvenile's kinship care, foster care, or residential placement facility is located out of county, a request for interim supervision through Inter-County Transfer shall be made; however, the receiving county by statute may decline supervision.

#### II. Definitions: None

- A. Any juvenile in the custody of TDFPS and not identified as a "Crossover Youth" shall be supervised by the field unit designated by the Manager of Field Services.
- B. Juveniles who have been adjudicated and placed on probation at the Dallas County Youth Village or Medlock Treatment Center shall be supervised by the probation officer assigned to those facilities and juveniles adjudicated and placed on probation at DCJD-RDT shall be supervised by Placement Services.
- C. When preparing a TDFPS juvenile's file for court, terms and conditions of probation shall be utilized for all circumstances (kinship care, foster care, or residential placement facility) except when the recommendation is for placement at the Dallas County Youth Village, Medlock, DCJD-RDT, or START
- D. Field supervision case plans shall be utilized for all TDFPS juveniles with the exception of secure case plans for TDFPS juveniles placed at Medlock, START, and DCJD-RDT and non-secure case plans for TDFPS juveniles placed at the Dallas County Youth Village..
- E. Field supervision contact requirements shall be enforced for TDFPS juveniles residing in kinship care and foster care in Dallas County as listed in Chapter 6 Supervision; Section 5 Level of Supervision and Contact Schedule.
- F. Contact requirements for TDFPS juveniles residing in a residential placement facility in Dallas County can be found in Chapter 6 Supervision; Section 5 Level of Supervision and Contact Schedule.
- G. Contact requirements for TDFPS juveniles in kinship care, foster care, or a residential placement facility and not accepted for interim supervision can be found in Chapter 6 Supervision; Section 5 Level of Supervision and Contact Schedule.

Dallas County Juvenile Department Probation Services Policies and Procedures, 2014 Revision

Chapter 5: Court

Section 5: Court Assessment Unit

# I. Policy:

The Dallas County Juvenile Department shall maintain a Court Assessment Unit to provide the Court with information on a juvenile's history, family dynamics, circumstances, and make recommendations to the Court. The Court Assessment Unit shall manage the following cases: new or 1<sup>st</sup> time referrals who are detained within the Detention Center, unsuccessfully discharged Deferred Prosecution cases that are referred to detention, out of county referrals, and Motions for Discretionary Transfers.

#### II. Definitions:

New or 1<sup>st</sup> time referral: is defined as a juvenile who has not been previously referred to the Juvenile Department or a juvenile who may have been under supervision by the department previously and successfully completed the supervision period. Juveniles who are released from Intake shall be transferred to the respective field supervision unit.

Out of County referral: is defined as a juvenile who has been charged with an offense that occurred in Dallas County, but the juvenile resides outside of Dallas County.

Motion for Discretionary Transfer: occurs when the juvenile court conducts a hearing to consider the transfer of a juvenile for criminal proceedings per TFC 54.02.

- A. The assigned juvenile probation officer shall contact the parent/guardian to schedule an assessment interview. The parent shall be advised to bring a copy of the juvenile's vitals (birth certificate, social security card, school records, and immunization records) to the assessment interview.
- B. The assigned juvenile probation officer shall complete an assessment interview with the juvenile and parent/guardian to assist in preparing the Predisposition Report or Social History for the Court. The parent/guardian shall be advised to sign the consent form and complete the financial statement. The parent shall be provided with a copy of the parental written statement and advised to return to the Court.
- C. The assigned juvenile probation officer shall obtain a copy of the juvenile's school records when it is not submitted by the parent.
- D. The assigned juvenile probation officer shall make a referral for any needed assessments or evaluations (psychological, psychiatric and/or chemical); if not ordered at the time of the detention hearing.
- E. The juvenile's case shall be staffed at the supervisory level for a recommendation or to determine if staffing is needed with the Case Planning and Review Committee for further recommendation.
- F. The assigned juvenile probation officer shall be required to visit the juvenile in detention at least once per week.
- G. The assigned juvenile probation officer shall submit a Predisposition Report to the Court by the juvenile's Pre-Trial Hearing, if in detention; and shall submit addendums thereafter while in detention.
- H. If the juvenile is pending a Discretionary Transfer Hearing, a report is not required for the Pre-Trial Hearing. The actual Certification Report (Social Evaluation and Investigative Report) is not due until five (5) business days prior to the Discretionary Transfer Hearing. At which time, the original report should be file-stamped and placed into the Court's jacket; and copies forwarded to the assigned District Attorney and the Respondent's Attorney.

- I. If the juvenile is released on PAIS prior to disposition, the assigned juvenile probation officer shall contact the respective field district supervisor in the zip code in which the juvenile resides and obtain a juvenile probation officer assignment. Once a probation officer assignment has been secured and the Court Assessment Officer has completed a "Draft" PDR, the case file shall be submitted to the Court Assessment supervisor or assistant supervisor for transfer to the respective field district office, unless the next court hearing is less than ten (10) business days away.
- J. If the juvenile is maintained in detention until disposition, and the recommendation is probation within the community, the Court Assessment Officer is responsible for conducting a home visit.
- K. When the case file has remained in the Court Assessment unit until disposition, the case file shall be transferred within three (3) business days to the appropriate field district when the juvenile is placed on probation in the home, in the START program or to the appropriate specialized unit.
- L. When the juvenile is ordered to placement, the assigned juvenile probation officer shall transfer the case file to the Placement Unit or DCJD facility once the juvenile has been admitted into the facility. The case file shall be transferred to Records when the juvenile has been ordered to the Texas Juvenile Justice Department once the juvenile is released from the Detention Center.
- M. The assigned officers is responsible for contacting the parent/guardian 2 days prior to all scheduled court dates and verbally remind the parent/guardian of the scheduled hearing.
- N. If the juvenile is on warrant status, the assigned officer is required to contact the parent/guardian once a month to determine the subject's whereabouts and assist in the apprehension or surrender of the juvenile.

Dallas County Juvenile Department Probation Services Policies and Procedures, 2014 Revision

Chapter 5: Court

Section 6: Field Assessment Cases

## I. Policy:

The Department utilizes its field probation units to process and maintain assessment cases that begin as paper referrals filed by the District Attorney's Office. The assigned probation officer shall be responsible for completing the required court reports and making recommendations.

Assigned probation officers shall follow the procedures specific to completion of court reports listed in Section 10 of this Chapter.

#### II. Definitions:

<u>Field Assessment Case</u>: is defined as a case whereby the juvenile has been referred to the Department as a paper referral, and the District Attorney has filed a petition. As long as the juvenile resides in Dallas County, the case shall be processed by the appropriate field unit.

## III. Procedure:

# A. Field Assessment Cases:

- 1. Upon receipt of a field assessment case from Records, the appropriate field supervisor shall assign the case to an officer for court processing.
- 2. An Initial Announcement Hearing Letter shall be sent to the parent/guardian within 7 days of receiving the case in the field unit.
- 3. The assigned officer is responsible for contacting the parent/guardian 2 days prior to all scheduled court dates and verbally remind the parent/guardian of the scheduled hearing.
- 4. If the juvenile is on warrant status, the assigned officer is required to contact the parent/guardian once a month to determine the subject's whereabouts and assist in the apprehension or surrender of the juvenile.
- 5. The assigned officer shall **not** attempt to complete the assessment interview until receipt of a PDR Order. Circumstances in which a PDR Order is not completed include when the juvenile is in custody or has been released on PAIS.

# B. Receipt of PDR Order:

- 1. An appointment for the assessment interview shall be scheduled leaving ample time to submit the report for supervisory review no later than 3 business days prior to the hearing date.
- 2. The assigned officer shall contact the parent/guardian to schedule the assessment interview. A letter shall be sent as confirmation of the appointment or as notification of the appointment if there is not a working telephone number. A copy of the letter shall be placed in the file.
- 3. The assigned officer shall also request the required vital statistics and documentation (birth certificate, social security card, immunization records, school records, etc.) at the time the interview is scheduled.
- 4. Any missed appointment shall require a follow-up telephone call and/or letter to reschedule the interview.

## C. Interview Procedures:

- 1. The assigned officer shall ensure that the Notification of Civil Rights Form is reviewed and signed by the juvenile.
- 2. During the interview, the assigned officer shall provide a copy of Parental Written Statement for the parent to return to the court, and ensure that the financial statement and consent form are completed and signed by the parent/guardian..

- 3. The assigned officer shall explain the court process to the juvenile and parent/guardian and admonish that the hearing be attended as required.
- 4. The assigned officer may offer advice of community based programs to address any behavioral problems that may exist with the family and should encourage juvenile to correct any behavioral issues prior to the hearing to avoid the possibility of detention.
- 5. The assigned officer shall not offer any legal advice regarding the pending offense.

Policies and Procedures, 2014 Revision

Chapter 5: Court

Section 7: Court Liaison Unit

## I. Policy:

The Dallas County Juvenile Department shall be represented at all juvenile court proceedings by the Court Liaison Unit or the assigned juvenile probation officer to provide the court with feedback on the juvenile and recommendations. When the assigned juvenile probation officer is unavailable, the assistant supervisor or supervisor shall be present.

II. Definitions: None

- A. All cases are due to the Court Liaison Unit by 12:00 pm on the business day prior to the actual court date for any court hearing that is not scheduled for disposition; or by 12:00 p.m. 3 business days prior to the actual court date for all hearings that are scheduled for disposition (Plea and Disposition hearing; Disposition hearing; Open Plea; Contested Disposition; Trial Before Court; Trial Before Jury; and Motion to Re-Open Disposition). If prior arrangements have not been made with the Court Liaison Supervisor for the case to arrive late, the assigned juvenile probation officer is expected to appear in court. The assigned juvenile probation officer and their supervisor shall be contacted so that the assigned juvenile probation officer is present for court.
- B. The Court Liaison officer shall check all court cases after 12:00 pm on the day preceding the court date to ensure that all necessary reports and forms are present. When problems exist, the assigned juvenile probation officer and supervisor shall be notified.
- C. The Court Liaison officer shall review the Court Docket 1 day before to identify any juveniles in TechShare. Juvenile with paper referrals that are not formalized that are set for Announcement Hearings the following day;
- D. The Court Liaison officer shall place the case files on the desk of the assigned Court Liaison Officer for the respective court, along with a list of cases that are missing and cases that are expected to be received.
- E. All court reports must be file stamped. The original (PDR, Addendum, Supplement) shall be placed in the court jacket and copies submitted to the prosecution and defense attorneys.
- F. The Court Liaison officer and/or juvenile probation officer shall understand that they are representing the Dallas County Juvenile Department when in court. No personal ideas, thoughts or suggestions may be given.
- G. The Court Liaison officer shall only utilize the Court Liaison Chronological Sheet when adjudication and disposition occurred on the same day or when only disposition has taken place (adjudication occurred prior on a prior date).
- H. When a case has been reset, the Court Liaison officer shall:
  - 1. Enter all hearing results and any reset information on the Court page in TechShare. Juvenile;
  - 2. Return the file to the assigned juvenile probation officer when further action is required or the reset date is more than 30 days and the juvenile is on PAIS or conditions of release;
  - 3. Maintain the case file when all required reports, forms and a recommendation is present in the case file, and the reset date is within 30 days (applies to juveniles in detention, as well as those who are not).
- I. When new information develops that shall be useful in the court proceeding, the assigned juvenile probation officer shall complete an updated court report and forward it to the Court Liaison Unit prior to 12:00 pm on the day preceding the reset date.
- J. All cases involving a firearm must include an Exhibit C. All placement and TJJD cases require Exhibits A and B.

- K. Upon the completion of the disposition hearing, the Court Liaison officer shall:
  - 1. Explain the Terms and Conditions of Probation and Instructions for New Probationers and Parents to the juvenile and family, obtain their signatures, and provide them with copies;
  - 2. Place the original copies of the Terms and Conditions of Probation and the Instructions for New Probationers and Parents in the court jacket, and place copies of the Terms and Conditions of Probation and Instructions for New Probationers and Parents in the juvenile's case file;
  - 3. Take the family along with a copy of the Instructions for New Probationers and Parents to the collections clerk:
  - 4. Place the original Court Liaison Chronological Sheet in the case file on the left side under the face sheet and a copy must be submitted to the Court Liaison secretary;
  - 5. Document the outcome of the disposition on the face sheet and transfer receipt;
- L. When a juvenile is adjudicated for a registerable sex offense, the judge shall make a decision regarding sex offender registration. If registration is not ordered at disposition, the TJSORAI-2 form shall not be handed to the judge. If registration is ordered at disposition and the juvenile is placed on probation at home, then all sex offender registration forms shall be completed immediately.
- M. If a juvenile is placed on PAIS and has a paper referral that has been identified in TechShare.Juvenile, the Court Liaison officer shall meet with the juvenile and family, and proceed with the following:
  - 1. Paper formalize the referral in TechShare.Juvenile;
  - 2. Update all juvenile information as well as the parent/guardian/custodian's contact information on TechShare.Juvenile; and
  - 3. The Court Liaison officer shall send an e-mail notification to the Supervisor and Assistant Supervisor of the assigned unit that the referral has been formalized, and that there are 14 days for a MAYSI to be completed.

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Chapter 5: Court		
Section 8: DNA Testing	Related Standards: TFC 54.0409; 54.0462	

The Dallas County Juvenile Department shall collect a DNA sample from juveniles placed on probation for any 3g offense or for which it is shown that a deadly weapon was used or exhibited during the commission of the conduct or during immediate flight from the commission of the conduct under Subchapter G, Chapter 411, Government Code, for the purpose of creating a DNA record of the juvenile, unless the juvenile has already submitted the required sample under other state law. When a juvenile is committed to the Texas Juvenile Justice Department, TJJD is responsible for collecting the DNA sample. The court shall order the juvenile and parent/guardian to pay the court a cost of \$50 if the disposition of the case includes commitment to a facility operated by or under contract with the Texas Juvenile Justice Department; or a \$34 fee if the disposition of the case does not include a commitment described by Subdivision (1) and the juvenile is required to submit a DNA sample under Section 54.0409 or other law.

## II. Definitions:

3g offense: is defined as an offense referenced in Texas Code of Criminal Procedure Article 42.12 Section 3g which includes Murder; Capital Murder; Indecency with a Child; Aggravated Kidnapping; Aggravated Sexual Assault; Aggravated Robbery; offenses under Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act) for which punishment is increased under Section 481.140 (Use of a Child) or Section 481.134 (Drug Free Zones); Sexual Assault; First Degree Injury to a Child; Sexual Performance by a Child; and First Degree Criminal Solicitation. [Section 3g(a)(1), Article 42.12, Code of Criminal Procedure]

<u>Deadly Weapon</u>: is defined as a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily injury; or anything that in the manner of its use or intended use is capable of causing death or serious bodily injury. [Section 1.07, Penal Code]

- A. For all juveniles pending disposition on a Deadly Weapon or 3g offense, the assigned juvenile probation officer shall request in the court report and on the Terms and Conditions of Probation that the court order the required fee as stated above.
- B. Once a juvenile has been adjudicated for a 3g offense or Deadly Weapon offense and ordered to submit a DNA sample, the Court Liaison officer shall collect the sample immediately after the disposition hearing.
- C. The Court Liaison officer must have been trained and watched the required video provided by the Department of Public Safety prior to collecting a DNA sample.
- D. All DNA samples shall be properly collected, documented, and sealed. Place the DNA sample envelope along with the fingerprinted data card in the shipping envelope and immediately place in the mailroom for submission to Austin.

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Chapter 5: Court				
Section 9: Detention Hearings	Related Standa	rds: TFC 53.01	, 54.01, 54.011, 5	54.10

When a juvenile is not released under Section 53.02, Texas Family Code, a detention hearing shall be held promptly, but not later than the second (2<sup>nd</sup>) working day after the juvenile is taken into custody; provided, however, that when the juvenile is detained on a Friday or Saturday, then such detention hearing shall be held on the first working day after the juvenile is taken into custody.

The initial detention hearing may not be waived but subsequent detention hearings may be waived in accordance with the requirements of Section 51.09, Texas Family Code. A Detention Hearing must be held within a 10 day period, but may occur in less than 10 days.

The detention hearing for a status offender or non-offender who has not been released administratively under Section 53.02 shall be held before the twenty-fourth (24<sup>th</sup>) hour after the time the juvenile arrived at the detention facility, excluding hours of a weekend or a holiday. Except as otherwise provided by this section, the judge or referee conducting the detention hearing shall release the status offender or non-offender from secure detention.

Juvenile probation officers and supervisory staff will be held jointly and strictly accountable for the timely submission of ten (10) day hearing reports. For those juvenile probation officers and supervisors who have a repeated pattern of missing or allowing their staff to miss submission of their reports will be subject to progressive disciplinary action for each additional incident.

A walk-up hearing may be requested to allow the assigned juvenile probation officer the opportunity to bring a juvenile before the Detention Referee when warranted. The Detention Referee will approve or deny the request for the walk-up hearing based upon the circumstances of the request.

#### II. Definitions:

<u>Detention Hearing</u>: is defined as a hearing to decide whether the juvenile should be released or detained. There must be probable cause to detain a juvenile.

Ten (10) Day Hearing Report: is defined as a court report required to be turned in by the assigned juvenile probation officer at every subsequent 10 day detention hearing until disposition has occurred and the Detention Referee is notified of the disposition. The report shall be approved by the officer's supervisor or assistant supervisor and include pertinent information regarding a recommendation for the juvenile's pending referral(s).

- A. The Intake officer shall advise the juvenile of their rights and conduct a preliminary investigation to determine whether:
  - 1. The person referred to the juvenile court is a child within the meaning of this title; and
  - 2. There is probable cause to believe the person engaged in delinquent conduct or conduct indicating a need for supervision; or
  - 3. The child is a non-offender who has been taken into custody and is being held solely for deportation out of the United States, these individual shall be released within 24 hours.

- B. All juveniles detained by Intake must have a probable cause determination made by the juvenile court within forty-eight (48) hours. The Intake officer shall contact the referee, master or judge by phone to establish the probable cause determination when the forty-eight (48) hours from the time the juvenile was detained is on the weekend or a holiday. The Intake staff shall contact the designated referee, master or district judge around 10:00 a.m. to review the cases to establish probable cause or obtain legal instructions.
- C. When probable cause has been established, the juvenile shall be scheduled for a detention hearing on the first working day after the weekend or holiday.
- D. The Intake officer shall complete the detention hearing packet and place the juvenile's name on the initial hearing docket. When there is an assigned juvenile probation officer, a recommendation shall be given to the Intake staff via a custody report, in TechShare.Juvenile or when the Intake officer telephones the juvenile probation officer.
- E. Reasonable notice is to be given to the juvenile and the parent/guardian notifying them of the detention hearing by the Intake officer. A detention hearing may be held without the presence of the parent if the parent/guardian cannot be located or the parent/guardian does not appear for the hearing.
- F. The Detention Referee's finding and recommendations shall be recorded on the docket by the detention court coordinator and presented to the Detention Referee for signature. The docket shall be given to the appropriate district court clerk for forwarding to the district court judge for review. The judge or substitute judge shall adopt, modify, or reject the referee's recommendations within twenty-four (24) hours.
- G. The court coordinator shall distribute a copy of the completed docket with findings and recommendations to each juvenile department supervisor and other designated staff.
- H. When there is an objection to the referee conducting the detention hearing, the court coordinator shall contact the juvenile court judge to conduct the hearing. The objection hearing must be held within twenty-four (24) hours.
- I. When the initial hearing is reset as a ten (10) day hearing, the assigned probation officer shall submit the ten (10) day hearing report for each subsequent detention hearing. The report shall be approved by the officer's supervisor or assistant supervisor by completing an approval TechShare. Juvenile chronological entry (the report does not need to be physically signed by a supervisor). The assigned probation officer shall save the ten (10) day report by the juvenile's last name, first initial to the appropriate ten (10) day hearing date found on the K Drive/10-Days folder. Reports are due by 5:00 p.m. the day before court. The ten (10) day hearing report itself can be found on the K Drive/JD Forms/Court Documents folder.
- J. When the juvenile has been ordered to placement or TJJD and a ten (10) day hearing has been submitted advising the Detention Referee of the disposition, a subsequent ten (10) day hearing report shall not be required.
- K. The assigned juvenile probation officer may request a walk-up hearing to modify previous Conditions of Release, to obtain programming, to bring a juvenile into custody to initiate services, and for other immediate needs. The request for the walk-up hearing and any other supporting documentation shall be e-mailed to the detention court coordinator by 12:00 p.m. two days prior to the intended walk-up hearing and the Detention Referee will approve or deny the request. Please remember that **no** walk-up hearings will be scheduled for Mondays. The request for the walk-up hearing can be found on the K Drive/JD Forms/Court Documents folder.
- L. If approved, the assigned juvenile probation officer is responsible for ensuring that the juvenile and parent are present for the walk-up hearing as well as the assigned juvenile probation officer.

Dallas County Juvenile Department Probati	ion Services	
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Chapter 5: Court		
Section 10: Court Reports	TFC 54.04(b)	·

A court report shall be submitted to court hearings by the assigned juvenile probation officer as directed and adhere to the approved formats. The assigned juvenile probation officer shall retrieve all court reports from the K Drive/JD Forms/Court Documents to ensure that the appropriate forms are being utilized. All court reports must be approved by the supervisor or assistant supervisor prior to submitting the report to the Court. Another supervisor/administrator may sign the PDR with the approval of the assigned juvenile probation officer's supervisor.

A juvenile probation officer who fails to submit any court report within the required time frame shall be subject to disciplinary action. The degree and severity of the disciplinary action shall be weighed by factors such as the reason for the late submission and whether the officer has had a prior history with failing to meet court responsibilities.

Texas Family Code Section 54.04 (b) requires "at the disposition hearing, the juvenile court, notwithstanding the Texas Rules of Evidence or Chapter 37, Code of Criminal Procedure, may consider written reports from probation officers, professional court employees, or professional consultants in addition to the testimony of witnesses. On or before the second day before the date of the disposition hearing, the court shall provide the attorney for the child and the prosecuting attorney with access to all written matter to be considered by the court in disposition." Thus, the Department requires different time frames for when a court report is due dependent upon whether the hearing is scheduled for disposition.

#### II. Definitions:

<u>Pre-Disposition Report (PDR)</u>: An inquiry into the background, criminal history, mental history and family history of the juvenile. A PDR shall be completed when a juvenile is not on probation and pending court action. A new PDR is required when the previous PDR is more than one (1) year old. In unusual circumstances a court case may extend beyond one year without disposition, the assigned juvenile probation officer shall continue submitting addendums rather than completing a new PDR.

<u>Skeletal PDR</u>: An incomplete PDR due to the parent/guardian or juvenile not being available to provide the assigned juvenile probation officer with the needed information to complete the court report.

<u>Supplement Pre-Disposition Report</u>: A supplement PDR shall be completed when a juvenile is pending a motion to modify disposition or a new offense while on probation and the PDR is not more than one (1) year old.

Addendum: An addendum shall be completed once a PDR or Supplement PDR has been completed to inform and/or update the Court on the most recent facts surrounding the juvenile's case.

<u>Pre-Adjudication Memorandum</u>: A Pre-Adjudication Memorandum may be submitted for a pre-trial hearing when a non-probationer is in custody or if a juvenile is on PAIS and the next hearing is scheduled less than ten (10) business days from the release date.

<u>Mitigating circumstances</u>: is defined as a circumstance that does not exonerate a person but which reduces the penalty associated with the offense.

<u>Aggravating circumstances</u>: is defined as a circumstance that make a criminal act and the juvenile more dangerous socially and that entails a more severe punishment.

- A. When a juvenile is in custody, the PDR or Supplement shall be submitted to the Court at the Pre-Trial Hearing. When a juvenile is not in custody and is on Pre-Adjudication Intensive Supervision (PAIS) or probation, the PDR or Supplement shall be submitted to the Court at the Announcement Hearing.
- B. When a juvenile is not in custody, not on probation or PAIS, and immediately following receipt of an Original Delinquency Petition or case assignment, an Initial Announcement Hearing letter should be mailed to the family. The letter can be found on the K Drive/JD Forms/Case Management folder. The PDR shall be submitted in accordance with orders of the court. The assigned juvenile probation officer is allowed twenty (20) business days to complete the report. When the assigned juvenile probation officer is unable to submit the PDR by the designated date a Pre-Adjudication Memorandum may be submitted, with the approval of the supervisor explaining why the PDR is not being submitted and the plans the probation officer has for case.
- C. For Discretionary Transfer Hearings, the Social History Evaluation shall be submitted to the court five (5) business days prior to the scheduled Pre-Trial Hearing.
- D. The assigned juvenile probation officer shall staff all cases with the supervisor for a recommendation. The recommendations to the Court shall be based on progressive sanction guidelines as noted in Section one (1) of this Chapter. The recommendation may include probation in the home, out-of-home placement, commitment to TJJD or no formal disposition. Departures from progressive sanctions guidelines shall be based on the following factors: prior referral history, nature of the current allegations, degree of support in the home, the ability/inability to meet treatment needs within the community and mitigating/aggravating circumstances.
- E. When the recommendation is for placement outside the home or commitment to TJJD, the case must be staffed with the Case Planning and Review Committee. The committee shall provide justification for the department's recommendation which the assigned juvenile probation officer shall report to the Court in the court report.
- F. The court reports shall be based on the assessment interview with the juvenile and parent/guardian, as well as, supporting documents (offense report, psychological assessment, psychiatric evaluation, chemical assessment, school records, Risk and Needs Assessment, etc.).
- G. When a court report cannot be completed due to the juvenile and parent/guardian not being available or other special circumstances, a skeletal PDR must be submitted to the Court to comply with the court order. The skeletal PDR shall be followed by an addendum.
- H. Court reports are due for supervisory review and approval no later than 3 business days prior to the date that the court report is due to Court Liaison for the scheduled hearing.
- I. Court reports are due to the Court Liaison Unit by 12:00 p.m. on the business day prior to the actual court date for any court hearing that is **not** scheduled for disposition.
- J. For all hearings that are scheduled for disposition (Plea and Disposition hearing; Disposition hearing; Open Plea; Contested Disposition; Trial Before Court; Trial Before Jury; and Motion to Re-Open Disposition), court reports are due to the Court Liaison Unit by 12:00 p.m. 3 business days prior to the actual court date.
- K. The following documents shall be included in the file:
  - 1. Predisposition report (original and 4 copies)
  - 2. Psychological/Psychiatric evaluation (4 copies)
  - 3. Chemical assessment (4 copies)
  - 4. Financial statement (carbon copy)
  - 5. Terms and Conditions of Probation
  - 6. Instructions for New Probationer and Parents
  - 7. Exhibits A, B, and/or C (if applicable)
  - 8. All other pertinent forms

- L. An addendum should be completed at least every thirty (30) days, unless new information or circumstances arise that would require that information being submitted to the courts sooner than the thirty (30) days. An addendum is good for sixty (60) days when the juvenile is detained, there has been no change since the last addendum, a recommendation has been submitted, and all supporting documents are present in the case file.
- M. All court reports shall be saved with the juvenile's PID number in the corresponding folder on the P Drive.
- N. The assigned juvenile probation officer shall review the proposed conditions of probation, whether it is recommended that the juvenile remain in the home or placement outside the home, with the juvenile and parent prior to the disposition hearing.
- O. A home visit shall be conducted by the assigned juvenile probation officer prior to disposition when the recommendation is for probation in the home.
- P. The TJJD parental written statement shall be submitted to the court by the parent or the assigned juvenile probation officer when it is returned to the juvenile probation officer.

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Dallas County Juvenile Department Probation Services
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Chapter 5: Court
Section 11: Agreed Orders

The Dallas County Juvenile Department shall utilize an Agreed Order to extend probation, change custody and/or change placement when it is in the best interest of the juvenile and the community.

#### II. Definitions:

Agreed Order: is defined as a written agreement between the Juvenile Department, juvenile, parent/guardian and attorney to eliminate the need for a formalized court hearing in order to modify a court order.

- A. The assigned juvenile probation officer shall staff the juvenile's case with the supervisor or assistant supervisor to request permission to complete an Agreed Order when it is necessary to extend probation, make a change in custody or placement.
- B. When an Agreed Order is being completed for a change in custody, the assigned juvenile probation officer must conduct a home study at the home of the individual who shall be assuming custody of the juvenile to verify that the home is suitable.
- C. Once the Agreed Order has been typed, it should be reviewed by the supervisor prior to acquiring the signatures from the juvenile, parent/guardian and attorney. The parent/guardian that the juvenile is currently residing with shall sign the Agreed Order.
- D. The assigned juvenile probation officer shall submit the completed Agreed Order, prior court order and new Terms and Conditions of Probation to the Administrative Assistant for processing. The home study shall also be submitted when there is a change of custody.

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Dallas County Juvenile Department Probation Services
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Chapter 5: Court
Section 12: Commitment to the Texas Juvenile Justice Department

The assigned juvenile probation officer shall complete a Texas Juvenile Justice Department (TJJD) Packet when a juvenile has been committed to the care and custody of the Texas Juvenile Justice Department to assist TJJD in the development of the juvenile's individualized treatment plan.

II. Definitions: None

- A. The assigned juvenile probation officer shall staff all TJJD cases with the supervisor or assistant supervisor and the Case Planning and Review Committee (CPRC) prior to making a TJJD recommendation.
- B. When the assigned juvenile probation officer is making a recommendation of TJJD, the following documents must be submitted to the courts:
  - 1. Court report
  - 2. Instructions for New Probationer and Parents;
  - 3. Exhibits A & B; and
  - 4. Terms and Conditions of Placement (in the event that the court does not order TJJD).
- C. When the assigned juvenile probation officer is committed to TJJD, the Interagency Application for Placement (formerly known as the Common Application) and the Texas Uniform Health Status Update for Juvenile Offenders form, shall be completed by the next business day after disposition to be included in the TJJD packet.
- D. A TJJD Packet Form shall be completed for each juvenile who has been committed to the care and custody of the Texas Juvenile Justice Department (Refer to the TJJD Check List for a list of documents).
- E. The complete TJJD Packet shall be submitted to the Court Liaison Unit Supervisor within two business days of the date of commitment.
- F. The juvenile is entitled to a family visit in the Detention Center prior to his/her departure to TJJD and shall be scheduled by the assigned juvenile probation officer. The Authorization for Exception to Detention Visitation Policy form shall be completed with the visit information. The form can be found on the K Drive/JD Forms/Case Management folder.

Dallas County Juvenile Department Probation Services
Policies and Procedures, 2014 Revision
Chapter 5: Court
Section 13: Review Hearings

# I. Policy:

When a juvenile is placed on probation, a Review Hearing may be scheduled for a later date to monitor the juvenile's progress and compliance with the Terms and Conditions of Probation ordered by the Court. The assigned juvenile probation officer is expected to appear for all Review Hearings. If the assigned juvenile probation officer has a conflict with his/her schedule, the supervisor or assistant supervisor shall be required to appear for the Review Hearing provided that the officer has requested permission prior to the scheduled date.

A juvenile probation officer who fails to appear for a Review Hearing shall be subject to disciplinary action. The degree and severity of the disciplinary action shall be weighed by factors such as the reason for the absence and whether the officer has had a prior history with failing to meet court responsibilities.

## II. Definitions: None

- A. The assigned juvenile probation officer shall secure a copy of the Review Hearing Update or the Placement Review Hearing Addendum from the K: Drive/JD Forms/Court Documents to ensure that the appropriate form is being utilized.
- B. The assigned juvenile probation officer shall complete the report based on information obtained while supervising the juvenile and case file notes.
- C. Upon completion of the Review Hearing Update, the juvenile probation officer shall submit the document to the supervisor or assistant supervisor for their approval and signature.
- D. Once the Review Hearing Update has been approved, the assigned juvenile probation officer shall make two (2) copies of the report. The original shall be submitted to the Judge, a copy shall be placed in the juvenile's case file, and the remaining copy shall be taken to the hearing for the Bailiff in the event the juvenile is detained.
- E. The assigned juvenile probation officer shall contact the juvenile and parent at least twenty-four (24) hours in advance to ensure that they are aware of the scheduled Review Hearing.
- F. Prior to submitting the report to the Judge, the assigned juvenile probation officer shall have the report file stamped at the District Clerk's office.
- G. The assigned juvenile probation officer shall be punctual and prepared for court and remain in the courtroom unless the officer is leaving to contact the family or the officer has another Review Hearing scheduled in another courtroom. When the assigned juvenile probation officer has a hearing in another court, the officer shall check in with the Bailiff and notify them that their family has not arrived and they have a Review Hearing in another courtroom.
- H. When a juvenile does not appear for his/her Review Hearing and the Judge orders a warrant, the assigned juvenile probation officer shall complete a Request for a Bench Warrant form and submit it to the Judge immediately.
- I. The assigned juvenile probation officer shall file probation violations with supervisory/managerial approval after a warrant has been requested.
- J. When a juvenile appears for a Review Hearing and the juvenile is detained, the assigned juvenile probation officer shall immediately contact the supervisor or assistant supervisor for direction on how to proceed with the case and enter a recommendation in TechShare. Juvenile or present a custody report to the Intake Unit.

Dallas County Juvenile Department Probation Services
Policies and Procedures, 2014 Revision
Chapter 5: Court
Section 14: Transfer Hearings and Sex Offender Registration Hearings

A juvenile who has been adjudicated and placed on Determinate Sentence probation shall return to the Dallas County Juvenile District Court prior to his/her eighteenth (18<sup>th</sup>) or nineteenth (19<sup>th</sup>) birthday for the District Judge to determine whether the juvenile shall be transferred to the adult system to complete the Determinate Sentence probation period. The transfer hearing is predicated upon the District Attorney filing a Motion with the appropriate District Court.

A juvenile who has been adjudicated, placed on probation for a registerable sex offense, and sex offender registration has been deferred pending treatment shall return to the Dallas County Juvenile District Court prior to his/her eighteenth (18<sup>th</sup> birthday) for the District Judge to determine whether the juvenile shall be required to register as a sex offender. The sex offender registration hearing is predicated upon the District Attorney filing a Motion to Require Sex Offender Registration with the appropriate District Court. There will be times that the hearing is scheduled after the juvenile's probation has expired but prior to his/her eighteenth birthday. In that instance, the last assigned juvenile probation officer will be required to submit the report and appear for the hearing.

#### II. Definitions: None

- A. The assigned juvenile probation officer shall secure a copy of the Determinate Sentencing Review Hearing Form found on the K Drive/JD Forms/Court Documents folder or the Sex Offender Registration Hearing Form found on the K Drive/JD Forms/Sex Offender folder.
- B. The assigned juvenile probation officer shall complete the report based on information obtained while supervising the juvenile and case file notes.
- C. Upon completion of the report, the juvenile probation officer shall submit the document to the supervisor or assistant supervisor for their approval and signature.
- D. Once the report has been approved, the assigned juvenile probation officer shall make three (3) copies of the report. The original shall be submitted to the Judge and copies shall be made for the District Attorney, attorney, and the juvenile's case file.
- E. The assigned juvenile probation officer shall contact the juvenile and parent at least twenty-four (24) hours in advance to ensure that they are aware of the scheduled hearing.
- F. Prior to submitting the report to the Judge, the assigned juvenile probation officer shall have the report file stamped at the District Clerk's office.

Dallas County Juvenile Department Probation Services
Policies and Procedures, 2014 Revision
Chapter 5: Court
Section 15: Court Appearances

The Dallas County Juvenile Department shall be represented at all juvenile court proceedings by a juvenile probation officer. The majority of cases are represented by the Court Liaison Unit; however, there are instances in which the assigned juvenile probation officer is required to appear in court.

The assigned juvenile probation officer shall appear at all Review Hearings, Open Plea/Contested Disposition Hearings, any hearing in which the juvenile's case file was not submitted to the Court Liaison Unit by 12:00 p.m. the day preceding the court date, and any other hearing in which the Judge, District Attorney, or Attorney has requested the juvenile probation officer's presence.

At no time shall an officer fail to appear for a hearing in which he/she was required to appear. A supervisor or assistant supervisor shall appear for the assigned juvenile probation officer only if there is good cause for the officer to be absent from the hearing and not without prior approval.

A juvenile probation officer who fails to appear for a hearing in which his/her presence was required shall be subject to disciplinary action. The degree and severity of the disciplinary action shall be weighed by factors such as the reason for the absence and whether the officer has had a prior history with failing to meet court responsibilities.

#### II. Definitions: None

- A. The assigned juvenile probation officer shall be neatly groomed and appropriately dressed in courtroom attire according to Dallas County Juvenile Department Dress Code Guidelines.
- B. The assigned juvenile probation officer shall turn off all electronic devices prior to entering the courtroom.
- C. The assigned juvenile probation officer shall be prepared and familiar with the details surrounding the iuvenile's case.
- D. The assigned juvenile probation officer shall arrive to court early, speak with the District Attorney prior to being called to the bench and remain in the courtroom until the case has been heard or reset.
- E. The assigned juvenile probation officer shall have all court documents file stamped prior to entering the courtroom if the case file was not previously submitted to the Court Liaison Unit.
- F. The assigned juvenile probation officer shall disperse copies of all court documents to the District Attorney, Attorney, and the original copies shall be placed in the juvenile's court jacket for the Judge.
- G. The assigned juvenile probation officer shall represent the Juvenile Department while in court. There shall be no personal feelings, thoughts or biases presented to the court.

Dallas County Juvenile Department Probation	Services
Policies and Procedures, 2014 Revision	
Chapter 6: Supervision	
Section 1: Case Assignment	

All juvenile case files under supervision shall be assigned to a juvenile probation officer based upon their supervision status: Deferred Prosecution, Conditions of Release; Pre-Adjudication Intensive Supervision (PAIS); Probation in the community; and Probation in a residential placement facility.

II. Definitions: None

- A. A juvenile diverted to Deferred Prosecution (DP) shall be assigned to the respective field unit DP officer based upon the zip code area in which the juvenile resides unless the juvenile is participating in a specialized diversion program.
- B. A juvenile formally referred to Letot from the Dallas Challenge Truancy Enforcement Program shall be assigned to a Letot DP officer.
- C. A juvenile placed on PAIS shall be assigned to a field unit officer based upon the zip code area in which the juvenile resides.
- D. A juvenile placed on conditions of probation and residing in the community shall be assigned to a field unit officer based upon the zip code area in which the juveniles resides unless the juvenile is participating in a specialized supervision program.
- E. A juvenile placed on conditions of probation and admitted to the START Program shall be assigned to the zip code area in which the juvenile will be residing upon discharge.
- F. A juvenile placed on conditions of probation (placement) and admitted to a contract facility or DCJRDT shall be assigned to a Placement Services officer.
- G. A juvenile placed on conditions of probation and admitted to Medlock shall be assigned to a Medlock officer.
- H. A juvenile placed on conditions of probation and admitted to the Dallas County Youth Village shall be assigned to a Youth Village officer.
- I. A juvenile placed on conditions of probation (kinship care, foster care, or residential placement) in the custody of the Texas Department of Family and Protective Services and not identified as a "Crossover Youth" shall be assigned to a field unit officer as directed by the Manager of Field Services.
- J. A juvenile placed on conditions of probation and admitted to a private residential facility shall be assigned to a field unit officer based upon the zip code area the parent/guardian resides.

Policies and Procedures, 2014 Revision

Chapter 6: Supervision

Section 2: Pre-Adjudication Intensive Supervision

## I. Policy:

Juvenile probation officers shall supervise juveniles who have been court ordered on Pre-Adjudication Intensive Supervision (PAIS).

#### II. Definitions:

<u>Pre-Adjudication Intensive Supervision (PAIS)</u>: is defined as the Department's supervision program that is designed for those juveniles, who due to circumstances, (i.e. lack of supervision, nature of offense, treatment needs) may require supervision conditions during the court process for the pending offense(s). No juvenile shall be placed on PAIS without a court order.

- A. An initial contact shall be made with the juvenile and the parent, guardian, or custodian within two working days of being placed on PAIS.
- B. Juveniles on PAIS shall be supervised according to the Level of Supervision and Contact Schedule found in Section 5 of this chapter.
- C. PAIS supervision may be eligible for termination at the end of 60 days unless the court orders an extension of the period of supervision.
- D. PAIS supervision may be extended beyond 60 days with supervisory approval.

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Chapter 6: Supervision

Section 3: Explanation of Conditions of Probation

# I. Policy:

Juvenile probation officers shall review the conditions of probation with the juvenile and the parent, guardian, or custodian to ensure a clear understanding of the specific requirements and expectations of the juvenile's probation term.

## II. Definitions: None

- A. Upon receipt of the juvenile's case file, the supervising juvenile probation officer shall review the conditions of probation with the juvenile and the parent, guardian, or custodian.
- B. The supervising juvenile probation officer shall also review the conditions of probation with the juvenile and parent, guardian, or custodian on a monthly basis to ensure continued compliance and delivery of services.
- C. The juvenile and his/her parent, guardian, or custodian shall participate in a probation orientation meeting at the respective field office and view the "I Can Do This" video within 30 days of initial disposition.

Dallas County Juvenile Department Probation Services
Policies and Procedures, 2014 Revision
Chapter 6: Supervision
Section 4: Case Plans

# I. Policy:

A written case plan shall be developed and implemented for each juvenile adjudicated by the juvenile court and assigned to progressive sanction levels three through five and any juvenile given determinate sentence probation.

The case plan shall be developed for each juvenile under field supervision or in residential placement [TAC 341.37]. Additionally, the level of supervision shall be included in the juvenile's written case plan [TAC 341.40(b)].

Effective October 2014, the Department began participating in the Title IV-E Foster Care Reimbursement Program, and all field supervision case plan and case plan review standards fall under TJJD's Grant E requirements.

Justice Benefits, Incorporated will be assisting the Department in claiming Title IV-E costs, and as a result, many juvenile probation officers will begin receiving random moment sampling (RMS) inquiries as part of the time study methodology. Those officers assigned to participate in the time study shall answer all RMS inquiries in a timely and accurate manner. A juvenile probation officer who fails to answer a RMS inquiry within the required time frame shall be subject to disciplinary action. The degree and severity of the disciplinary action shall be weighed by factors such as the reason for the late submission and whether the officer has had a prior history with failing to meet RMS responsibilities.

## II. Definitions:

<u>Case Plan</u>: is defined as a written document that sets out actions and goals for a juvenile to follow while under the supervision of the juvenile court in order to make changes necessary to best meet the juvenile's status and circumstances over time.

<u>Case Plan Review</u>: is defined as a written document that reviews and measures the initial case plan's goals for progress, including the re-assessment and re-evaluation of the juvenile's status, circumstances, and resources.

<u>Field Supervision</u>: is defined as supervision ordered by a juvenile court in accordance with Texas Family Code 54.049(d)(1)(A) where the child is placed on probation in the child's home or in the custody of a relative or other fit person.

<u>Level of Supervision</u>: is defined as the systematic classification of supervision levels which outlines the frequency of contact between a juvenile probation officer and a juvenile under field supervision on levels 3-5 of progressive sanctions.

Reasonable Candidate: is defined as a child on probation or court-ordered deferred prosecution who has been determined to be at imminent risk of removal from his/her home and placement into foster care, as documented in the case plan and/or case plan review. This determination must be based on current risk factors (within the previous 6 months and as defined by DFPS) that place the child at imminent risk of removal and placement into foster care.

Residential Placement: is defined as supervision ordered by a juvenile court in accordance with Texas Family Code 54.04(d) (1) (B) where the juvenile is placed on probation outside the child's home in either a foster home or a public or private institution or agency.

<u>Substitute Care Provider</u>: is defined as a foster home, public or private institution or agency that provides residential services to juveniles.

<u>Supervision</u>: is defined as the case management of a juvenile by the assigned juvenile probation officer or designee through contacts (face to face, telephone, office, home, collateral) with the juvenile, juvenile's family, and other case planning participants.

<u>Time Study Methodology</u>: is defined as a methodology used by the Grantee to determine the percentage of staff time used to perform Title IV-E allowable activities. The two approved time study methodologies are Random Moment Sampling (RMS) and the Continuous Time Reporting System.

- A. Title IV-E Field Supervision Case Plans: The Grantee shall ensure that field supervision case plans meet the following requirements:
  - 1. **Reasonable Candidates.** For a child to be considered a reasonable candidate for foster care, the case plan shall document the following:
    - a. The tool or documentation used, in addition to the risk assessment, to determine if the child is a candidate for foster care;
    - b. That the child is at imminent risk of removal from the home and placement into foster care absent preventative, pre-placement intervention services;
    - c. The specific circumstances which place the child at imminent risk of removal and placement into foster care (the circumstances must be based on parental behaviors or actions, or lack of action, which places the child at risk of harm);
    - d. Goals to address the risk factors that place the child at imminent risk of removal and placement into foster care; and
    - e. The date the determination of candidacy was made.
  - 2. **Non-Candidates.** The case plan shall document that a child is not a reasonable candidate and the date the determination was made.
  - 3. Additional Requirements. All case plans shall:
    - a. Be completed within thirty calendar days from the child's disposition, using the *Child/Family Case Plan (Field Supervision)* form [TJJD-IVE-115]. The date of completion will be documented by the date of the juvenile probation officer's signature;
    - b. Contain written documentation acknowledging the plan was developed with input from the child, parent or custodian, and supervising juvenile probation officer;
    - c. Document identified needs of the child and family;
    - d. Contain goals, and interventions to address identified needs of the child and family;
    - e. Document the plan of contact which must include at a minimum, monthly contact with both the child and family (utilize the Plan of Supervision and Level of Contact attachment found on the K Drive/JD Forms/Case Plans subfolder);
    - f. Be signed and dated by the child, parent or custodian, juvenile probation officer and supervisor. If any party refuses to sign or is unable to sign the case plan an explanation must be provided (the juvenile probation officer has 30 days from the date of completion to obtain the signatures of the child, parent or custodian, and supervisor); and
    - g. Document that the child and family were provided a copy of the case plan.
- B. Title IV-E Field Supervision Case Plan Reviews: The Grantee shall ensure that field supervision case plan reviews meet the following requirements:
  - 1. Reasonable Candidates. For a child to be considered a reasonable candidate for foster care, the case

plan review shall document the following:

- a. The tool or documentation used, in addition to the risk assessment, to determine if the child is currently a candidate for foster care:
- b. That the child is currently at imminent risk of removal from the home and placement into foster care absent preventative, pre-placement intervention services;
- c. The circumstances which currently place the child at imminent risk of removal and placement into foster care (the circumstances must be based on parental behaviors or actions, or lack of action, which places the child at risk of harm);
- d. A review of the goals contained in the case plan or previous case plan review to address the risk factors that place the child at imminent risk of removal and placement into foster care;
- e. The date the determination of candidacy was made.
- 2. **Non-Candidates.** The case plan review shall document that a child is not a reasonable candidate and the date the determination was made.
- 3. Additional Requirements. All case plan reviews shall:
  - a. Be reviewed six months from the date of disposition and every six months thereafter and when circumstances in the home change, using the *Review of Child/Family Case Plan (Field Supervision)* form [TJJD-IVE-160].
  - b. Contain written documentation acknowledging the case plan review was developed with input from the child, parent or custodian, and supervising juvenile probation officer;
  - c. Update the plan of contact which must include, at a minimum, monthly contact with both the child and family (utilize the Plan of Supervision and Level of Contact attachment found on the K Drive/JD Forms/Case Plans subfolder);
  - d. Discuss the extent of progress made by the child and family in achieving the goals identified in the previous case plan or case plan review;
  - e. Document newly identified needs, goals, and interventions for the child and family as appropriate;
  - f. Be signed and dated by the child, parent or custodian, juvenile probation officer and supervisor. If any party refuses to sign or is unable to sign the case plan review an explanation must be provided;
  - g. Document that the child and family were provided a copy of the case plan review; and
  - h. Be completed no later than thirty calendar days from the date of a court order modifying the terms and conditions of probation.

# C. Level of Supervision

- 1. The Department shall adopt written criteria to determine the child's level of supervision, and the frequency and method of contact while under field supervision (See Section 5 of this Chapter; Level of Supervision and Contact Schedule).
- 2. A minimum of one face to face contact per month shall be mandatory.

# D. Interim Supervision Case Plans

- 1. The initial case plan shall be completed by the county with original jurisdiction over the child (i.e., sending county) in accordance with Letter A above.
- 2. If the sending county fails to provide an initial case plan, the receiving county shall complete an initial case plan no later than thirty calendar days from the first face-to-face contact with the child and family.
- E. Interim Supervision Case Plan Reviews
  - 1. If the sending county has completed the initial case plan, the receiving county shall complete a case plan review no later than thirty calendar days from the first face-to-face contact with the child and family.
  - 2. The case plan shall be reviewed six months from the child's first face-to-face contact with the child and family and every six months thereafter and shall contain all required elements outlined in Letter B above.
- F. Post Placement Case Plan Requirements
  - 1. An initial field supervision case plan shall be developed for all children released from a residential placement facility within thirty calendar days of their release and shall contain all elements outlined in Letter A above.
  - 2. Case plans shall be reviewed periodically but no less than once every six months from the date of release from placement and shall contain all elements outlined in Letter B above.
- G. Interstate Compact cases do not fall under the Grant E requirements and case plans and case plan reviews

are not required.

# Non-Secure Residential Case Plans and Case Plan Reviews

- A. Initial case plans [TAC 341.39(a)]:
  - 1. Shall be developed and implemented within 30 calendar days of the juvenile's initial date of placement (the 30 calendar day count begins on the day after the date of admission);
  - 2. Shall be developed in consultation with the juvenile's parent, guardian, or custodian, the juvenile, the substitute care provider, and the supervising juvenile probation officer;
  - 3. Shall contain specific behavioral goals using the nine domains outlined in Title 1 Part 15 of TAC 351.13:
  - 4. Shall be signed by the juvenile and the juvenile's parent, guardian, or custodian, the substitute care provider and the juvenile's supervising officer; and
  - 5. Shall be retained in the juvenile's case file with copies provided to the juvenile, the juvenile's parent, guardian, or custodian and the substitute care provider.
- B. Case plans reviews [TAC 341.39(b)]:
  - 1. Shall be reviewed and updated at least every 90 calendar days (the 90 calendar day count begins the day after admission into placement. Subsequent reviews shall be conducted 90 calendar days thereafter)
  - 2. The juvenile and at least 1 parent, guardian, or custodian shall participate in the case plan review with the substitute care provider and the juvenile's supervising juvenile probation officer;
  - 3. Shall measure the juvenile's progress toward meeting his/her goals using the six point scale outlined in Title 1, Part 15, 351.13 of the Texas Administrative Code;
  - 4. The outcome of the substitute care provider's service delivery shall be assessed based on whether the child is progressing in fifty percent or more of identified goals;
  - 5. Shall be signed by the juvenile, juvenile's parent, guardian, or custodian, the substitute care provider and the supervising juvenile probation officer; and
  - 6. Copies of every case plan review shall be retained in the juvenile's case file and provided to the juvenile, the juvenile's parent, guardian, or custodian, and the substitute care provider.
- C. Documentation must reflect that both the parent and juvenile participation occurred prior to completion of the initial case plan and case plan review. If the date of the parent's or juvenile's signature is after the date of the juvenile probation officer's signature, it suggests that the juvenile probation officer completed the initial case plan or case plan review without the parent's or juvenile's input and presented it to them after completion. If the parent's or juvenile's signature is dated on a date later than the juvenile probation officer's signature, that file will be out of compliance. For the purposes of this section, a parent, guardian, or custodian will be referred to as the "parent" of the juvenile.
- D. The supervising probation officer shall make a diligent effort to contact and obtain the parent's signature. If a parent's signature is not obtained, compliance will be verified by reviewing documentation of the efforts such as chronological entries of phone calls, home/work visits, or returned receipt of certified letters. If a parent explicitly refuses to participate or sign the case plan or if the supervising juvenile probation cannot locate the parent, the juvenile probation officer shall document this in writing in the juvenile's case plan.
- E. It is an accepted practice to fax the case plan and case plan review to obtain all the required participants' signatures.
- F. If a juvenile is placed by Child Protective Services or a parent and not by the juvenile court, the supervising juvenile probation officer shall develop and complete a case plan in accordance with the field supervision standard TAC 341.38, not the residential placement standard.
- G. The Department utilizes the Texas Juvenile Justice Department's Child/Family Case Plan (Non-Secure Residential Placement) and Review of Child/Family Case Plan (Non-Secure Residential Placement) to meet the non-secure residential case plan standards.

## Secure Residential Case Plans and Case Plan Reviews

# A. Initial case plans [TAC 343.688]:

- 1. Shall be completed no later than 30 calendar days from the resident's date of placement;
- 2. Shall contain written documentation acknowledging that the plan was developed in consultation with the resident, the resident' parent, legal guardian, or custodian, and the supervising juvenile probation officer;
- 3. Shall contain specific goals for at least the nine following domains: medical and dental; safety and security; recreational; educational; mental and behavioral health; relationship; socialization; permanency; and parent and child participation;
- 4. Shall be signed by the resident, the resident's parent, legal guardian, or custodian, the facility designee, and the supervising juvenile probation officer;
- 5. The date of the facility designee's signature on the case plan shall be the case plan completion date; and
- 6. Shall be retained in the resident's case file with written documentation verifying that copies were provided to the resident, the resident's parent, legal guardian, or custodian and the supervising probation officer.

# B. Case plan reviews [TAC 343.690]:

- 1. Shall be reviewed 90 calendar days from the date of the completion of the initial case plan or case plan review and every 90 calendar days thereafter;
- 2. Shall contain written documentation acknowledging that the review was conducted in consultation with the resident, the resident' parent, legal guardian, or custodian, and the supervising juvenile probation officer;
- 3. Shall measure the resident's progress toward meeting his/her goals using the six point scale outlined in Title 1, Part 15 351.13, of the Texas Administrative Code;
- 4. Shall document any newly identified needs, goals, and interventions for the resident and the resident's family.
- 5. Shall be signed by the resident, the resident's parent, legal guardian, or custodian, the facility's designee and the supervising juvenile probation officer;
- 6. The date of the facility designee's signature on the case plan shall be the case plan completion date; and
- 7. Shall be retained in the resident's case file with written documentation verifying that copies were provided to the resident, the resident's parent, legal guardian, or custodian and the supervising probation officer.
- C. The development of the case plan and case plan review shall be initiated by the facility's designee. The facility's designee shall be the individual responsible for the management of the resident's case plan while in the facility. If the supervising probation officer is the facility designee, this shall be clearly indicated on the case plan and case plan review.
- D. The facility shall allow the supervising juvenile probation officer, resident, and resident's parent to provide input into the development of the case plan and case plan review. For the purposes of this section, a guardian or custodian will be referred to as the parent of the resident.
- E. If a parent explicitly refuses to participate or sign the case plan or case pan review, or the facility cannot locate the parent, the facility shall document this in writing in the resident's case plan or case plan review.
- F. For the purposes of this standard, participation is not required to be in person. It is an acceptable to fax or e-mail the case plan or case plan review to allow all the required parties to participate in the development of the case plan and case plan review.
- G. The facility shall make diligent efforts in obtaining the signatures of the parent. For compliance purposes, diligent effort is defined as at least three attempts to obtain the parent's participation and signature. The three attempts may be any combination of a phone call, letter, and e-mail, a home/work visit, a returned receipt of certified letter, etc. Compliance with this standard will be verified by written documentation of the efforts made which may include chronological entries of all phone calls, home/work visits, or returned receipt of certified letters. It is an acceptable practice

- to fax the case plan or case plan review to obtain all the required participants' signatures.
- H. The resident, resident's parent, and the supervising juvenile probation officer shall be provided copies of the completed case plan and case plan review. The case plan and case plan review shall also document the date which the case plan and case plan review was distributed to participating individuals by the facility designee.
- I. The Department utilizes the Texas Juvenile Justice Department's Child/Family Case Plan (Secure Residential Placement) and Review of Child/Family Case Plan (Secure Residential Placement) to meet the secure residential case plan standards.

Policies and Procedures, 2014 Revision

Chapter 6: Supervision

Section 5: Level of Supervision and Contact Schedule

## I. Policy:

The Department shall adopt written criteria that it will use to determine a juvenile's level of supervision while under field supervision [TAC 341.40(a)]. The Department has developed written criteria regarding the levels of supervision that are distinguished by contact type and frequency.

A minimum of one face to face contact per month with the juvenile is mandatory unless otherwise noted in the case plan [TAC341.40(c)].

All juveniles placed under supervision with the Department shall be supervised according to the contact schedule listed below and the assigned juvenile probation officer shall meet the requirements of each type of contact.

Court ordered supervision of a juvenile may terminate at age 18 if under he/she is under regular conditions of probation, age 19 if under Determinate Sentence probation, or up to age 21 dependent upon the state who has referred a juvenile for interstate compact probation supervision.

## II. Definitions:

<u>Collateral Contact</u>: is defined as telephone, face to face, or correspondence contact that is made by the officer with a person or agency (mental health professional, alcohol/drug counselor, etc) that is providing a service for the juvenile.

Day Program: is defined as a non-residential program that requires all day attendance.

<u>Curfew Check</u>: is defined as telephone or personal contact by the officer with the juvenile to verify compliance with the juvenile's court ordered curfew. Curfew cannot be verified prior to the juvenile's curfew time nor without actually contacting the juvenile. If the family does not have a working telephone number, compliance with this contact may be made by use of a curfew statement.

<u>Face to Face Contact</u>: is defined as personal contact by the officer with the juvenile, parent, guardian, or custodian in an office, court, home, school, reporting, program, or work-site setting.

<u>Home Visit</u>: is defined as personal contact by the officer with the juvenile, parent, guardian, or custodian at their residence to assess and monitor the conditions of the home environment for any compliance issues and need for services.

<u>Parent Conference</u>: is defined as telephone or face to face contact with the parent, guardian, or custodian by the officer to discuss compliance with supervision conditions, progress toward case plan goals, behavior issues, and any other concerns.

Reporting: is defined as personal contact by the officer with the juvenile at the office or designated reporting site for the purpose of assessing and monitoring the juvenile's compliance with supervision conditions, progress toward case plan goals, and need for services.

<u>School Contact</u>: is defined as contact by the officer with the school by telephone or correspondence to obtain verification regarding the juvenile's attendance, behavior, and academic performance.

School Visit: is defined as personal contact by the officer with the juvenile, school counselor, teacher, or administrator at the school campus to assess and monitor the juvenile's attendance, behavior, and academic performance. The name of the person contacted at the school must be documented.

<u>Urinalysis</u>: is defined as the collection of a juvenile's urine in order to test it for the presence of alcohol and/or drugs. The urine may be tested by collecting a sample in a cup which yields immediate results or sent to a laboratory for which the urine is analyzed.

- A. A juvenile's level of supervision may be modified based upon consideration of the juvenile's compliance with supervision conditions and time spent on a particular level of supervision.
- B. Supervision shall be provided according to the following schedule:

Supervision and Contact Schedule						
Level	Reporting/ Face to Face	Curfew Checks	School Visits	Home Visits	Parent Conference	UA's (if ordered or if warranted)
ISP 1 (minimum 30 days)	8/month	4/month	2/month	2/month	1/month (face to face)	2/month
ISP 2 (minimum 30 days)  Total time on ISP shall be > = 90 days	6/month	2/month	1/month	1/month	1/month (face to face)	1/month
R1 (minimum 90 days)	4/month	2/month	1/month	1/month	1/month (face to face)	1/month
R2	2/month	1/month	1/month	1/month	1/month (face to face or telephone)	1/month
R3	l/month	Parent Verification	1/month	quarterly	1/month (face to face or telephone)	random
PAIS 1 (minimum 30 days)	4/month	2/month	1/month	1/month	1/month (face to face or telephone)	1/month
PAIS 2 (minimum 30 days)	2/month	1/month	1/month	1/month	1/month (face to face or telephone)	1/month

PAIS 3 (only if needed after 60 days; no minimum requirements)	1/month	Parent Verification	1/month	1/month	1/month (face to face or telephone)	1/month
Active Warrants	N/A	N/A	Contact ISD to verify if juvenile is enrolled	Complete if no contact can be made with parent/ guardian	1/month (face to face or telephone)	N/A
Juveniles in Custody - Detention, Hill Ctr., & Letot	1/week	N/A	Ň/A	N/A	l/month (face to face or telephone)	N/A

- C. Within 2 working days of receipt of the case file, the assigned officer shall make contact with the juvenile and parent, guardian, or custodian.
- D. The assigned officer will review the terms and conditions of supervision with the juvenile and parent, guardian, or custodian.
- E. In order to be considered for a lesser level of supervision, a juvenile shall:
  - 1. Complete a minimum of 30 days each on ISP1 and ISP2, and a combined total of 90 days of Intensive Supervision in order to be eligible for movement to R1;
  - 2. Complete a minimum of 90 days on R1 in order to be eligible for movement to R2;
  - 3. Complete a minimum of 30 days on R2 in order to be eligible for movement to R3;
  - 4. Complete a minimum of 30 days of PAIS1 in order to be eligible for movement to PAIS2; or
  - 5. Complete a minimum of 30 days of PAIS2 in order to be eligible for movement to PAIS3.
- F. A juvenile assigned to R2 and R3 may be considered for modification to the assigned curfew time; however, the modification is to be completed by the assigned officer with input from the parent, guardian, or custodian. Curfew may not be set later than 9:00 p.m. Later curfew times may be considered for special occasions with prior supervisory approval.
- G. All changes in levels of supervision shall require documented supervisory approval and are not effective until such approval is obtained.
- H. Guidelines for lesser levels of supervision include:
  - 1. The juvenile is in general compliance with the supervision conditions and court orders;
  - 2. All responses to violations have been completed or resolved;
  - 3. The juvenile has successfully completed or is participating as required in all court ordered programs;
  - 4. The juvenile has completed or is actively working toward the completion of all CSR hours;
  - 5. The juvenile exhibits good behavior in the home;
  - 6. The parent, guardian, or custodian is supportive and involved in the juvenile's rehabilitative efforts; and
  - 7. Any delinquent fees or restitution have been addressed with the juvenile and parent, guardian, or custodian.
- I. If a juvenile remains on Intensive Supervision for 180 days, the case shall be staffed by the assigned officer with the supervisor in order to determine what action(s) are needed.
- J. Curfew checks are not required while a juvenile is on Home Detention or Electronic Monitoring; however, the juvenile's compliance with either program shall be regularly documented.
- K. A juvenile attending SAU Day Treatment shall have face to face contact with the assigned officer twice per month. All other contacts shall be according to the supervision phase.
- L. A juvenile attending the Juvenile Justice Alternative Education Program (JJAEP) or any other alternative education program (AEP, DAEP) shall be contacted according to the supervision level. If

- the juvenile is unable to report to his/her reporting site due to attending JJAEP or an AEP/DAEP, then he/she shall have face to face contact on site on a weekly basis.
- M. A juvenile attending the Day Reporting Center shall have face to face contact with the assigned officer twice per month. If the juvenile is unable to report to his/her reporting site due to attending DRC, then he/she shall have face to face contact on site on a weekly basis.
- N. A juvenile who is on ISP1 and participating in FPP or FFT may have one of the required home visits completed by the FPP or FFT counselor provided that the assigned officer is making regular contact with the counselor to verify the juvenile's progress in the program.
- O. A minimum of one-half of the required face to face contacts shall be conducted at the juvenile's assigned reporting site.
- P. A juvenile placed in the START Program shall be contacted by the assigned officer at the 15 and 75 day staffings. Contact with the parent, guardian, or custodian shall be once per month.
- Q. A juvenile placed in private residential placement in Dallas County shall have monthly face to face contact with the assigned officer. The parent, guardian, or custodian along with the assigned caseworker from the facility shall be contacted once per month by the assigned officer as well.
- R. A juvenile placed in private residential placement out of county shall have monthly telephone contact with the assigned officer. The parent, guardian, or custodian along with the assigned caseworker from the facility shall be contacted once per month by the assigned officer as well.
- S. A juvenile in the custody of the Texas Department of Family and Protective Services in kinship care or foster care in Dallas County shall be supervised by the field supervision contact requirements.
- T. A juvenile in the custody of the Texas Department of Family and Protective Services in a residential placement facility in Dallas County shall have monthly face to face contact with the assigned officer. The TDFPS caseworker along with the assigned caseworker from the facility shall be contacted once per month by the assigned officer as well
- U. A juvenile in foster care, kinship care or residential placement in the custody of the Texas Department of Family and Protective Services out of county and not accepted for interim supervision shall have monthly telephone contact with the assigned officer. The TDFPS caseworker along with the assigned caseworker from the facility shall be contacted once per month by the assigned officer as well.
- V. Contact once per quarter with Interstate Compact is required for a juvenile supervised on courtesy supervision out of state.
- W. A county supervising a juvenile through Inter-County Transfer shall provide a 90 day progress report from the supervision start date to the sending county.
- X. Any time a juvenile under supervision plans on leaving Dallas County for 24 hours or more, the assigned officer shall document the travel plans including with whom the juvenile will be traveling, destination, and date
  - of departure, date of return, and the juvenile's supervision arrangements while she/he is away.
- Y. The assigned officer is responsible for contacting the parent/guardian 2 days prior to all scheduled court dates and verbally remind the parent/guardian of the scheduled hearing.
- Z. If the juvenile is on warrant status, the assigned officer is required to contact the parent/guardian once a month to determine the subject's whereabouts and assist in the apprehension or surrender of the juvenile. (Refer to Chapter 6, Section 10 Locating Absconders/Re-Establishing Supervision).

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Section 6: Exit Plans

## I. Policy:

A written exit plan shall be developed prior to the juvenile's scheduled release from probation [TAC 341.41].

#### II. Definitions:

<u>Exit Plan</u>: is defined as a written document that identifies the juvenile's need for post-supervision reintegration and specifies the community resources available to meet the needs with a goal of facilitating a continuum of community services to the juvenile and the juvenile's family after probation supervision ends.

- A. An exit plan is to be provided at a date no later than the date the juvenile successfully completes probation unless the juvenile was committed to the Texas Juvenile Justice Department. An exit plan shall **not** be completed more than 30 days prior to completion of the probation term.
- B. The written exit plan shall be developed in consultation with the juvenile, the juvenile's parent, guardian, or custodian, and the supervising juvenile probation officer.
- C. The exit plan shall be signed and dated by the juvenile, the juvenile's parent, guardian, or custodian, and the supervising juvenile probation officer.
- D. The original exit plan shall be placed in the juvenile's case file.
- E. Copies of the exit plan shall be provided to the juvenile, juvenile's parent, guardian, or custodian.
- F. A sentence acknowledging that the juvenile and parent had input and received a copy of the exit plan shall be included on the exit plan.
- G. An exit plan is not required to be completed if one of the following circumstances can be documented:
  - 1. The juvenile was committed to the Texas Juvenile Justice Department while on court ordered probation;
  - 2. The juvenile:
    - (a) turned 17 years of age while on probation;
    - (b) was arrested for a criminal offense; and
    - (c) probation supervision was terminated early; or
  - 3. The juvenile, while on juvenile probation, was certified to stand trial as an adult and the probation order was terminated.
- H. The Department utilizes the Exit Plan with Sealing of Records and Restriction of Access to Records Brochure packet to meet this standard. All documents in the packet shall be filed in the juvenile's case file upon completion.

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Section 7: Notification to Schools CCP 15.27		

Article 15.27 of the Texas Code of Criminal Procedure requires Notification to Schools for certain offenses by law enforcement upon arrest; the office of the prosecuting attorney upon adjudication or deferred prosecution; and by the juvenile probation department when any juvenile under its jurisdiction "transfers from a school or is subsequently removed and later returned to a school or district other than the one the student was enrolled when the arrest, referral, conviction or adjudication occurred."

The notification shall occur within 24 hours of learning of the student's transfer or re-enrollment, or before the next school day, whichever is earliest by notifying the superintendent or a person designated by the superintendent of the school district to which the student transfers or is returned or, in the case of a private school, the principal or a school employee designated by the principal of the school to which the student transfers or is returned.

Within seven days after the oral notice is given, a juvenile probation department shall mail written notice. A person may substitute electronic notification for oral notification where oral notification is required by this article. If electronic notification is substituted for oral notification, any written notification required by this article is not required.

The legislative intent of the article is that if a juvenile is under the Department's jurisdiction, then the Department shall be responsible for sending the notification upon any change in schools occurring after arrest, referral, conviction, or adjudication so that school officials can take appropriate measures to prepare for the new student.

The Department shall make the notification for any juvenile who changes school districts and/or private schools after the law enforcement notification upon arrest while he/she is pending disposition. This is specifically applicable to out of county court assessment cases, field assessment cases, and PAIS cases.

In addition, a deferred prosecution referral is not finalized as the disposition until the deferred officer completes the orientation process. At that time, the notification must be made to the school regardless of any change in school district and/or private schools from the notification made by law enforcement. This also applies to the Department's diversion court dispositions of deferred prosecution.

The notification shall include all pertinent details of the offense or conduct including details of any (1) assaultive behavior other violence; (2) weapons used in the commission of the offense or conduct; or (3) weapons possessed during the commission of the offense or conduct.

#### II. Definitions: None

- A. The Department utilizes the Notice to Schools Form to meet the written requirements of this statute.
- B. Notification is required for any public or private primary or secondary school (including charter schools). It is not required for post-secondary schools such as community colleges, universities, or vocational/trade schools.

- C. The supervising juvenile probation officer shall make the oral notification to any public or private primary or secondary school within 24 hours or before the next school day, whichever is earliest for the following:
  - 1. Upon learning of the juvenile's transfer or re-enrollment occurring after arrest, referral, conviction, or Adjudication; or
  - 2. Upon an assigned disposition of deferred prosecution.
- D. Written notification shall be completed within seven days of the date that oral notification was provided.
- E. Oral and written notification required by this section must include all pertinent details of the offense or conduct, including details of any:
  - 1. Assaultive behavior or other violence:
  - 2. Weapons used in the commission of the offense or conduct; or
  - 3. Weapons possessed during the commission of the offense or conduct.
- F. Electronic notification (e-mail) attaching a completed Notice to Schools Form may be substituted for the oral notification requirement provided that it is completed within 24 hours of learning of the juvenile's transfer or re-enrollment or before the next school day, whichever is earliest. There is no need to provide further written notification since the electronic notification also serves as the written notification. A copy of the e-mail shall be retained in the juvenile's case file to serve as verification as well as a chronological entry completed documenting the date and time the e-mail was sent. Any response e-mail from the school shall be documented as well.
- G. The Notification to Schools requirement applies to any felony offense and the following misdemeanors:
  - 1. Offenses under Penal Code Sections 20.02-Unlawful Restraint, 21.08-Indecent Exposure, 22.01-Assault, 22.05-Deadly Conduct, 22.07-Terroristic Threat, and 71.02-Engaging in Organized Criminal Activity;
  - 2. The unlawful use, sale, or possession of a controlled substance, drug paraphernalia, or marijuana, as defined by Chapter 481, Health and Safety Code; or
  - 3. The unlawful possession of any of the weapons or devices listed in Penal Code Sections 46.01 (1) -(14) or (16), or a weapon listed as a prohibited weapon under Penal Code Section 46.05.
- H. The responsibility of notification shall lie with the juvenile probation officer who has first knowledge of what school the juvenile has transferred or re-enrolled. It is imperative that notification be provided per statute despite any circumstances such as the juvenile's case file is in the process of transfer from one unit to another
- I. If the supervisor of the supervising juvenile probation officer learns of a failure by the officer to provide notification as required, the supervisor shall report the failure to notify to the Director of the Department. This will be accomplished through the chain of command, and the supervisor shall first notify the appropriate Manager of Field or Pre-Adjudication Services.

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Chapter 6: Supervision

Section 8: Notification of Change in Conditions of Probation /

Violation Response Amendment

# I. Policy:

The court shall be notified of any changes in the juvenile's conditions of probation from the date of disposition. Further, any significant responses to violations shall be provided to the court as well.

II. Definitions: None

- A. The Department utilizes the Notification of Change of Conditions of Probation/Violation Response Amendment (NOC) to notify the court of any changes or responses to violations. The NOC is only applicable for juveniles on conditions of probation not PAIS.
- B. Changes in conditions of probation include:
  - 1. The juvenile has successfully completed his/her residential placement and is returning to the community; and due to the return home, the juvenile's custody is being changed from the Chief Probation Officer to a parent, guardian, or custodian;
  - 2. The juvenile has changed address;
  - 3. The juvenile's supervising juvenile probation officer has changed;
  - 4. The juvenile's reporting instructions have changed;
  - 5. The juvenile's level of supervision has been changed due to compliance with probation conditions;
  - 6. The juvenile's assigned curfew has been changed due to compliance with probation conditions; or
  - 7. Any other significant change.
- C. Responses to violations include:
  - 1. The juvenile will participate in Electronic Monitoring,
  - 2. The juvenile will participate in Home Detention;
  - 3. The juvenile will participate in the Day Reporting Center;
  - 4. The juvenile's supervision level has been changed;
  - 5. The juvenile's assigned curfew has been changed; or
  - 6. The juvenile will participate in a Department Program through Non-Residential, Psychological, or Substance Abuse Unit Services; or
  - 7. Any other significant response to a violation.
- D. The supervising juvenile probation officer, juvenile, and parent, guardian, or custodian shall all sign the NOC prior to supervisory approval.
- E. All changes in conditions of probation and responses to violations shall be approved by the supervising juvenile probation officer's supervisor and are not effective until the supervisor signs the NOC.
- F. The original and a copy shall be forwarded to the appropriate District Court, and another copy retained in the juvenile's case file until a signed copy from the District Judge is received. All information on the NOC shall also be documented in a TechShare. Juvenile chronological entry.

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Section 9: Responding to Violations

# I. Policy:

Juvenile probation officers shall investigate all violations of probation or PAIS to determine the appropriate plan of action.

II. Definitions: None

- A. If a juvenile on probation or PAIS is arrested or charged with a new law violation, the supervising juvenile probation officer shall by the next working day of learning of the new offense:
  - 1. Review the offense report and staff the juvenile's case with the supervisor to determine an appropriate plan of action.
  - 2. If the juvenile is 17 years old and in the custody of the adult jail, the supervising juvenile probation officer shall staff with a Probation Services Administrator to determine the appropriate response. The officer shall staff the case within 1 working day of learning of the adult arrest.
- B. Considerations for a new offense include:
  - 1. Nature and seriousness of the new offense;
  - 2. Threat to the community that the juvenile represents;
  - 3. Threat to himself/herself that the juvenile represents;
  - 4. The juvenile's compliance with probation or PAIS conditions;
  - 5. The juvenile's offense and adjudication history;
- C. If a juvenile on probation or PAIS violates the court order, the supervising juvenile probation officer shall within 2 working days of learning of the violation:
  - 1. Determine and take the appropriate action in response.
  - 2. Staff serious or repeat violations with the supervisor to determine the appropriate response.
- D. Considerations for a violation include:
  - 1. Nature and seriousness of the violation:
  - 2. Frequency of the violation;
  - 3. Threat to the community that the juvenile represents;
  - 4. Threat to himself/herself that the juvenile represents;
  - 5. The juvenile's compliance with probation or PAIS conditions:
  - 6. Any prior violation response(s) imposed;
  - 7. The juvenile's offense and adjudication history;
- E. Violation response options available to the supervising juvenile probation officer shall be utilized as prescribed by the DCJD Response Grid.:
- F. Upon supervisory approval and utilization or consideration of all applicable violation responses, the supervising juvenile probation officer shall submit the probation violation for filing to the District Attorney.

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Chapter 6: Supervision

Section 10: Locating Absconders / Re-Establishing Supervision

# I. Policy:

Juvenile probation officers shall attempt to locate an absconder and re-establish supervision with the juvenile.

## II. Definitions:

<u>Absconder</u>: is defined as a juvenile under conditions of supervision who has left the home without permission of the court, and/or the parent, guardian, or custodian.

- A. Verify that the juvenile has absconded. This may be accomplished by questioning the parent, guardian, or custodian or through a school visit, home visit, curfew check, collateral contact, etc.
- B. Once it is verified that the juvenile has absconded, advise the parent, guardian, or custodian to report the juvenile as missing or as a runaway with the appropriate law enforcement authorities.
- C. The supervising juvenile probation officer shall make diligent efforts to locate the juvenile and reestablish supervision. Diligent efforts include those listed in procedure A above as well as additional efforts in cooperation with the parent/guardian such as checking with the juvenile's known associates and frequented places. All efforts to locate the juvenile shall be documented in chronological entries.
- D. If the supervising juvenile probation officer makes contact with the juvenile within a timely manner, the juvenile shall be instructed to report for an appointment by the next working day:
  - 1. If the juvenile fails to appear for the scheduled appointment, then the juvenile shall still be be considered as an absconder.
  - 2. If the juvenile appears for the scheduled appointment, the supervising juvenile probation officer shall staff the case with the supervisor to determine how and under what circumstances to reestablish supervision with the juvenile.
  - 3. Once approval is obtained for supervision to be re-established, the juvenile probation officer may request that the warrant be recalled. Please refer to Recalling Warrants in Section 12 of this Chapter.

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Chapter 6: Supervision

Section 11: Requesting Warrants

# I. Policy:

Juvenile probation officers shall request warrants within the proper time lines and in accordance to policies and procedures. Warrants may only be requested for youth on conditions of probation or Pre-Adjudication Intensive Supervision (PAIS).

II. Definitions: None

- A. Department criteria for requesting a warrant:
  - 1. A juvenile has absconded from the jurisdiction of the courts;
  - 2. A juvenile has absconded from a court ordered residential placement facility; or
  - 3. As a result of a violation of probation or PAIS violation, particularly if the juvenile has absconded from supervision;
- B. A warrant shall not be requested without immediately submitting a violation of probation to the District Attorney when a juvenile is under conditions of probation. When a warrant has been requested for a juvenile under PAIS conditions, it shall be noted as a violation of conditions of release.
- C. Timelines for requesting a warrant:
  - 1. Within 72 hours of learning that a juvenile has absconded from the home or supervision, or the family has moved without notifying the supervising juvenile probation officer;
  - 2. Within 24 hours of learning that a juvenile has absconded from a court ordered residential placement facility;
  - 3. Within 24 hours of learning that a juvenile has escaped from the custody of a Department Employee; and
  - 4. Within 24 hours upon approval from supervisor to request a warrant for a violation of probation or violation of PAIS.
- D. If a juvenile is at large and has absconded from supervision:
  - 1. Staff the juvenile's case with supervisor for approval to request a warrant after demonstrating attempts to re-establish contact with the juvenile:
  - 2. Upon approval from the supervisor to request a warrant, the warrant request and warrant template shall be completed and forwarded to the District Clerk; and
  - 3. Upon receipt of the signed warrant, the assigned probation officer shall complete a chronological entry then scan and upload the PO Custody Report in TechShare. Juvenile to reflect the recommendation.
- E. If a juvenile is not at large, but circumstances dictate a warrant is necessary:
  - 1. Staff the juvenile's case with supervisor for approval to request a warrant detailing the circumstances that make requesting a warrant necessary (i.e. juvenile failed to attend supervisory hearing, juvenile is engaging in conduct which is a danger to himself or others);
  - 2. Upon approval from the supervisor to request a warrant, the warrant request and warrant template shall be completed and forwarded to the District Clerk; and
  - 3. Upon receipt of the signed warrant, the assigned probation officer shall complete a chronological entry then scan and upload the PO Custody Report in TechShare. Juvenile to reflect the recommendation.
- F. If a juvenile is not at large and circumstances exist for the juvenile to be taken into custody prior to

securing a warrant (i.e. unsuccessful discharge from court ordered placement, unsuccessful discharge from treatment program such as SAU Day Treatment, STARS, juvenile is a danger to him/herself or others):

- 1. If the juvenile is in custody or willing to voluntarily go to Detention, contact the Manager of Field Services, Manager of Pre-Adjudication Services, or Deputy Director of Probation Services to obtain approval to place the juvenile in Detention;
- 2. Once approval is obtained, forward a completed PO Custody Report to the Administrator who gave approval. The Administrator will forward the PO Custody Report to Intake Screening.
- 3. Coordinate with Intake Screening the approximate day and time of the juvenile's arrival to Detention, forward the unsuccessful discharge summary, if applicable, to Intake Screening, and complete a TechShare.Juvenile Justification for Release/Detention chronological entry.

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Chapter 6: Supervision

Section 12: Placing Warrant Holds in the Dallas County Jail and Securing Out of County Transport for Warrant Cases

# I. Policy:

When a 17 / 18 year old juvenile with an active warrant is in the Dallas County jail and pending adult charges, the assigned officer shall follow the procedures listed in Letter A below.

When a 17 / 18 year old juvenile is in the custody of another Texas jurisdiction, the assigned probation officer shall follow the procedures listed in Letter B below.

#### II. Definitions:

<u>Hold</u>: is defined as a process where a juvenile with an active warrant shall only be released to the custody of the Juvenile Department.

#### III. Procedure:

# A. Warrant hold procedures for juveniles in the Dallas County Jail:

- 1. If it is determined that a 17 / 18 year old juvenile on court ordered probation has been arrested and is being held in the Dallas County jail, the assigned probation officer shall secure a warrant if approved by the Manager of Field, Services, Manager of Pre-Adjudication Services, or Deputy Director of Probation Services. If a warrant is already active or upon receipt of the warrant, proceed to step 2.
- 2. The assigned probation officer shall scan and email the warrant to the Facility Expediter (FE) and make a request that a warrant hold be placed on the juvenile to be transported to the Detention Center after his/her release or posting bond.
- 3. FE shall email a memo for warrant hold and attach a copy of the warrant to the Dallas County Sheriff's Office Data Management Unit.
- 4. FE will verify the warrant hold on AIS by the next business day.

# B. Warrant transport procedures from other Texas jurisdictions (including Interim Supervision / Directive to Resume Supervision cases)

- 1. If it is determined that a juvenile under jurisdiction of the Department has an active warrant and is being held in another Texas jurisdiction, the assigned probation officer shall verify that juvenile is not pending any further adjudication and / or proceeding(s) in that jurisdictions and determine the specific holding location of the juvenile for transport.
- 2. The assigned probation officer shall email the warrant along with a description of the circumstances to the Office Services Manager (OSM), and the OSM shall contact the appropriate authorities to arrange for the juvenile's return to Dallas County.
- 3. The OSM shall fax a copy of the warrant to the Dallas Sheriff's Office (DSO) Transportation Fugitive Unit Head Investigator to transport the juvenile.
- 4. DSO shall contact the jurisdiction where the juvenile is being held and coordinate the transport within 5 days of notification.

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Section 13: Recalling Warrants	

Juvenile probation officers may request that a juvenile's active warrant be recalled by the court when the juvenile's case is eligible for closure to Records, or if supervision has been re-established after loss of contact with the juvenile. Please refer to Case Management, Section 10 Case File Closure to Records, and Section 10 Locating absconders/Re-Establishing Supervision of this Chapter.

## II. Definitions: None

- A. Warrant recall for a case file eligible for closure to Records:
  - 1. Complete the warrant recall memo and forward to the Court Liaison Supervisor who will process the memo with the court.
  - 2. Prior to closing the case file to Records, the assigned officer shall verify that the warrant has actually been recalled via FORVUS.
- B. Warrant recall for supervision that is re-established after loss of contact with the juvenile:
  - 1. Staff juvenile's case with supervisor detailing any valid reasons other than a violation that contact was lost with the juvenile;
  - 2. Upon approval from supervisor to request that the warrant be recalled, complete warrant recall memo and forward to Court Liaison Supervisor who will process the memo with the court.
  - 3. Verify if the court has recalled the warrant as immediately as possible;
  - 4. If the court denies the request to recall the warrant, immediately coordinate attempts for the juvenile to be taken into custody;
  - 5. If a Motion to Modify petition has been filed, process the juvenile's case as required whether the juvenile is in custody or at home.

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Chapter 6: Supervision

Section 14: Intake Conditions of Release

## I. Policy:

The Department utilizes Intake Conditions of Release to allow Intake to release juveniles who are primarily in the 7-11 scoring range on the RAI as opposed to waiting to release them at a detention hearing the next day. Supervision and court hearing notification shall be diligently provided. Failure to do so may result in the assigned probation officer having to appear at the expedited Announcement Hearing.

# II. Definitions: None

- A. Intake staff will supervise a juvenile per the Intake Conditions of Release until notified of the initial court date by the District Attorney's Office.
- B. Intake staff shall then notify the juvenile and parent/guardian of the juvenile's court date and prepare the case file for transfer to the appropriate field district office. The transfer chronological note shall indicate if the juvenile is on any programs (e.g., Home Detention, Electronic Monitoring) in addition to the Intake Conditions of Release.
- C. Upon receipt of the case file in the field district office, the supervisor shall assign the case file to a probation officer, and the assigned probation officer shall assume monitoring responsibilities that Intake staff was previously providing. The assigned probation officer shall make contact with the juvenile and parent/guardian by the next business day; inform them of the court date again; and give them his/her name, contact information, and time/day to call in weekly.
- D. Face to face contact and/or physical reporting by the juvenile are not required; however, compliance must be determined through the contacts that are being made. Two days prior to the court date, another reminder of the court date and the requirement that the juvenile and parent/guardian must attend shall be made.
- E. A court report is not due at the expedited Announcement Hearing unless a PDR Order is received. However, a report as to the juvenile's compliance with the intake Conditions of Release shall be made in this manner:
  - 1. The assigned probation officer shall make a summary TechShare. Juvenile chronological entry 24 hours prior to the Announcement Hearing detailing the level of compliance or lack thereof. If compliance has been consistently poor, the probation officer shall have already considered scheduling a Walk-Up Hearing to formalize the Intake Conditions of Release through PAIS. If the juvenile's compliance has only recently declined, the probation officer shall recommend PAIS, EM, Home Detention, or any other services that will assist in the juvenile's compliance without having to recommend that the juvenile be detained.
  - 2. The assigned probation officer shall e-mail the Court Liaison Supervisor of the juvenile's expedited Announcement Hearing by 12:00 p.m. the day before and confirm the TechShare.Juvenile chronological entry addressing the juvenile's compliance.
  - 3. The Court Liaison Officer shall print the TechShare.Juvenile chronological entry and act as the Juvenile Department's representative at the expedited Announcement Hearing.
  - 4. The Court Liaison Officer shall enter the results of the expedited Announcement Hearing into TechShare. Juvenile (e.g., new court date, court ordered supervision enacted, programs ordered).
  - 5. If the court does not order continued supervision under PAIS, then the case will be treated as a field assessment case provided that a petition was filed.

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Chapter 6: Supervision

Section 15: Interim Supervision

#### I. Policy:

The Department shall request Interim Supervision for juveniles that have moved or intend to move to another county and remain in that County for at least 60 days. The Department shall accept requests for Interim Supervision of juveniles that move or intend to move to Dallas County for at least 60 days and to assume permanent supervision after a period of 180 days under inter-county transfer of probation. [Texas Family Code 51.072]

### II. Definitions:

<u>Receiving County</u>: is defined as the county to which a juvenile on probation has moved or intends to move and remain for at least 60 days.

Sending County: is defined as the county where the juvenile was originally placed on probation.

<u>Inter-County Transfer Officer (ICT Officer)</u>: is defined as the person designated by the Chief Probation Officer to act as the contact person for all matters involving the transfer of juvenile probation supervision between counties.

- A. When the Juvenile Department (Sending County) is requesting Interim Supervision from another county (Receiving County) within Texas:
  - 1. The assigned juvenile probation officer shall submit the "Child Transfer Packet Checklist," "Request to Initiate Interim Supervision" and "Child & Family Identifying Information" through email to the ICT Officer upon being notified that the juvenile will be moving to another county. The forms can be located on the K Drive/Interim Supervision folder.
    - (a) All forms shall be filled out completely, saved in a Word document and emailed directly to the ICT Officer.
    - (b) All required documents on the "Child Transfer Packet Checklist" and the Department's ICT Outgoing Checklist shall be litigable, scanned and emailed to the ICT Officer, or copied and sent via interoffice mail to the ICT Officer.
    - (c) A Risk and Needs Assessment (RANA) is to be included in the packet.
    - (d) All Case Plans are to be up to date, and signed by all appropriate parties.
    - (e) A TRN number is required and can be located and printed from TechShare.Juvenile or JIS.
    - (f) The name of the ICT Officer for the Receiving County can be located on the TJJD website under "Resources/Juvenile Department Registry/Name of County/Position Held Inter-County Transfer Officer."
    - (g) The packet cannot be processed or sent to the Receiving County without a signed Court Order.
  - 2. Interim Supervision is not required for a juvenile residing in another county as a result of a residential placement by the Juvenile Department or a foster care placement by the Department of Family and Protective Services (DFPS).
  - 3. The assigned probation officer shall maintain weekly contact with the juvenile by phone until notified that interim supervision has officially begun, and shall maintain the file until notified by the ICT Officer that an "Acceptance of Request for Interim Supervision" has been processed. All

contacts and correspondence shall be documented in a chronological entry in TechShare.Juvenile. A file cannot be closed and sent to records until an "Order to Transfer Permanent Supervision" has been received.

- 4. Upon receipt of the forms, the ICT Officer shall:
  - (a) Submit all forms electronically to the receiving county including the "Child Transfer Packet" within three working days of receiving the "Acceptance of Request for Interim Supervision" letter.
  - (b) Notify the assigned Probation Officer via email when the "Acceptance of Request for Interim Supervision" letter has been received, forward all "Interim Supervision 90 Day Progress Reports," and notify when the "Order to Transfer Permanent Supervision" has been signed and forwarded to the receiving county.
  - (c) Submit the "Order to Transfer Permanent Supervision" to the presiding judge for approval and signature after 180 days of interim supervision.
  - (d) Upon receipt of a "Directive to Resume Supervision" from the receiving county, the ICT Officer shall notify the assigned probation officer.
  - (f) Enter a chronological note of all requests and correspondence including the interim supervision start date in TechShare.Juvenile.
- B. When another county (Sending County) within Texas requests Interim Supervision from the Juvenile Department (Receiving County):
  - 1. Upon receipt of all required interim supervision forms from the sending county, the ICT Officer shall email and request that a probation officer conduct a home visit to verify the juvenile and family's address within seven working days from the closest district field probation office to the home address. A home study is not required unless otherwise directed by a supervisor or requested by the sending county.
  - 2. The Field Probation Unit will notify the ICT Officer via email that the home visit has been complete and any other information pertinent information.
  - 3. The ICT Officer shall send an "Acceptance of Request for Interim Supervision" letter to the sending county, obtain all required documents from the "Child Transfer Packet," and consult with the ICT Officer of the sending county to determine the day interim supervision will officially begin, which is needed to establish when permanent supervision will begin.
  - 4. The case file will be forwarded to the assigned district field probation office for supervision, and the assigned probation officer shall supervise the juvenile under the probation conditions imposed by the sending county. The assigned probation officer must make a chronological entry in TechShare. Juvenile of all contacts with the juvenile.
  - 5. The assigned field probation officer shall submit a "90 Day Progress Report" within five working days after 90 days of interim supervision by the Department via email to the ICT Officer to be forwarded to the sending county.
  - 6. Upon receipt of the "Order to Transfer Permanent Supervision," the ICT Officer shall file the appropriate documents with the District Clerk's Office, and notify the assigned probation officer of the juveniles court date and time.
  - 7. The assigned Probation Officer shall prepare new Terms and Conditions of Probation and Instructions for Parents, complete a "Transfer of Permanent Supervision Update" and send the file to the Court Liaison Unit before noon the day before the hearing.
  - 8. Enter and/or update the juvenile's information into TechShare.Juvenile; complete a chronological entry and scan all court documents.
- C. Interim Supervision: Deferred Prosecution
  - 1. The ICT Officer shall receive and process all requests from other counties for deferred prosecution supervision. A juvenile court may transfer interim supervision, but not permanent supervision, to the county where a child on deferred prosecution resides.
  - 2. Upon receipt of a request for deferred prosecution supervision, the ICT Officer shall review the request, determine acceptance, and assign to the appropriate district field office.
  - 3. If deferred prosecution supervision is needed in another (receiving) county, the assigned

- probation officer shall email the "Inter-County Request for Deferred Prosecution Supervision Child and Family Identifying Information" form, a copy of the offense report, and any other Pertinent documentation to the ICT Officer.
- 4. Upon receipt of the required documentation, the ICT Officer shall submit the request for deferred prosecution supervision to the receiving county with all other pertinent documentation, and notify the assigned probation officer via email upon acceptance.
- 5. The receiving county shall electronically submit a "90 Day Progress Report" to the ICT Officer during the Deferred Prosecution Supervision period, this report will be forwarded to the assigned probation officer.
- 6. If the Department is supervising a child for another county, the supervising juvenile probation officer shall submit electronically a 90 Day Progress Reports to the ICT Officer. The ICT Officer shall forward all reports to the sending county.

Dallas County Juvenile Department Probation Services

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Chapter 7: Specialized Supervision

Section 1: Sex Offender Supervision Unit and Sex Offender Case Management Responsibilities

## I. Policy:

The Department shall provide specialized supervision to juveniles with sexual behavior problems and their families. Supervision shall be a coordinated effort with sex offender treatment providers. The treatment team model shall provide an optimal program for successful rehabilitation and minimize the risk for further victims.

The Department's SOS Unit supervises juveniles adjudicated for a sex related offense and currently participating in sex offender treatment.

#### **II. Definitions:**

<u>Licensed Sex Offender Treatment Provider (LSOTP)</u>: is defined as a treatment provider who has been licensed to provide sex offender treatment in the state of Texas.

<u>Polygraph</u>: is defined as a recording instrument administered by a licensed examiner that measures the emotional arousal that is caused by fear and anxiety. The autonomic nervous system responds to arousal with physiological reactions such as increased heart rate, increased depth of respiration, and increased sweat gland activity.

<u>Safety Plan</u>: is defined as a written document developed for each juvenile with sexual behavior problems that gives a detailed description of the juvenile's home environment and defines preventative measures that will ensure the safety of the juvenile, other family members, and the community.

<u>Successful Thinking and Responsible Sexuality (STARS) Program</u>: is defined as Dallas County Juvenile Department's Psychology Division program which provides comprehensive assessment and treatment for juveniles with sexual behavior problems.

- A. Sex Offender Case Management Responsibilities for Field Supervision Probation Cases:
  - 1. All juveniles on field supervision probation and currently receiving sex offender treatment shall be supervised by the Sex Offender Supervision (SOS) Unit. This includes juveniles on interim supervision through Inter-County Transfer and courtesy supervision through Interstate Compact.
  - 2. If a juvenile is being successfully discharged from a residential placement and requires further sex offender treatment on field supervision, the supervising juvenile probation officer shall refer to the mandatory recommendations. A start date for the sex offender treatment provider (STARS or approved LSOTP) shall be entered on the probation conditions.
  - 3. The SOS juvenile probation officer is responsible for case management of the juvenile's case file until the youth successfully completes sex offender treatment. Upon successful completion of sex offender treatment, the SOS juvenile probation shall notify the court within 10 days that the juvenile has successfully completed sex offender treatment and shall transfer the juvenile's case file to the appropriate field unit for ongoing supervision until probation expires.
    - 4. All court hearings (probation review, sex offender registration hearing, transfer hearing, etc)

- are the responsibility of the supervising juvenile probation officer, and he/she is responsible for appearing at the court hearing and preparing all required court reports.
- 5. If the juvenile has a hearing (sex offender registration, transfer hearing) after probation has expired, then the last supervising juvenile probation officer shall be responsible for appearing and preparing all required court reports.

## B. Sex Offender Safety Plan:

- 1. Shall be completed on any juvenile pending a sex related offense prior to release from the Dallas County Juvenile Detention Center. The assigned juvenile probation officer is responsible for the development of the safety plan with the participation of the juvenile and the parent, guardian, or custodian.
- 2. A safety plan shall be completed within 5 working days after the date of disposition for any juvenile adjudicated and disposed for a sex related offense. This is applicable for any juvenile who was not in the custody of the Dallas County Juvenile Detention Center and/or did not have a previously completed safety plan. The supervising juvenile probation officer is responsible for the development of the safety plan. In this instance, the safety plan may be completed prior to disposition provided that there will be no change to the plan upon disposition.
- 3. A juvenile adjudicated and disposed for a sex related offense and placed in a residential placement facility shall have a safety plan developed by the supervising juvenile probation prior to any home visits and/or successful discharge from the facility.
- 4. If any significant changes occur, such as the addition of a new household member(s) or the family relocates to a new address, the safety plan shall be updated within 5 working days of the supervising juvenile probation officer learning of the change.
- C. <u>Required Contacts</u>: The SOS juvenile probation officer shall supervise the juvenile according to the supervision and contact schedule below:

	Supervision an	nd Contact Sc	hedule - Sex	Offender Su	pervision Unit	
Level	Reporting/ Face to Face	Curfew Checks	School Visits	Home Visits	Parent Conference	UA's (If ordered or warranted)
ISP (minimum of 180 days)	4/month	4/month	2/month	2/month	1/month (face to face)	2/month
R1 (minimum of 90 days)	4/month	2/month	1/month	2/month	1/month (face to face)	1/month
R2 (no R3 while in SOS)	2/month	Monitored by parent	1/month	1/month	· 1/month (By telephone)	As needed

- D. All juveniles supervised in the SOS unit will begin on the ISP level of supervision.
- E. Changes in the level of supervision shall be approved by the SOS Unit Supervisor via the Notification of Change in Conditions of Probation/Violation Response Amendment.
- F. SOS Unit Levels of Supervision and Treatment Program:
  - 1. Intensive Supervision (ISP):
    - (a) maintain adequate attendance, participation, and appropriate behavior during treatment sessions as indicated in monthly progress notes or contact with the treatment provider;

- (b) take instant Offense polygraph (if needed). Juvenile must be truthful on polygraph or clarify failed result to the satisfaction of the treatment provider;
- (c) take Sexual History polygraph. Juvenile must be truthful on polygraph to be considered for advancement to a less restrictive level of supervision. A juvenile who is truthful on the Sexual History polygraph yet discloses significant histories of sexually abusive behaviors may require gradual transition to a less restrictive level of supervision.;
- (d) be compliant with probation conditions and have satisfied any violation response(s).

#### 2. R1:

- (a) maintain adequate attendance, participation, and appropriate behavior during treatment sessions as indicated in monthly progress notes or contact with the treatment provider;
- (b) take Monitoring polygraph. Juvenile must be truthful with no significant disclosures or violations revealed in order to be considered for R2 level of supervision:
- (c) be compliant with probation conditions and have satisfied any violation response(s).

#### 3. R2

- (a) maintain adequate attendance, participation, and appropriate behavior during treatment sessions as indicated in monthly progress notes or contact with the treatment provider;
- (b) successfully complete sex offender treatment program;
- (c) be compliant with probation conditions and have satisfied a violation response(s).

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Chapter 7: Specialized Supervision	
Section 2: Sev Offender Registration	

The Department shall ensure that all documentation required for a juvenile adjudicated for a registerable offense(s) and ordered to register as a sex offender in the State of Texas is completed timely and accurately.

A juvenile may be required to register as a sex offender at the disposition hearing for the adjudicated offense, the disposition hearing for subsequent probation violations of the adjudicated offense, the sex offender registration hearing, or upon moving to Texas from out of state and having an adjudication for an offense(s) that meets elements of a registerable offense in the Texas Penal Code.

#### II. Definitions:

<u>Registerable Offense</u>: is defined as any offense in the Texas Penal Code which is eligible for sex offender registration. This type of offense may also be referred to as a reportable offense.

- A. The Texas Juvenile Sex Offender Risk Assessment Instrument (TJSORAI-2) shall be prepared:
  - 1. Prior to any disposition hearing or sex offender registration hearing for all juveniles adjudicated for a registerable offense; or
  - 2. Prior to a juvenile's release from a secure pre/post-adjudicated facility who has been required to register as a sex offender.
- B. The TJSORAI-2 shall only be completed by those juvenile probation officers who have been appropriately trained and passed the testing component to score the instrument.
- C. The total score shall be entered by the juvenile probation officer on the TJSORAI-2; however, only the judge shall enter the assigned risk level at the time the juvenile is order to register. The facility's designee shall enter the assigned risk level on the TJSORAI-2 for those juveniles who have been required to register and released from a secure pre/post-adjudicated facility.
- D. Once the judge has ordered the juvenile to register as a sex offender, the Pre-Release Notification Form (DPS CR-32) and Sex Offender Registration Form (DPS CR-35) shall be completed immediately with the juvenile. These forms outline the juvenile's duties and timelines to register and are essential to the sex offender registration process. The officer completing these forms shall refer to the Texas Department of Public Safety Sex Offender Manual to ensure that the forms are completed correctly and forwarded to the appropriate law enforcement agency and DPS.
- E. If the juvenile has been ordered to register as Non-Public, the juvenile probation officer shall ensure that the non-public registration court order is attached to the Sex Offender Registration Form (DPS CR-35) that is forwarded to DPS.
- F. The Pre-Release Notification Form (DPS CR-32) shall also be completed 7 days prior to a juvenile's release from a secure pre/post-adjudicated facility who has been required to register as a sex offender.
- G. A juvenile who has been ordered to register as a sex offender shall submit to DNA collection. The DNA collection should be arranged with the detention clinic and Unit 4 Supervisor. The DNA kit for sex offender registration is different than the DNA kit used for certain felony offenses (blood sample instead of a buccal swab).
- H. A juvenile who has been ordered to register shall also obtain a "special" DPS driver's license or personal identification within 30 days and renew it annually. The fee is \$20.00 and will not be

- waived. Nothing on the DL/ID itself indicates that the juvenile is registered as a sex offender; however, law enforcement has access to that information when running a search on the DL/ID.
- I. The assigned juvenile probation officer is responsible for reporting any status changes on a registered juvenile to law enforcement via the Sex Offender Update Form (DPS CR-39). Examples of status changes are: address change, school status, job status, changes in conditions of probation, discharge from supervision, or incarceration/detention.
- J. The assigned juvenile probation officer shall notify law enforcement in writing when a registered juvenile visits another location at least 3 times within a month and stays at that location for a minimum of 48 hours. This may occur in custodial arrangements between the juvenile's parents, guardians, or custodians.

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Chapter 7: Specialized Units	
Section 3: Special Needs Diversionary Program	

The Special Needs Diversionary Program (SNDP) is designed to increase the availability of effective services to juvenile offenders with mental health needs. The goal of the program is to reduce delinquency, increase offender accountability, and rehabilitate juvenile offenders through a comprehensive, coordinated, community-based juvenile probation program.

The Department's Special Needs Unit (SNU) is responsible for the Special Needs Diversionary Program.

#### II. Definitions:

<u>Core Team</u>: is defined as the specialized (SNDP) juvenile probation officer and Licensed Mental Health Professional (LMHP) assigned to the juvenile's case.

<u>Priority Population</u>: is defined as the population of juveniles who have a DSM-IV Axis I diagnosis other than or in addition to substance abuse, mental retardation, autism, or pervasive developmental disorder, and who meet eligibility for MHMR services and have met criteria for one of the levels of care as determined by the child and Adolescent Texas Recommended Authorization Guidelines (CA-TRAG) in the Resiliency and Disease Management (RDM) initiative implemented by the Texas Department of State Health Services (TDSHS), or as determined by a licensed mental health care professional as a result of implementation of a standardized mental health assessment.

<u>SNDP Team</u>: is defined as the core team and non-core team members who are working with a juvenile and the juvenile's family.

#### III. Procedure:

- A. Referrals to the Special Needs Unit shall be made by the juvenile probation officer by forwarding the most current MAYSI-2, Pre-Disposition Report, psychological screen or assessment, and face sheet.
- B. <u>Target Population</u>: The SNDP program shall only serve those juveniles who:
  - 1. Have received a disposition of deferred prosecution, juvenile court ordered probation, or have been released under court ordered conditions of release and are being supervised in the community by the juvenile probation department.
  - 2. Have met the priority population definition.

## C. Clinical Assessment:

- 1. Each juvenile's case file shall include a clinical assessment that has been signed and dated by a licensed mental health professional completed within 90 calendar days prior to enrollment in the SNDP.
- 2. The clinical assessment establishing eligibility shall contain the following information:
  - (a) a DSM-IV Axis I diagnosis other than or in additions to substance abuse, mental retardation, autism, or pervasive developmental disorder; and
  - (b) a current Global Assessment of Functioning (GAF) score.

## D. Family Suitability Interview:

1. The core team shall complete a family suitability interview (FSI) for each juvenile found to meet the requirements for services through this program prior to or at the same time as the

juvenile's enrollment into the SNDP.

- 2. The FSI shall document the following:
  - (a) whether the juvenile has an adult family member available for participation in the program;
  - (b) whether the family is willing to participate in the program; and
  - (c) the explanation of requirements of the program to the juvenile and family.

# E. Insurance Screening:

- 1. All juveniles shall be screened for medical insurance coverage prior to or upon enrollment into the SNDP.
- 2. If third-party, Medicaid, or Children's Health Insurance Program (CHIP) does not already cover the juvenile, the SNDP team shall ensure that an application for Medicaid or CHIP is completed and submitted within five calendar days of the juvenile's enrollment into the SNDP.

# F. Out of Home Placement:

- 1. Juveniles may be enrolled in the SNDP if they meet the requirements of the target population upon discharge from an out of home placement.
- 2. A juvenile may be enrolled in the SNDP if the juvenile is being placed in an out of home placement as long as his/her absence does not exceed 45 calendar days. The SNDP team shall continue to provide services to the juvenile according to the juvenile's case plan.
- G. <u>Re-Enrollment of Discharged Juvenile</u>: Juveniles may be re-enrolled into the SNDP after previously completing the program or having been discharged from the program if the requirements of the target population are met.

# H. Core Team Requirements:

- 1. At least one member of the core team shall be available in person, by pager, office phone, or cell phone to the family 24 hours, seven days a week, 365 days a year for assistance with crisis resolution.
  - (a) the specialized juvenile probation officer or QMHP will be available by cell phone 24/7.
  - (b) documentation shall be provided to the juvenile and family detailing the 24/7 availability of the core team. The juvenile's case file and/or mental health chart shall contain copies of the documentation that indicates when the juvenile and family were provided a copy of the information regarding 24/7 availability of the core team.
- 2. The core team shall maintain a minimum average daily caseload of 12 juveniles and their families. A SNDP juvenile probation officer shall not exceed 20 juveniles at any one time.
- 3. The SNDP juvenile probation officer shall have at least one face to face contact with the juvenile and family at least every seven calendar days during the first 30 days of enrollment. If a parent is not present then a subsequent contact is required with the parent. The frequency of contacts needed shall be addressed in the case plan.
- 4. The first 30 day case plan review and all subsequent case plan reviews shall determine, **based on need**, the number and type of contacts with the juvenile and family to be made by the SNDP team. The SNDP juvenile probation officer shall conduct at least one contact every seven calendar days with the juvenile for the duration of enrollment in the SNDP.
- 5. The core team shall establish a unified enrollment date for each individual juvenile enrolled in the SNDP.
- 6. The core team shall provide services to the juvenile and family for the period the juvenile is enrolled in the SNDP.
- 7. Weekly communication between core team members is required to monitor the progress and needs of each juvenile enrolled in the SNDP. Documentation of this communication shall be entered into TechShare.Juvenile.

8. Additional required SNDP juvenile probation officer contacts are listed below:

Supervision Time Frame	School Visits	Curfew Checks	Home Visits	Face to Face	Parent Conferences	UAs (if ordered or warranted)
First 30 calendar days	2/month	2/month	1/every 7 calendar days	1/every 7 calendar days in the home	1/week	1/month
Remainder of program	2/month	2/month	determined by need (as indicated in case plan)	1/every 7 calendar days in any setting (home, school, etc.) determined by need	1/month	1/month

#### H. Case Plan:

- 1. The core team shall meet with the juvenile and family and develop an initial case plan within 72 hours of the juvenile's enrollment in the program.
- 2. The case plan shall be developed by the core team with input from the juvenile, the parent, guardian, or custodian.
- 3. The case plan shall be written in terms that are specific and measurable and shall document each of the following criteria:
  - (a) all identified areas of need for the juvenile and family;
  - (b) what activity/intervention is to be completed;
  - (c) who is responsible for completing the activity/intervention;
  - (d) when the activity/intervention is to be conducted and/or completed;
  - (e) how the activity/intervention is to be conducted;
  - (f) what services will be made available to the juvenile and family to assist them in acquiring skills and resources to meet their needs;
  - (g) all required contacts; and
  - (h) what long-term community supports will be utilized.
- 4. A copy of the plan shall be provided to the juvenile and family within seven calendar days of the juvenile's enrollment the program.
- 5. The core team shall formally review and update case plans monthly with the juvenile and family and a copy shall be provided to the family within seven calendar days from the date of completion of the review.
- 6. Transition planning shall be incorporated by the core team into the juvenile's monthly case plan review at least 30 days prior to the juvenile's discharge from the program.
- I. <u>Discharge/Aftercare Plan</u>: The core team shall complete a written discharge/aftercare plan with the juvenile and family on the day of the juvenile's discharge from the program and shall:
  - 1. Outline the ongoing support systems and resources for the family:
  - 2. Identify required services and linkages to appropriate resources; and.
  - 3. Provide the juvenile and family a copy of the discharge/aftercare plan signed by the core team.

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Section 4: Front End Diversionary Program

# I. Policy:

The Front End Diversionary Initiative (FEDI) is a pre-adjudication diversion program designed for juveniles that have a previous mental health diagnosis or may possible have mental health related issues and have been referred to the Dallas County Juvenile Department for delinquent conduct or conduct indicating a need for supervision.

The program shall divert juveniles from the juvenile court process; enhance the availability of effective mental health services; assist in identifying appropriate community based programs that will meet their needs; and enhance their opportunity to remain in the community and become productive, law abiding citizens.

II. Definitions: None

- A. <u>Referral Criteria:</u> Intake Screening juvenile probation officers, Psychology Division staff, deferred prosecution juvenile probation officers, field assessment juvenile probation officers, and the detention court hearing referee may refer a juvenile to the FEDI program if any of the following criteria apply:
  - 1. A psychological screening or evaluation reveals that the juvenile is appropriate for the program;
  - 2. As a result of the detention intake screening process, the Intake Screening juvenile probation officer determines or suspects that a juvenile may have mental health related issues, a previous mental health diagnosis, or the juvenile might benefit from on-going clinical services in the community;
  - 3. A juvenile that is currently participating in therapy or counseling in the community might benefit from additional mental health services;
  - 4. A psychiatric screening reveals a mental health diagnosis;
  - 5. School documentation indicates that the juvenile has a previous diagnosis of Attention Deficit Hyperactivity Disorder (ADHD) or Attention Deficit Disorder (ADD);
  - 6. School documentation indicates that the juvenile has been placed in a Special Education program for a learning disorder;
  - 7. The parent, guardian, or custodian indicates that the juvenile has a previous mental health diagnosis, has been hospitalized for mental health issues, or expresses concerns about the juvenile's mental health;
  - 8. A psychological evaluation indicates an Axis I diagnosis;
  - 9. A MAYSI-2 score indicates a caution or warning score in the Suicide Ideation or Depressed Anxious areas;
  - 10. The juvenile or parent, guardian, or custodian verifies that the youth has revealed present or past suicidal ideation, depression, or anxious thoughts.
- B. <u>Referral Process</u>: The referring person shall submit the following to the FEDI Supervisor for review of the juvenile's appropriateness for the FEDI program:
  - 1. Updated face sheet;
  - 2. Current MAYSI-2:
  - 3. Case history; and
  - 4. Psychological screen/assessment (if available).

### C. FEDI Review Process:

- 1. The FEDI Supervisor will assign the referral to a FEDI juvenile probation officer; and
- 2. The FEDI juvenile probation officer will schedule a Family Suitability Interview (FSI) with the juvenile and parent, legal guardian, or custodian to determine the juvenile's suitability for the program.

# D. FEDI juvenile probation officer responsibilities:

- 1. The FEDI juvenile probation officer shall notify the deferred prosecution juvenile probation officer or the field assessment juvenile probation officer upon acceptance of FEDI supervision.
- 2. The FEDI juvenile probation officer will assume supervision of the juvenile upon completion of the FEDI initial case plan.
- 3. The FEDI initial case plan shall be completed within 72 hours of the juvenile's enrollment in the program. The case plan shall require juvenile and parent, legal guardian, or custodian participation and identify goals, needs, and services.
- 4. A FEDI discharge summary shall be completed on the day of the juvenile's discharge from the program. The summary will identify needs that may extend beyond the FEDI program and provide the family with links to community based programs and will provide support systems to meet those needs.
- 5. The FEDI juvenile probation officer shall provide supervision of the juvenile's attendance in school, counseling sessions, and all other programming.
- 6. The FEDI juvenile probation officer shall assign the juvenile to complete up to 15 hours of Community Service Restitution if appropriate.
- 7. The FEDI staff shall conduct a pre and post survey (Ohio Scales) with the juvenile and parent, legal guardian, or custodian to determine if the program was successful in providing the family with the services needed for positive change. The survey is provided by the Texas Juvenile Probation Commission (TJJD) and will allow TJJD to gather statistical data.

### E. Required Contacts:

- 1. The FEDI juvenile probation officer shall contact the juvenile during the first week in the program to ensure the juvenile's enrollment.
- 2. The FEDI juvenile probation officer shall take appropriate actions, including but not limited to, attending ARD meetings to begin the process of determining the juvenile's educational needs.
- 3. The FEDI juvenile probation officer shall ensure during the first week of supervision that the juvenile is assessed by a community based mental health provider.
- 4. The FEDI juvenile probation officer shall make monthly contact with medical/psychiatric providers to determine that the juvenile maintains his/her medication schedule and any medical/ psychiatric appointments.
- 5. The FEDI juvenile probation officer shall make regular contact with all service providers.
- 6. The FEDI juvenile probation officer shall supervise the juvenile according to the contact schedule below:

Level	School Visits	Curfew Checks	Home Visits	Parent Conferences
Phase I (minimum 90 days)	2/month	2/month parent verification	2/month	2/month
Phase II (remainder of program)	1/month	1/month parent verification	1/month	1/month

### F. Mental Health Services:

1. Juveniles participating in the FEDI program shall be referred to community based mental health providers.

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Section 5: Mental Health Court

### I. Policy:

The Mental Health Court (MHC) program is designed to divert juveniles with mental health illnesses from further penetration into the juvenile justice system; connect the juveniles and their families with community mental health based services/treatments; educate families about mental illnesses; and encourage increased family involvement with, and stronger advocacy for, their children with mental health illnesses.

II. Definitions: None

#### III. Procedure:

## A. Objectives:

- 1. Intervene at the pre-adjudication level to address problem areas quickly and without further Juvenile Court intervention;
- 2. Assess those juveniles referred to the MHC to determine his/her needs and provide services that are appropriate;
- 3. Develop a case plan which is designed to meet the needs of both the juvenile and his/her family;
- 4. Make appropriate referrals for the identified needed services including mental health, educational, vocational, and family health care;
- 5. Monitor each juvenile's attendance in school, their behavior at home, and their progress in therapy and/or community based mental health services;
- 6. Implement the use of immediate and appropriate incentives and/or responses for compliance and noncompliance with the MHC requirements;
- 7. Provide judicial oversight and coordination of all services initiated to promote accountability and bring together all involved community agencies to work in partnership with the MHC to achieve the identified goals.
- B. <u>Referrals</u>: Intake Screening juvenile probation officers, Psychology Division staff, field assessment juvenile probation officers, deferred prosecution juvenile probation officers, and the District Attorney Liaison can refer juveniles to the MHC program if any of the following criteria apply:
  - 1. A psychological/psychiatric screening or evaluation reveals that the youth is appropriate for the program due to a mental health illness or diagnosis; or
  - 2. The detention intake screening process or the Intake Screening juvenile probation officer determines that:
    - (a) the juvenile may have a mental health related issue:
    - (b) the juvenile has a previous mental health diagnosis;
    - (c) the juvenile may benefit from on-going clinical services in the community; and
    - (d) the family is willing to participate in all aspects of Mental Health Court.
  - 3. A juvenile who is currently participating in therapy or counseling in the community and might benefit from additional mental health services and monitoring;
  - 4. School documentation indicates that the juvenile has a current or previous diagnosis of Attention Deficit Hyperactivity Disorder (ADHD) or Attention Deficit Disorder (ADD);
  - 5. School documentation indicates that the juvenile has been placed in a Special Education program for an emotional disorder;
  - 6. The parent, legal guardian, or custodian indicates one or more of the following:

- (a) the juvenile has had a previous mental health diagnosis;
- (b) the juvenile has been hospitalized for mental health issues; or
- (c) concerns are expressed about the juvenile's mental health.
- 7. A psychological evaluation indicates an AXIS I diagnosis;
- 8. A MAYSI-2 score indicates a caution or warning score in the Suicide Ideation or Depressed Anxious areas:
- 9. The juvenile or parent, legal guardian, or custodian verifies that the juvenile has revealed present or past suicidal ideation, depression, or anxious thoughts.

### C. Eligibility Criteria:

- 1. The juvenile has a pending charge alleging an offense other than truancy, runaway, or a sexual offense:
- 2. The juvenile has not previously been adjudicated on any charge;
- 3. The juvenile is found to be appropriate for supervision through a deferred prosecution program;
- 4. The juvenile has an AXIS I diagnosis such as, but not limited to:
  - (a) Cognitive Disorder;
  - (b) Oppositional Behavior Disorder;
  - (c) Bipolar I Disorder;
  - (d) Schizophrenia; or
  - (e) the diagnosis must be other than or in addition to Conduct Disorder or a substance abuse disorder.
- 5. An assessment shall be performed within two weeks of the referral to the MHC to substantiate an AXIS I diagnosis; and
- 6. The juvenile and their family must agree to participate in the program.
- D. <u>MHC coordinator responsibilities</u>: The MHC supervisor and/or assistant supervisor of the Special Needs Unit are the designated coordinator(s) of the MHC.
  - 1. Assign each new case to a MHC juvenile probation officer:
    - (a) cases are assigned to the MHC juvenile probation officers according to designated geographical areas and language;
    - (b) assigned cases will be logged into the MHC database maintained by the MHC Coordinator:
    - (c) the MHC administrative secretary will enter all available demographic information into TechShare.Juvenile.
  - 2. Ensure that the delivery of services are in accordance with:
    - (a) Dallas County Juvenile Department Policies and Procedures;
    - (b) TJJD standards; and
    - (c) Texas Family Code provisions.
  - 3. Conduct case file audits on the MHC files:
    - (a) at least one file per MHC juvenile probation officer shall be audited monthly;
    - (b) the audit form specific to the MHC shall be utilized; and
    - (c) the MHC juvenile probation officer shall be informed of the results of the audit and any identified corrective action.

# E. MHC juvenile probation officer responsibilities:

- 1. The MHC juvenile probation officer receives the referral assignment and schedules each juvenile and family for a family suitability interview (FSI):
  - (a) within two working days of being assigned a referral, the MHC juvenile probation officer shall make a documented effort to contact the family via telephone to schedule an appointment with both the juvenile and the parent, legal guardian, or custodian to complete the assessment;
  - (b) the FSI shall be completed within five working days of being assigned a referral.

    Reasonable efforts shall be documented if unable to complete the FSI within the required time frame..
  - (c) upon contact, the parent, legal guardian, or custodian is to be instructed to provide copies of

- the juvenile's birth certificate, school records, and social security card when attending the scheduled appointment.
- 2. Once a FSI is completed and a decision regarding appropriateness for the MHC is made by the MHC juvenile probation officer, the parent, legal guardian, or custodian must agree to fully participate in the MHC. The MHC juvenile probation officer then has the juvenile and the parent, legal guardian, or custodian sign the agreement.
- 3. The MHC juvenile probation officer schedules a date to bring the family to Court to begin Phase I with the MHC.
- 4. The MHC juvenile probation officer and juvenile, and parent, legal guardian, or custodian jointly formulates a written case plan within 72 hours of enrollment to address the juvenile's mental health and other needs and how to address those needs through community based programs and services.
- 5. As the juvenile progresses through the three phases of the program, the case plan will be reassessed and/or revised by 3 months of participation in the program to ensure that it remains appropriate for the juvenile's needs. The case plans shall be signed by the juvenile, parent, legal guardian, or custodian, MHC juvenile probation officer and MHC supervisor. Copies shall be provided to the juvenile, and the parent, legal guardian, or custodian, and the original case plan shall be placed in the case file.
- 6. The MHC juvenile probation officer shall refer the juvenile/family to services as needs indicate and monitor the progress and effectiveness of those services.
- 7. The MHC juvenile probation officer shall make contact with the juvenile's school within the first week of enrollment. The MHC juvenile probation officer will take appropriate actions, including but not limited to attending ARD meetings to begin the process of determining the juvenile's educational needs.
- 8. The MHC juvenile probation officer shall assign the juvenile to complete up to 15 hours of Community Service Restitution if appropriate.
- 9. The MHC juvenile probation officer shall attend the MHC sessions for each juvenile and family meetings.
- 10. The MHC juvenile probation officer shall perform the Ohio Scales Pre and Post surveys with the juvenile and family to provide statistical data to show outcomes for the program.

## F. MHC Program Levels:

Level	Court Sessions	School Visits	School Checks	Home Visits	Parent Conferences	*Services
Phase I (minimum 30 days)	Weekly until promoted to next phase	Every other week	Every other week from school visit	Weekly	2/month	(Engagement/Motivation) Seen twice a week by FFT therapist/ Engage in services with mentoring, substance abuse, tutoring, etc. as treatment team directs
Phase II (minimum 30 days)	Bi-weekly until promoted to next phase	1/month	1/month	2/month	1/month	(Behavior Change) Seen weekly by FFT therapist or more if needed/ Engage in services with mentoring, substance abuse, tutoring, etc. as treatment team directs

Phase III (minimum 30 days)	1/month until promoted to next phase	1/month	1/month	2/month	1/month	(Generalization) Seen weekly by FFT therapist or more if needed/ Engage in services with mentoring, substance abuse, tutoring, etc. as treatment team directs
Aftercare (minimum 4weeks)	1/month	1/month	1/month	1/month	1/month	Seen as needed by FFT therapist/ Engage in services with mentoring, substance abuse, tutoring, etc. as treatment team directs

### G. MHC Process:

- 1. the MHC team will meet one evening a week to enroll new clients and also to review the progress of current juveniles in the program.
- 2. The Mental Health Court team is comprised of the judge, prosecutor, MHC coordinator, psychologist, Dallas Metro Care psychiatrist, and MHC juvenile probation officers.
- 3. After the MHC juvenile probation officer completes the FSI and finds a child suitable for the program, he/she shall present the case with the family present at the next court session within the same week of the interview if possible. Dallas Metro Care will complete a psychiatric evaluation on the juvenile prior to the initial court session to determine eligibility.
- 4. The MHC team assess the juvenile's case and makes the decision to enroll him/her into the program. If enrolled, the juvenile and family will be assigned a Family Functional Therapy therapist and services will then begin immediately.
- 5. The juvenile and family will progress through the MHC program and will be seen by members of the MHC team on a weekly or monthly basis determined by the phase level.
- 6. The judge will provide appropriate responses for goals not being met or violations committed. The responses could include assigning additional community services hours, altering the youth's current phase level, or extending the time necessary to complete the MHC program.
- 7. There are four phases of the program: Phase I, Phase II, Phase III and Aftercare. Phase I, II, and III consist of 30 day increments, and Aftercare will consist of a minimum of four weeks.
- 8. Upon successful completion of the program and the youth's deferred probation status, the juvenile's case shall be closed. The Juvenile and family maintain a connection with community based services. A discharge plan will be written which includes proposed services for the family for long term utilization when they are no longer engaged with the Juvenile Department.
- 9. Should the juvenile fail to successfully complete the Mental Health Court program; commit a new delinquent offense during this time period; or appear by all accounts to require more intensive supervision than this diversion program offers, the juvenile's case will be staffed by the MHC team to make recommendations as to what further actions should be taken.

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Section 6: Drug Court

### I. Policy:

The Drug Court Diversion Program shall provide early interventions to juveniles to decrease the probability of future referrals to the department, as well as provide an opportunity for the juvenile to live a drug-free life. The juveniles shall be introduced to skills that will assist them in leading productive substance-free lives and encourage academic success, while avoiding adjudication and disposition through the juvenile courts.

II. Definitions: None

- A. Referrals to the Drug Court are made by the District Attorney Liaison officer. Any juvenile who is referred to the Dallas County Juvenile Department for possession of a misdemeanor alcohol or drug offense is considered eligible.
- B. Disqualifying factors include:
  - 1. Delivery; Possession with Intent to Deliver; or Sale;
  - 2. Prior felony disposition;
  - 3. History of a violent offense;
  - 4. Prior history of adjudication for a violent offense and/or drug sales;
  - 5. Parent, guardian, or custodian unwilling to participate in the program;
  - 6. Out of county residence; or
  - 7. A diagnosed mental health issue which would preclude the juvenile from successfully completing the program.
- C. Drug Court Coordinator Responsibility:
  - 1. Assign each new case to the Drug Court juvenile probation officer;
  - 2. Log assigned cases in the "Drug Court Referral" log and maintain the log.
  - 3. Enter all demographic information into TechShare.Juvenile as well as a case assignment chronological entry.
  - 4. Ensure delivery of services in accordance with Department policies and procedures, TJJD standards, and the Texas Family Code; and
  - 5. Conduct audits on juvenile case files.
- D. Drug Court Juvenile Probation Officer Responsibility: The Drug Court juvenile probation officer receives the case assignment and schedules each juvenile and family for an orientation appointment:
  - 1. Within 2 working days of receiving the case, the Drug Court juvenile probation officer shall make a documented effort to schedule an appointment with both the juvenile and parent, guardian, or custodian to complete the assessment and admission.
  - 2. In the event there is no telephone number of record, the Drug Court juvenile probation officer shall send a letter requesting contact from the juvenile's parent, guardian, or custodian.
  - 3. Upon contact, the parent, guardian, or custodian shall be instructed to provide copies of the juvenile's birth certificate, school records, and social security card when appearing for the scheduled appointment.
  - 4. The appointment shall be scheduled within 10 working days of case receipt.
  - 5. When a parent, guardian, or custodian reschedules a first appointment, subsequent appointments are to be scheduled no later than 7 working days from the last missed appointment
  - 6. To confirm the re-scheduled appointment, the Drug Court juvenile probation officer shall either: (a) call the parent, guardian, or custodian no later than 1 business day prior to the scheduled

appointment; or

- (b) complete a home visit, and if both the juvenile and parent, guardian, or custodian are at home, the intake/admission shall occur at that time.
- 7. Cases pending over 30 days shall be staffed with the Drug Court coordinator.
- 8. Once the intake/admission is completed, the Drug Court juvenile probation officer shall submit the case file to the Drug Court coordinator for review. All documents including chronological entries shall be included in the file. All required TechShare.Juvenile screens shall be completed within 2 working days after the case was opened.
- 9. After reviewing the case file, the Drug Court coordinator shall return the case file to the Drug Court juvenile probation officer noting any corrections to be made.

## E. Orientation Requirements:

- 1. The Drug Court Diversion Program is a voluntary program based on the consent of the juvenile and parent, guardian, or custodian. In the event the family declines to participate in the program, the Drug Court juvenile probation officer shall complete a "Non-Participation" form and obtain signatures from both the juvenile and the parent, guardian, or custodian. The juvenile's case file shall be returned to the Drug Court coordinator for further action.
- 2. The juvenile has the right to terminate the Drug Court Diversion Program Agreement at any time and contest allegations in court.
- 3. The District Attorney may pursue court intervention depending upon the juvenile's progress in the program.
- 4. Assessments: In order to effectively assess the needs of the juvenile and his/her family, several assessment tools shall be utilized:
  - (a) The following tools shall be administered with the juvenile in the absence of the juvenile's parent, guardian, or custodian:
    - (i) MAYSI-2;
    - (ii) TCU Drug Screen II;
    - (iii) Problem Assessment form; and
    - (iv) TCU Comprehensive Intake Packet
  - (b) The following documents shall be completed by the juvenile's parent, guardian, or custodian:
    - (i) behavior checklist;
    - (ii) face sheet (providing demographic information);
    - (iii) consent and waiver of liability form; and
    - (iv) financial statement.
  - (c) The information obtained from the TCU Drug Screen II, the MAYSI-2, the urinalysis obtained at the orientation appointment, and the juvenile's self-reported substance use may result in a referral for a chemical assessment to be completed. Upon recommendation of the chemical assessment, appropriate referrals for services shall be made.
- 5. Develop a case plan with the juvenile and family based upon information gathered from interviews and assessment tools. The plan will be evaluated and updated whenever the juvenile moves from one phase to another phase within the program. Case plans will include the signatures of the juvenile, parent, guardian, or custodian, Drug Court juvenile probation officer, and Drug court Coordinator. Once all signatures are obtained, the juvenile and parent, guardian, or custodian will receive copies. The original shall be placed in the case file.
- 6. Both the juvenile and parent, guardian, or custodian shall sign 3 copies of the Participation Agreement which outlines the terms and conditions of the agreement.
- 7. The Drug Court judge shall review the agreement with the juvenile during the juvenile's initial court session and sign all copies. The copies shall be distributed to the juvenile, the case file, and the judge's file.
- 8. Advise the juvenile and family of:
  - (a) a monthly fee not to exceed \$15.00;
  - (b) the monthly fee is based upon the parent, guardian, or custodian's income reflected on the financial statement completed by the parent, guardian, or custodian;

- (c) the fee may be waived based upon the family's income;
- (d) the parent, guardian, or custodian is required to identify restrictions to be imposed on the juvenile's activities and set requirements for the juvenile's behavior.
- 9. Advise family of date and time to appear for Drug Court.
- 10. Advise juvenile and parent, guardian, or custodian of the required dress code.
- 11. Advise juvenile and parent, guardian, or custodian of possible responses for being late for court or missing scheduled court appearances.

## F. Orientation Process:

- 1. Interview with juvenile and parent, guardian, or custodian.
- 2. Explain Drug Court Diversion Project to both the juvenile and parent, guardian, or custodian.
- 3. Discuss issues related to the referral offense and juvenile's behavior.
- 4. Discuss issues related to the family system determined through the interview, completion of the Behavioral Checklist, and the MAYSI-2.
- 5. Discuss program requirements with both juvenile and parent, guardian, or custodian. Requirements to include and not limited to:
  - (a) court appearances;
  - (b) random urinalysis;
  - (c) home visits by the Drug Court juvenile probation officer;
  - (d) school contacts by the Drug Court juvenile probation officer;
  - (e) curfew checks;
  - (f) Community Service Restitution hours; and
  - (g) advancement criteria for phase promotion.
- 6. Obtain a urinalysis from the juvenile prior to completing the orientation.
- G. Case Management: The Drug Court juvenile probation officer shall provide case management services to facilitate and monitor terms and conditions of the Drug Court Diversion Program Agreement for 3 to 6 months. Contacts with the juvenile and the parent, guardian, or custodian shall be in accordance with the schedule below:

Level	Court	School Visits	Curfew Checks	Urinalysis	Home Visits	Parent Conference
Phase I (minimum of 30 days)	Weekly (until promoted to next phase)	1/week (face to face with juvenile)	Weekly (parent verification)	2/week	1/month	Weekly
Phase II (minimum of 30 days)	2/month (until promoted to next phase)	2/month (face to face with juvenile)	2/ month (parent verification)	1/week	1/month	2/month
Phase III (minimum of 30 days)	2/month (until graduation)	1/month (face to face with juvenile)	1/month (parent verification)	1/week	As needed	1/month
Aftercare* (minimum of 4 weeks)	1/month (during involvement in Aftercare)	As needed	1/month (parent verification)	2/month	As needed	As needed

<sup>\*</sup>Aftercare is required only for those juveniles who received some level of drug treatment during the course of his/her involvement in Drug Court.

1. When any juvenile is participating in some level of drug treatment, the Drug Court juvenile probation officer shall make at least 1 face to face contact per month with both the juvenile and parent,

guardian, or custodian. Additionally, the Drug Court juvenile probation officer shall make at least 1 telephone contact per month to speak with either the juvenile or the parent, guardian, or custodian. The Drug Court juvenile probation officer shall also make at least monthly contact with the agency that is providing the treatment service. The juvenile shall be required to attend the Drug Court when he or she is being promoted from one phase to another phase.

- 2. The Drug Court juvenile probation officer shall broker appropriate counseling/special programming services based on needs/issues identified.
- 3. The Drug Court juvenile probation officer shall appropriately document by chronological entries in TechShare.Juvenile all contacts, case actions, and correspondence.
- 4. The Drug Court juvenile probation officer shall notify the juvenile and family of possible responses for failure to cooperate or when court action will be recommended and the case is closed.
- 5. The Drug Court juvenile probation officer shall facilitate appropriate correspondence including appointment letters, non-compliance letters, inter-agency letters, Sealing of Records letters, etc.
- 6. The Drug Court juvenile probation officer shall respond appropriately to any violations by staffing violations with the Drug Court team, documenting the recommended violation response, and scheduling the family for a status review hearing before the Drug Court judge.
- 7. The Drug Court juvenile probation officer shall ensure that juveniles participating in the Drug Court Diversion Program complete 30 hours of Community Service Restitution (CSR) and provide a list of approved sites along with the CSR Form that records times and dates of completed CSR.
- 8. The Drug Court juvenile probation officer shall be responsible for maintaining the case file in accordance with Probation Services policies and procedures.
- H. Closing Status Guidelines:
  - 1. Successful closing status for a Drug Court Diversion Case:
    - (a) the juvenile completes the terms and conditions outlined in the Drug Court Diversion Program Participation Agreement;
    - (b) the juvenile's behavior stabilizes during the Drug Court Diversion Program:
    - (c) the juvenile is not perceived to be a threat to himself/herself or others; and
    - (d) the juvenile moves to another jurisdiction and all of the above are fulfilled.
  - 2. The Drug Court juvenile probation officer shall notify the family that a follow up contact will be made with the juvenile and the parent, guardian, or custodian 6 months after successful program discharge. When the contact is made, the Drug Court juvenile probation officer shall utilize the Drug Court Diversionary Program Three Month Follow Up form and submit it to the Drug Court coordinator.
  - 3. Unsuccessful closing status for a Drug Court Diversion case: The juvenile has been charged with a new offense and filing with the District Attorney was requested.
  - 4. The Drug Court juvenile probation officer shall close the TechShare. Juvenile supervision screen as unsuccessful and transfer the case file to the appropriate field unit upon receipt of the petition.
- I. Extending Program Length: In instances where it appears to be in the best interest of the juvenile, the length of the program may be extended under certain circumstances to be determined by the Drug Court judge.
- J. Returning Cases from Drug Court Diversion Program: A case shall be returned if it is determined that the case is no longer appropriate for the program. This may include but not limited to the juvenile reoffending, the juvenile failing the program, or the Drug Court judge's decision that the juvenile would be better served by field probation services.

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The Placement Services Unit is responsible for supervising juveniles who have been ordered to the Department's contract residential placement facilities and the Department's Residential Drug Treatment Program. Further, placement specialists within the Placement Services Unit match juveniles with the appropriate contract residential placement facility when referred by the court and the Case Planning and Review Committee (CPRC).

#### II. Definitions: None

- A. <u>Placement Services Juvenile Probation Officers</u>: Juveniles ordered to the Department's contract placement facilities or the Department's Residential Drug Treatment Program shall be pre-assigned to a Placement Services juvenile probation officer prior to departing to residential placement. The Placement Services secretary shall notify the Placement Services juvenile probation officer of the assignment by e-mail and complete a TechShare. Juvenile chronological entry. Pre-assignment is contingent upon notification being provided to the Placement Services Unit that a juvenile has been ordered to a residential placement facility within its scope.
  - 1. If pre-assignment has occurred, a face to face contact shall be made with the juvenile by the Placement Services juvenile probation officer prior to his/her departure to contract residential placement.
- B. Upon a juvenile's admission, initial contact shall be made with all parties (juvenile, parent, guardian, or custodian, and caregiver) by the Placement Services juvenile probation officer within two working days of receipt of the juvenile's case file.
- C. The Placement Services juvenile probation officer shall complete a face to face contact with the parent, guardian, or custodian within 30 days of receipt of the juvenile's case file. This may be accomplished earlier when obtaining the parent, guardian, or custodian's signature on the initial case plan.
- D. Placement Services juvenile probation officers shall supervise juveniles according to procedure C above and the contact schedule listed below:

Level	Juvenile	Facility	Parent Conference
Out of County	2/month	1/month	1/month
Facility	(telephone)	(therapist or case	(telephone)
		manager by	
		telephone/e-mail)	
In County Facility	2/month	1/month	1/month
	(1 face to face, 1	(therapist or case	(telephone)
	telephone)	manager by	
		telephone/e-mail)	
Dallas County RDT	2/month	2/month	1/month
	(face to face)	(therapist or case	(telephone)
		manager by	-
		telephone/e-mail)	

Title IV-E Certified	2/month	1/month	1/month
Juvenile	(1 face to face, 1	(therapist or case	(telephone)
	telephone)	manager by	· -
		telephone/e-mail)	

- E. Placement Services juvenile probation officers shall complete a home visit within 30 days prior to any therapeutic off campus visit or successful discharge from the facility. A home study form shall be completed if the parent, guardian, or custodian has changed residences while the juvenile has been in placement, or there is a change of custody.
- F. Based on the facility's request for a juvenile's therapeutic off campus visit, the following shall be met:
  - 1. The juvenile shall be in the facility a minimum of 90 days;
  - 3. The juvenile shall be on an appropriate behavior level;
  - 4. The juvenile shall be on target for successful discharge from the facility;
  - 5. The juvenile shall not be considered a runaway risk; and
  - 6. The off campus visit shall not be longer than 8 hours.
- G. The Placement Services juvenile probation officer shall notify the court **prior to** any therapeutic off campus visit granted for a juvenile with the date and time of departure as well as the parent, guardian, or custodian name.
- F. Upon receipt of a successful discharge summary, the Placement Services juvenile probation officer shall complete the discharge process within 30 calendar days.
- H. Upon receipt of an unsuccessful discharge summary, the Placement Services juvenile probation officer shall ensure that the summary is specific with regard to violations and dates.
- I. The Placement Services juvenile probation officer shall arrange transportation for the juvenile's return to Dallas County with the Placement Services placement specialist for all types of discharges (successful or unsuccessful).
- J. <u>Additional Requirements for Title IV-E Certified Juveniles</u>: Placement Services juvenile probation officers who supervise Title IV-E certified juveniles shall have the additional requirements:
  - 1. Supervise the juvenile's case according to TAC 347 standards;
  - 2. Complete the appropriate Title IV-E chronological entries and headings into TechShare.Juvenile;
  - 3. Title IV-E Case Plan and Review System:
    - (a) the case plan shall be completed within 30 calendar days of the juvenile's initial date of placement in a Title IV-E eligible setting, and the date of the juvenile probation officer's signature on the case plan will be used to determine the date of completion;
    - (b) the development of the case plan shall include the input of the juvenile, parent, guardian, or custodian, and caregiver. Participation may be made in person or by phone. Documentation shall reflect that participation occurred prior to completion of the case plan. Signatures of the juvenile, parent, guardian, or custodian, caregiver, and juvenile probation officer's supervisor shall be obtained within 30 days of the date of the juvenile probation officer's signature. Further, copies of the completed case plan shall be distributed to the juvenile, parent, guardian, or custodian, and caregiver;
    - (c) the status of each juvenile shall be reviewed six months from the juvenile's date of placement in a Title IV-E facility and every six months thereafter. Reviews shall be conducted within six months of the juvenile's initial date of placement, even if the juvenile is placed on inactive status during this time or changes placement. The review may be either an administrative or judicial review;
    - (d) If the review is an administrative review, it shall be conducted by a panel of appropriate persons, at least one of whom is not responsible for the case management of or the delivery of services to either the juvenile or the parents who are the subject of the review;
    - (e) a permanency hearing (judicial review) open to the participation of the parent and the caregiver shall be held for each juvenile no later than 12 months after the juvenile's initial date of placement and every 12 months thereafter. The juvenile probation department shall provide sufficient information to the court to review the juvenile's status and to determine:
      - 1) the permanency plan for the juvenile as appropriate;

- 2) reasonable efforts to finalize the permanency plan have been made;
- 3) for a juvenile 16 or older, services are needed to assist the juvenile in the transition to independent living;
- 4) for a juvenile placed outside the state, whether the placement continues to be in the best interests of the juvenile; and
- 5) procedural safeguards have been applied regarding parental rights to notification regarding removal of the juvenile from the home, any change in the juvenile's placement, and any determination affecting parental visitation privileges.
- (f) the juvenile probation department shall notify the appropriate entity responsible for filing a petition to terminate parental rights for any juvenile who has been in substitute care under the responsibility of the juvenile court for 15 of the most recent 22 months unless:
  - 1) the juvenile is being cared for by a relative;
  - 2) the juvenile's case plan includes documentation of the compelling reason that such a petition would not be in the best interest of the juvenile; or
  - 3) the family has not been provided services described in the case plan as being necessary for the safe return of the juvenile to the juvenile's home.
- (g) refer to TJJD's publication "Child/Family Case Plan & Review of Child/Family Case Plan Residential Placement Supplement" for further detailed information on completing Title IV-E case plans and reviews.
- 4. Document that the parent, guardian, or custodian, caregiver, and juvenile were notified and invited to the Title IV-E administrative and judicial reviews.
- 5. Notify the Department's Title IV-E specialist within 24 hours of learning of the change via e-mail of any change that occurs with the juvenile's case in order for a Placement Information / Discharge Form to be completed.
- 6. If a Title IV-E certified juvenile is currently in detention and a case plan review is due, then participation by the caregiver shall be by detention staff supervising the juvenile. The Detention Center manager on duty shall sign the case plan as the caregiver.
- K. <u>Placement Services Placement Specialists</u>: Upon a court's order for a placement match or recommendation from the Case Planning and Review Committee, the placement specialist shall begin the process of securing an appropriate placement match for a juvenile.
- L. Before the placement match is assigned to a placement specialist, the following documents shall be provided by the assigned juvenile probation officer:
  - 1. Updated face sheet;
  - 2. Arrest report or probation violation offense report;
  - 3. Current PDR (within 12 months);
  - 4. Current Supplement (if applicable);
  - 5. Psychological assessment/psychiatric evaluation (within 6 months);
  - 6. Chemical assessment (within 6 months);
  - 7. Discharge summaries (previous residential placement and/or non-residential program)
- M. Upon assignment of the placement match, the placement specialist shall review the juvenile's case file to determine what contract facilities are best suited for the juvenile's needs:
  - 1. The placement specialist shall fax or e-mail the referral packet to the appropriate facilities. The fax or e-mail shall contain the juvenile's name, court date, and contact information of the placement specialist;
  - 2. The placement specialist shall follow up with those facilities within 3 working days of sending the referral packet to determine if the juvenile was accepted; and
  - 3. The placement specialist shall complete TechShare.Juvenile chronological entries documenting the placement progress for the juvenile.
- N. Upon securing a placement match, the placement specialist shall send a Placement Match Notification form to the assigned juvenile probation officer, Court Liaison supervisor, and Court Liaison secretary via e-mail. The form notifies the court of which facilities accepted or denied the juvenile. When denied, the court shall be informed of the reason for the denial by the facility. The placement specialist shall make the determination of which facility is the primary match based upon the juvenile's needs and closest proximity.

- O. The Department's goal is for all juveniles to be admitted to their court ordered facilities within 72 hours of disposition. The assigned juvenile probation officer shall submit all required documents within 48 hours of disposition. The placement specialist shall notify the assigned juvenile probation officer of any missing documents by 2 methods the Weekly Court Ordered Report and e-mail. The assigned juvenile probation officer's supervisor and assistant supervisor are notified by these 2 methods as well. If the requested documents are not provided within 48 hours, the Manager of Pre-Adjudication Services is then notified.
- P. The placement specialist is responsible for assembling the transfer packet once notified that a juvenile has been court ordered to a residential placement facility. The packet consists of the following:
  - 1. Current court order;
  - 2. Conditions of placement;
  - 3. Current consent form;
  - 4. Immunization record (generated by Parkland staff);
  - 5. Physical exam (within 365 days for non-secure facility; within 30 days prior to secure facility);
  - 6. Dental exam (within 365 days for non-secure facility; within 30 days prior to secure facility);
  - 7. Current school records (including Academy of Academic Excellence records);
  - 8. Birth certificate:
  - 9. Social security card (if applicable);
  - 10. Residential placement agreement; and
  - 11. Facility admission packet (dated with date of admission).
- Q. The placement specialist shall contact the facility once all documents are received in order to schedule an admission date. Once the admission date is scheduled, the placement specialist shall contact the Department's Transportation staff via e-mail to arrange transportation for the juvenile. Once transportation is scheduled, the placement specialist shall send a confirmation e-mail to the assigned juvenile probation officer, supervisor, and assistant supervisor along with other designated staff.
- R. The placement specialist shall include a set of admission packets with the transportation packet. The placement specialist shall become familiar with all admission packets for the contract facilities in order for adequate time to be allotted to complete the packet per referral. The date on the admission packet is the date the juvenile is scheduled to be transported to the facility. The admission packet shall be given to Transportation staff the day before the juvenile is scheduled to be transported. The juvenile shall not be admitted to the facility if there is no admission packet and/or the packet is not fully completed.
- S. The placement specialists shall monitor cases admitted at the Intensive Level every 30 days to discuss with the facility lowering the case to the Specialized Level.
- T. The placement specialists shall close the placement match file once the juvenile has been admitted to a facility. All "Placement" chronological entries shall be printed and placed in the file. When a juvenile is discharged from a facility, the file shall be pulled and all documents discarded with the exception of the court order which shall be kept for JBI billing purposes.

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-	Section 8: Functional Family Therapy

The Functional Family Therapy (FFT) Program is designed to provide in-home, family based, goal directed intensive therapeutic intervention to referred youth at risk of removal from the home.

#### II. Definitions:

FFT Team: is defined as the team which consists of a doctoral level supervisor and unit FFT therapists.

FFT Therapist: is defined as an individual with at least a bachelor's degree from an accredited college or university in a Social Service field. Each individual has received all required FFT clinical training.

<u>Family Therapy session</u>: is defined as a face-to-face session with all pertinent members of the family present, including the referred youth. Sessions are at least 1 hour in duration.

- A. <u>Referrals</u>: Require approval by the Case Planning and Review Committee (CPRC). The CPRC packet will be submitted to the Functional Family Therapy Supervisor after staffing with the CPRC. The FFT Supervisor will notify the assigned juvenile probation officer of the youth's acceptance into the program after a family consultation has been conducted to determine eligibility.
- B. Family Suitability Interview:
  - 1. The FFT team shall complete a family suitability interview (FSI) for each juvenile found to meet the requirements for services through this program prior to or at the same time as the juvenile's enrollment.
  - 2. The FSI shall document the following:
    - (a) whether the juvenile has an adult family member available for participation in the program;
    - (b) whether the family is willing to participate in the program; and
    - (c) the explanation of requirements of the program to the juvenile and family.
- C. Eligibility: The FFT Program will **not** serve a juvenile who:
  - 1. Refuses to participate in the program;
  - 2. Has been identified as a person with mental retardation; or
  - 3. Has been adjudicated for a sexual offense or is currently receiving sex offender treatment.
- D. <u>Length of Program</u>: The FFT team will provide services to the juvenile and family for a period of no less than three months and no longer than six months from the date of the juvenile's enrollment into the program.
- E. <u>FFT Team</u>: The Functional Family Therapy Program Team shall consist of a supervisor and unit therapists. The FFT Team responsibilities and requirements include but are not limited to the following:
  - 1. The supervisor shall maintain a partial caseload of approximately 5 cases.
  - 2. The therapists shall maintain a full caseload of not more than 15 cases.
  - 3. A monthly report for each juvenile enrolled shall be completed by the 5<sup>th</sup> of each month and submitted to the juvenile's supervising juvenile probation officer.

- 4. The FFT Team shall conduct a minimum of one weekly family counseling session with the juvenile and family.
- 5. The FFT team is available by cell phone for assistance with crisis resolution. The FFT team shall initiate the appropriate follow-up within 24 hours of the crisis.
- 6. If the youth is detained while receiving FFT services, the juvenile will be discharged from FFT, and the FFT therapist will maintain contact with juvenile's supervising juvenile probation officer for updates on the juvenile's case.
- G. Required Contacts: The following number and types of contacts will be made by the FFT Team:
  - 1. Face-to-face: a minimum of one time a week. Number of family therapy sessions is determined by the family needs and phase of treatment
  - 2. Collateral contacts shall be conducted as determined by the family needs.

### H. Clinical Process:

- 1. During the pretreatment phase, the FFT therapist will review the referral documents and establish contact with the juvenile, juvenile's family and the juvenile probation officer.
- 2. During the initial meeting/session with the family, the FFT therapist shall administer all required FFT pre-assessments (Youth Outcome Questionnaire-Self Report, Youth Outcome Questionnaire Parent Form, and Outcome Questionnaire Parent).
- 3. The FFT therapist shall administer the Counseling Process Questionnaire every other session for the entire duration of the counseling process.
- 4. The FFT therapist shall administer all required post-assessments (Youth Outcome Questionnaire-Self Report, Youth Outcome Questionnaire –Parent Form, and Outcome Questionnaire Parent) during the final session.
- 5. The FFT therapist shall enter all progress notes in FFT/Clinical Services System (CSS) within 24 hours of each family session.
- 6. The FFT therapist shall complete a TechShare. Juvenile chronological entry within 5 working days documenting each contact and contact type.

### I. Clinical Consultation and Support:

- 1. The FFT supervisor will consult as needed with the Manager of Field Services or Deputy Director of Probation Services.
- 2. The FFT therapists will participate in weekly clinical supervision with the FFT supervisor to review progress notes/treatment plans as well as evaluate skills and enhance skill development and adherence to the FFT model.
- 3. The FFT team will participate in weekly group supervision facilitated by the FFT supervisor.
- 4. The FFT team will participate in weekly individual supervision with the FFT supervisor.
- J. <u>Case/Treatment Plan Reviews</u>: The case/treatment plan is included within the FFT/CSS. Therefore, each juvenile's treatment plan shall be evaluated and updated weekly by the FFT supervisor.

## K. Discharge Summary:

- 1. Discharge planning shall be incorporated by the FFT team into the juvenile's monthly case/treatment plan at the appropriate time as indicated by the progress made;
- 2. The FFT therapist shall complete a written discharge summary with the juvenile and family within five working days prior to the youth's discharge from the program and it shall:
  - (a) outline the ongoing support systems and resources needed for the family;
  - (b) identify required services and linkages to appropriate resources;
  - (c) require the youth and the family to participate in the development of the discharge summary;
  - (d) be signed by the FFT team, the juvenile, and the juvenile's family and a copy given to the juvenile and family; and
  - (e) be contained in the juvenile's case file.
- 3. If any party refuses or is unable to sign the discharge summary, the FFT therapist must document attempted efforts made and the reasons why they were unable to obtain

signatures.

# L. Follow Up:

- 1. The FFT therapist may follow up with the family via telephone 30 days post treatment as needed.
- 2. If after completing the program, there is a family crisis or relapse, the FFT therapist may provide additional support with the number of sessions determined by the nature of the crisis. Authorization shall be obtained from the FFT supervisor prior to any support provided by the FFT therapist.
- 3. The FFT therapist shall document all follow up and additional support efforts in the FFT/CSS system within the required time frames.

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Section 9: Diversion Male Court

The Diversion Male Court (DMC) is designed to reduce the disproportionate representation of minority male youth in the Juvenile Justice System by diverting these youth from the court process by providing community-based alternatives that promote positive empowerment to the youth and family.

II. Definitions: None

#### III. Procedure:

- A. <u>Referrals:</u> Intake probation officers, Deferred Prosecution probation officers, and the District Attorney Liaison can refer juveniles to the Diversion Male Court program if any of the following criteria apply:
  - 1. The Detention Intake Screening process or the Intake officer determines that:
    - a. the juvenile may benefit from on-going clinical services in the community;
    - b. the juvenile qualifies for a diversion program;
    - c. the juvenile is currently participating in therapy or counseling in the community and might benefit from additional services and monitoring.

#### B. Referral Process:

- 1. Field Deferred Prosecution probation officers, Intake probation officers or District Attorney Liaison identify minority males who are appropriate for the DMC Court and complete the "Initial Criteria Screening" form for the DMC Court.
- 2. If the juvenile and family meet the criteria, the Initial Criteria Screening form and a Face Sheet are sent to the DMC probation officer.
- 3. The Initial Court hearing is scheduled by the DMC Coordinator and attended by:
  - 1 The Judge, DMC probation officer, FFT Case Manager (if needed), a mentor program representative (AimTruancy Solution), parent/guardian, and the juvenile.
  - 2 This hearing is for all parties to discuss the purpose, expectations, and projected outcomes of the program.
  - 3 If all parties accept and agree to the terms of the program, the Judge, the DMC probation officer, the parent/guardian, and the juvenile will sign DMC Court Agreement.
- C. <u>Eligibility:</u> The juvenile must have a pending charge alleging an offense other than truancy, a sexual offense or runaway, and has not previously been adjudicated on any charge. The juvenile is found to be appropriate for supervision through a deferred prosecution program. The juvenile and his family must agree to participate in the program.
- D. <u>Diversion Male Court Coordinator Responsibilities:</u>
  - 1. Assign each new case to a DMC probation officer:
    - a. Cases are assigned to the DMC probation officers according to designated geographical areas and language considerations.
    - b. Assigned cases will be logged into the Diversion Male Court database maintained by the Diversion Male Court Coordinator.
    - c. The Diversion Male Court administrative secretary will enter all available demographic information into TechShare.Juvenile.
  - 2. Ensure the delivery of services in accordance with:
    - a. Dallas County Juvenile Department Policy and Procedure
    - b. TJJD standards.
    - c. Texas Family Code.

- 3. Conduct file audits on program files:
  - a. At least one file per DMC probation officer will be audited monthly.
  - b. The audit form specific to the Diversion Male Court will be utilized.
  - c. Assigned DMC probation officer will be informed as to the results of the audit with any needed corrective action identified.
- E. <u>DMC Probation Officer Responsibilities</u>: The DMC probation officer receives the case assignment and schedules each juvenile and family for an interview.
  - 1. Within two (2) working days of receiving a case, the DMC probation officer is to make a documented effort to contact the family via telephone to schedule an appointment with both the juvenile and the parent/guardian to complete the assessment.
  - 2. Upon contact, the parent/guardian is to be instructed to provide copies of the juvenile's birth certificate, school records, and social security card when they come in for the appointment. Once an interview is completed, a decision is made by the DMC probation officer if the juvenile/family is appropriate for the Diversion Male Court. The parent/guardian must agree to fully participate in the Diversion Male Court. The DMC probation officer then has the juvenile and the parent/guardian sign the agreement.
  - 3. The DMC probation officer then sets a date to bring the family into the Court to begin the court process and begin Stage 1 with the Diversion Male Court.
  - 4. The DMC probation officer and juvenile/family jointly formulate a written case plan to address the juvenile's needs, and how to address them through departmental and/or community based programs and services.
  - 5. As the juvenile progresses through the three stages of the program, the case plan will be re-assessed and/or changed to make sure that it remains complete and appropriate to the youth's needs. The case plans will be signed by the juvenile, parent/guardian and probation officer and supervisor. Copies will be provided to the family and the original case plan will be placed in the case file.
  - 6. DMC probation officer refers the juvenile/family to services as the needs indicate and monitor the progress in the services.
  - 7. Make contact with the juvenile's school within the first week of enrollment. The DMC probation officer will take appropriate actions, including but not limited to attending ARD meetings to begin the process of determining the juvenile's educational needs.
  - 8. Attend the Diversion Male Court sessions for each juvenile and family meeting.
  - 9. Provide supervision as required by the case plan and Court's instruction.
  - 10. Make reports to the court as required.
  - 11. The juvenile will remain in the Diversion Male Court until successfully discharged unless unsuccessfully discharged with a new offense or failure to complete the program.

## F. DMC Stages of Supervision:

Character Stages	Court	Face to Face	School Contacts	Curfew Checks	Home Visits	Parent Conference	Program Contact
DMC – I Trustworthiness (30-60 days)	1/week	1/week (other than court)	2/month	1/week 7:00 pm	1/month	2/month	1/week (phone, email, FF)
DMC – II Responsibility (30-90 days)	2/month	2/month (other than court)	2/month	2/month 8:00 p.m.	1/month	1/month	2/month (phone, email, FF)
DMC – III Citizenship (30-60 days)	1/month	2/month (other than court)	1/month	1/month 9:00p.m.	1/month	1/month	2/month (phone, email, FF)

G. Character Stages and Case Plan: Case staffing/review at the 30 to 60 day staffing. Phase level change will be determined based on the case plan goals and achievements, and compliance with conditions of DMC program guidelines. Character building components will be incorporated in the individualized case plan developed between the parent/guardian, juvenile, and DMC probation officer. Goals need to be realistic, creative, and measurable. Case plan goals are to be relevant to the juvenile's needs and risk incorporating the description of each character influencing values and behavior. Each phase level will require the completion of two projects related to character.

## H. Character Stages:

- 1. **Trustworthiness** First level based on character building for the juvenile. Encouraging honesty and dependability with what he says and does. Building on the value of the juvenile's actions that would lead to rebuilding relationships, but most importantly self-value and respect. The level is about courage to do the right thing and build a good reputation with loyalty, standing by his family and those who positively support him.
- 2. **Responsibility** Second level based on character building for the juvenile. The level encourages responsibility, learning to do what he is supposed to do, planning ahead and persevering; keeps on trying. Encourage doing his best, using self-control, and being self-disciplined. The level is about thinking before acting considering the consequences with *fairness*.
- 3. **Citizenship** Third level based on character building for the juvenile. This level will focus on giving back to his school and community by doing better. Cooperating and getting involved in community affairs. The level is about staying informed, being a good neighbor, and obeying laws and rules. Respecting authority, protecting the environment, and volunteering, leads to caring.
- I. <u>Court Process</u>: Court Hearings will be at 304<sup>th</sup> Auxiliary Court on Monday afternoon, at 5:30 pm.
  - 1. Initial Court Hearing:
    - a. The court team is made up of the Judge, DMC probation officer, and if applicable; the psychologist, FFT Therapist, representative from mentor program, and Assistant District Attorney.
    - b. The court team will staff the case prior to inviting the juvenile and parent into the room. Each will have a packet that includes a Face Sheet, Initial Criteria Screening Form, DMC Court Assessment, Psychological Screen, and any other pertinent information.
    - c. The Probation Officer will present the case with recommended services based on the Assessment and Psychological Screen. If all agree the family is appropriate, the family is brought into the hearing.
    - d. The Judge will give an overview of the program to the juvenile and parent. Team members will discuss the services available for the family. The DMC probation officer will explain the mandatory activities they must participate in:
      - i. Review Hearings
      - ii. Parent and minority male groups after court if deemed necessary
      - iii. Home and school visits
      - iv. Curfew checks
      - v. The determined amount of Community Service hours.
    - e. If the juvenile and parent agree to participate in the DMC Court, the parent, juvenile, DMC probation officer and Judge will sign the DMC Agreement. The DMC probation officer will set the appointment with the family to complete the Case Plan. The family will receive a handout explaining the program, and procedures, Frequently Asked Questions form, as well as a directory of community services.
  - 2. Review Hearing:
    - a. DMC probation officer, juvenile, parent, and other interested parties will meet and discuss the progress of the juvenile and family.
    - b. Results of school, curfew checks, and home visits will be reviewed. Recommendations for a change in services will be discussed at this time.
    - c. Report the progress of the Deferred Prosecution Agreement and compliance with case plan requirements.
    - d. The family is invited to join the team. The Judge will review the information previously discussed with the team. The family is given time to present their perspective regarding the services provided and any other problems that may have occurred.

- e. Family members are encouraged to speak about any problems they had during this review period. The team and family will discuss ideas on ways to alleviate any problems. If further services are needed it will be the DMC probation officer's responsibility to provide the family with the appropriate information to obtain the service.
- f. Groups (only if mandated):
  - 1 Paramount to helping minority males be successful is relationship building, the DMC probation officer may mandate a youth to participate in group therapy.

## J. Mentoring:

- 1. Mentor requirements include:
  - a. Make a commitment of a year to the program/juvenile.
  - b. Make at least 2 and not more than 4 face to face contacts per month.
- 2. Mentors will be required to complete a FAST background check.
- 3. Mentors will receive training from the DCJD Volunteer Training Program and various sources.

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Section 10: Crossover Youth Practice Model	1

The Crossover Youth Practice Model (CYPM) describes the specific practices that need to be in place within a jurisdiction in order to reduce the number of youth who crossover between the child welfare and juvenile justice systems, the number of youth entering and reentering care, and the length of stay in out of home care.

The CYPM provides a mechanism whereby agencies will strengthen their organizational structure and implement or improve practices that directly affect the outcomes for crossover youth. This includes but is not limited to the following practices: the creation of a process for identifying crossover youth at the point of crossing over, ensuring that workers are exchanging information in a timely manner and working together to manage these cases, including families in all decision-making aspects of the case, ensuring that foster care bias is not occurring at the point of detention or disposition, and maximizing the services utilized by each system to serve this population either to prevent crossing over or achieve improved outcomes after crossing over has occurred.

The Dallas County Juvenile Department has collaborated with the Texas Department of Family and Protective Services (TDFPS) on the CYPM and has two dedicated probation officers responsible for those juveniles identified as "crossover youth."

To be eligible to participate in the CYPM, any referred juvenile has to be screened and identified as a "Crossover Youth" by the CYPM Supervisor.

#### II. Definitions:

Managing Conservatorship: is a legal term in Texas used in child custody cases. It means that a judge appoints a person to be legally responsible for a child without adopting the child. The court can give managing conservatorship to someone other than a parent, including DFPS, a relative, a close family friend, or a foster parent. Managing conservatorship can be temporary (TMC) or permanent (PMC). Per Texas Family Code 152.102, "legal custody" means managing conservatorship of a child.

- A. Identification and Detention
  - 1. Juveniles who have no involvement with TDFPS and referral is made by the Juvenile Department
    - a. At the point of intake, the Intake probation officer will make a formal referral to TDFPS in the event of reported abuse or the parent/guardian/custodian refuses to secure release of the juvenile.
- B. Juvenile who is in TDFPS custody (TMC or PMC) and referred to the Juvenile Department
  - 1. The juvenile is not released at the point of intake and is held in the Detention Center:
    - a. The Intake probation officer shall notify the juvenile's caregiver, assigned TDFPS caseworker, and TDFPS liaison of the juvenile's arrival to the Detention Center.
    - b. An initial detention hearing is set for the following business day at 1:00 p.m., and the presence of the juvenile's caregiver, or TDFPS caseworker is requested for the hearing. The juvenile will have an Announcement Hearing scheduled within 10 days if he/she is not released from the Detention Center.
    - c. The CYPM probation officer shall make contact with the assigned TDFPS caseworker within

- 72 hours of the initial detention hearing. Contact shall also be made with the juvenile's caregiver.
- d. The CYPM probation officer shall assess the juvenile and determine the needed services as well as be responsible for case planning and case management of the juvenile.
- 2. The juvenile is released at the point of intake:
  - a. The Intake probation officer shall notify the juvenile's caregiver, assigned TDFPS caseworker, and TDFPS liaison of the juvenile's arrival to the Detention Center.
  - b. The juvenile is released to caregiver or TDFPS caseworker.
  - c. The District Attorney will determine if the offense(s) will be filed or diverted.
    - i. case filed the juvenile shall be scheduled for an Announcement Hearing before the juvenile court and any subsequent hearings in the court process.
    - ii. case diverted the juvenile shall be given the opportunity to participate in the appropriate diversionary program for a period of 3 to 6 months.
  - d. The CYPM probation officer shall contact the juvenile's caregiver and TDFPS caseworker and advise them of the juvenile's future court dates or diversionary program requirements.
  - e. The CYPM probation officer shall assess the juvenile and determine the needed services as well as be responsible for case planning and case management of the juvenile.
- C. Juvenile who is on probation and in a placement facility.
  - 1. The juvenile is placed in the custody of the Chief Juvenile Probation Officer and eligible for release from the facility, but there is no parent or guardian to assume custody of the juvenile (Non-emergency basis does not occur at the last minute of planned release).
    - a. The CYPM probation officer shall submit an informal referral/email to the TDPS designee informing that there is no parent or guardian to release the juvenile upon successful discharge from the facility.
    - b. The assigned probation officer (with the assistance of CYPM probation officer) shall diligently seek an alternative guardian or custodian for the juvenile to be released.
    - c. TDFPS shall informally offer assistance through participation in case staffings and sharing possible resources.
    - d. If there is no alternative guardian or custodian identified when the juvenile is 3 4 weeks from successful release, the CYPM probation officer shall make a formal referral to TDFPS. The formal referral will initiate an investigation.
  - 2. The juvenile is placed in the custody of the Chief Juvenile Probation Officer and eligible for release from the facility, but there is no parent or guardian to assume custody of the juvenile (Emergency basis occurs at the last minute of planned release).
    - a. The CYPM probation officer shall make a formal referral to TDFPS.
    - b. TDFPS will initiate investigation within the following time frames Priority 1; 24 hours or Priority 2; 72 hours.
    - c. TDFPS and the assigned probation officer (with assistance of CYPM probation officer) shall collaborate to identify the next placement or guardian and prepare court paperwork and /or court hearings (if necessary).
    - d. The CYPM probation officer shall be responsible for case planning and case management for the remainder of the juvenile's probationary term.
  - 3. Juvenile who is in TDFPS custody and on probation in a placement facility.
    - a. The CYPM probation officer shall be responsible for case planning and case management for the remainder of the juvenile's probationary term.
- D. Juvenile who is referred to Letot (runaway, truancy, prostitution, class C offense).
  - 1. Letot staff shall contact TDFPS (Austin) and complete report when an abuse or neglect allegations are made, or parent or guardian refuses custody of the juvenile.
    - a. Time (24 hours) shall be allowed for both the Department and TDFPS to find an appropriate guardian or custodian to secure the juvenile's release.
    - b. The CYPM probation officer shall keep the juvenile's case open 30 60 days, assess the juvenile including the need for a safety plan, and follow up with TDFPS and any needed

services.

- 2. The juvenile is currently in TDFPS custody.a. The juvenile shall be released to TDFPS custody within 24 hours if he/she resides in Dallas County and up to two weeks if residing out of county.

Dallas County Juvenile Department Probation Services

Policies and Procedures, 2014 Revision

Chapter 7: Specialized Supervision

Section 11: Promoting Accountability for Stable Transition Program

### I. Policy:

The Promoting Accountability for Stable Transition (PAST) program is a post adjudication program designed for juveniles that have a mental health diagnosis and have successfully completed the Special Needs (SNU) program.

PAST is a transitional program that is team structured, family driven, and created to assist juveniles in their transition from the high intensity services provided by the Special Needs program to less intensive services provided the Department's field probation units. Juveniles and their parents/guardians will be empowered by determining continued family needs, learning to advocate for and how to secure necessary resources to meet those needs; ensuring compliance with probation supervision; and decreasing the likelihood of recidivism.

### I. Definitions: None

- A. <u>Referral Criteria</u>: Successful participation and completion in the Special Needs Program. No juvenile shall be referred to the program if he/she has less than 60 days remaining from the date of completion of the SNU program.
- B. <u>Referral Process</u>: The referring SNU juvenile probation officer shall send to the PAST Probation Officer for review:
  - 1. Face Sheet
  - 2. Release Date
  - 3. Current Case Plan Review
- C. <u>PAST Review Process</u>: The PAST juvenile probation officer shall set up a meeting with the SNU treatment team and the client/family for transfer and plan of admission into the PAST program one month prior to entry.
- D. PAST iuvenile probation officer responsibilities:
  - 1. The PAST juvenile probation officer shall notify the SNU juvenile probation officer of the entry date for the program.
  - 2. The PAST juvenile probation officer shall assume supervision of the juvenile upon enrollment into the program and is responsible for all case management of the juvenile including required contacts.
  - 3. The PAST initial case plan shall be completed by the PAST juvenile probation officer within 72 hours of the juvenile's enrollment in the program. The case plan shall require juvenile and parent, legal guardian, or custodian participation and identify goals, needs, and services.
  - 4. Upon Exit from the PAST program, the PAST juvenile probation officer, juvenile, and parent/guardian will identify needs that may extend beyond the PAST program and identify links to community based programs to provide support systems to meet those needs.

#### E. Required Contacts:

1. The PAST juvenile probation officer shall supervise the juvenile according to the contact schedule below:

Face/Face	Curfew Check	School Visit	Home Visit	Parent Contact	Mental Health Service Provider)	UAs
3/month	1/month	lmonth	1/month (juvenile and parent)	1/week	1/month	1/month or as needed

- 2. The PAST juvenile probation officer shall take appropriate actions, including but not limited to, attending ARD meetings if applicable, to ensure the juvenile's educational needs are being met.
- 3. The PAST juvenile probation officer shall make monthly contact with the psychiatric/mental health provider to determine that the juvenile maintains his/her medication schedule and any attends all scheduled appointments.

#### F. Mental Health Services:

1. Juveniles participating in the PAST program shall be referred to community based mental health providers and continued compliance with participation in mental health services shall be expected.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 8: Deferred Prosecution		
Section 1: Admissions and Orientation	Related Standards: TFC 53.03; TAC 341.3(b)(1)	

The Dallas County Juvenile Department shall maintain Deferred Prosecution programs to provide early interventions to decrease the probability of future referrals to the department, support the family and hold the juvenile accountable to their victims and the general public. Deferred Prosecution requires compliance with the law, school attendance and abstinence from drug and alcohol usage. The juvenile and parent/guardian have to consent to participation, with knowledge that the consent is not obligatory. The juvenile and parent/guardian must be informed that they may terminate the deferred prosecution at any point and petition the court for a hearing in the case. Deferred Prosecution may not be less than 3 months or exceed 6 months. A supervision fee not to exceed \$15 per month may be assessed, however a waiver of the fee for financial hardship may be provided. The probation officer shall, in writing, approve fees assessed on each juvenile, including any waiver of fees. The fee or waiver shall be determined by the parent, guardian or custodian's total income in respect to federal poverty guidelines.

In compliance with Texas Administrative Code 341.3 (b) (1), the following Deferred Prosecution Fee Scale has been approved by the Dallas County Juvenile Board.

- 1. All fees are waived when the family is currently receiving TANF, SNAP or Medicaid benefits; agrees to pay monetary restitution to victim(s); or agrees to participate in a community program that requires a fee for the service.
- 2. All fees are waived when the juvenile is in the custody of Texas Department of Family and Protective Services.
- 3. Fees may be reduced according to the Federal Poverty Guidelines.

Monthly Income at Federal Poverty Guidelines

Family Size	100%	133%	150%	185%	200%
1	\$908	\$1,207	\$1,361	\$1,679	\$1,815
2	\$1,226	\$1,630	\$1,839	\$2,268	\$2,452
3	\$1,544	\$2,054	\$2,316	\$2,857	\$3,088
4	\$1,863	\$2,477	\$2,794	\$3,446	\$3,725
5	\$2,181	\$2,901	\$3,271	\$4,035	\$4,362
6	\$2,499	\$3,324	\$3,749	\$4,624	\$4,998
7	\$2,818	\$3,747	\$4,226	\$5,212	\$5,635
8	\$3,136	\$4,171	\$4,704	\$5,801	\$6,272
Note: Pregnan	t women count	as two people.			
		Fee/Premi	um Schedule		
100-	-132 percent of	FPL		\$0	
133-149 percent of FPL			<b>\$</b> 5		
150-184 percent of FPL			\$10		
185 percent or above FPL			\$15		

A prosecuting attorney may defer prosecution for any child. A probation officer or other designated officer of the court may not defer prosecution for a child for a case that is required to be forwarded to the prosecuting attorney under Texas Family Code, Section 53.01(d); and may defer prosecution for a child who has previously been adjudicated for conduct that constitutes a felony only if the prosecuting attorney consents in writing.

The court may defer prosecution for a juvenile at any time:

- 1. For an adjudication that is to be decided by a jury trial, before the jury is sworn;
- 2. For an adjudication before the court, before the first witness is sworn; or
- 3. For an uncontested adjudication, before the child pleads to the petition or agrees to a stipulation of evidence.

The court may add the period of deferred prosecution under Texas Family Code 53.03 Subsection (i) to a previous order of deferred prosecution, except that the court may not place the child on deferred prosecution for a combined period longer than one (1) year.

Deferred Prosecution is not appropriate for conduct that is an offense involving Intoxication While Operating a Motor Vehicle, Intoxication Assault or Intoxication Manslaughter; or is a third or subsequent offense under Section 106.04 or 106.41, Alcoholic Beverage Code.

#### II. Definitions:

<u>Deferred Prosecution</u>: is defined as an alternative to the formal court process, and it should be in the best interest of the public and the juvenile. Deferred Prosecution is Progressive Sanction Level Two on the Progressive Sanction Model, found in the Chapter5 (Court), Section 1 (Progressive Sanctions Model).

#### III. Procedure

#### Field Supervision Deferred Prosecution

- A. Deferred Prosecution referrals are received in the field district offices from the DA Liaison, Intake or the court.
- B. Within 2 working days of receiving each case, the probation officer will contact the family via phone or letter to schedule an orientation appointment. The appointment shall be scheduled within 15 days of contact with the family unless it is a restitution case. These appointments shall be set within 21 days and no later than 30 days to allow the victim time to respond to Victim/Mediation Services.
- C. The probation officer will mail an appointment letter to the family along with a deferred prosecution brochure, Behavioral Checklist and Financial Statement forms to be completed by the parent/guardian prior to the orientation meeting. Vitals (birth certificate, social security card/verification, school records and immunization records) will be requested for the juvenile.
- D. If the family misses the first appointment, a subsequent appointment shall be scheduled within 7 working days of the last appointment. A follow up call shall be made by the probation officer to confirm the appointment. All contacts, collateral contacts, scheduled and missed appointments shall be documented in TechShare.Juvenile.
- E. When appointment letters have been returned indicating that the family no longer resides at the address, the probation officer will contact the last known school to secure the juvenile's updated address, telephone number or the name of any school district that may have requested the juvenile's records.
- F. The probation officer will make diligent efforts to enroll each juvenile in the deferred prosecution program within 30 days of case receipt.
- G. When the probation officer has made several reasonable efforts to contact the juvenile and family, but has been unsuccessful the case shall be staffed at the supervisory level for further instructions on how to proceed.
- H. When appointment letters have been returned as undeliverable and phone contacts have not been established, the probation officer shall make a home visit to verify address. The probation officer will leave written notice of attempts to contact the family posted on the door when no one responds.
- I. The juvenile and parent must be notified of the juvenile's rights in accordance to the mandates of the Texas Family Code.
- J. The MAYSI-2 shall be administered to the juvenile unless the juvenile was previously detained on the current referral and a MAYSI-2 has already been completed. The Acknowledgement Statement must be signed by the juvenile and the person administering the MAYSI-2. A juvenile who scores in the caution or

warning section on the MAYSI-2 shall be administered a secondary screening immediately to assist in clarifying the juvenile's need for mental health intervention. If the secondary screening confirms the positive screening, the parent/guardian should be provided with a mental health referral immediately within the community.

- K. Issues regarding the juvenile's current referral shall be discussed, and any incriminating statement made by the juvenile shall not be used against the juvenile in any court proceeding.
- L. A Deferred Prosecution Program Agreement shall be developed to meet the needs of the juvenile and family. The agreement shall include the following:
  - 1. Monthly fees assessed, or waiver of fees;
  - 2. Monetary restitution to victims, must be paid by the 4<sup>th</sup> month of supervision unless an agreement has been made between the parties:
  - 3. Juveniles may be assessed at least 8 hours community service restitution for all offenses;
  - 4. A chemical assessment must be completed for all drug related offenses;
  - 5. The juvenile and/or family shall be referred to an appropriate community-based intervention program to address identified needs and issues;
  - 6. The parent/guardian must identify restrictions to be imposed on the juvenile and set behavior expectations;
  - 7. The probation officer shall maintain monthly child/family contact by phone, face-to-face or monthly progress reports submitted by the juvenile and community agencies.
- M. The juvenile and family will be notified of possible consequences if the juvenile fails to meet the requirements of the agreement, including recommending court action.
- N. When the juvenile and family refuses to comply with the deferred prosecution agreement, the probation officer will staff the case at the supervisory level for further instructions on how to proceed with the case.
- O. A deferred prosecution shall be closed successfully when the juvenile has participated in the program a minimum of 3 months, reported to the probation officer as directed, has not been referred for any new offenses, the juvenile's behavior has stabilized during deferred prosecution and there are no serious compliance issues, the juvenile is not perceived to be a threat to himself or others, or when the juvenile moves to another jurisdiction and all of the above are fulfilled.
- P. When a deferred prosecution is closed unsuccessfully, the case may be referred to the District Attorney's office for filing. The determination of filing the offense will be staffed with the unit supervisor, based on the overall circumstances of the discharge.
- Q. If the juvenile is discharged unsuccessfully, the assigned officer will indicate in the closing summary that the juvenile may not be eligible for another term of deferred prosecution.

#### Letot Center Deferred Prosecution

- A. Deferred Prosecution referrals for Letot Center may be received from the DA Liaison, Letot Intake or Dallas Challenge Truancy Enforcement Center.
- B. The probation officer/case manager reviews the file to determine whether to offer sanction level 1 (supervisory caution) or sanction level 2 (deferred prosecution).
- C. When deferred prosecution is offered, within 2 working days of receiving the case, the probation officer/case manager will contact the family to schedule an orientation appointment within 10 working days.
- D. The probation officer/case manager will send a letter to the family requesting the completion of the juvenile behavioral checklist along with a request for the juvenile's vitals. If the probation officer/case manager has not previously made contact with the juvenile and family, the orientation appointment will be included in the letter. A follow up phone call will be made to confirm the appointment, no less than one day prior to the scheduled appointment.
- E. If the parent/guardian request rescheduling of the appointment, the orientation shall be rescheduled within 14 working days.
- F. If the juvenile and parent/guardian fail to appear for the orientation, a minimum of two attempts shall be made. The case will then be staffed at the supervisory level.
- G. The orientation requirements shall include the following:
  - 1. A discussion of the juvenile's rights;

- 2. The MAYSI-2 shall be administered, the secondary screening shall be administered if the results indicate a positive and the Acknowledgment Statement shall be signed by the juvenile and the individual administering the MAYSI-2,
- 3. A discussion of issues related to the referral;
- 4. An assessment of the needs of the juvenile and family;
- 5. A contract agreement with the Terms and Conditions of the Deferred Prosecution program for the juvenile and family;
- 6. Appropriate services to meet the needs of the juvenile and family;
- 7. The juvenile and parent/guardian shall be informed of the progressive sanction guidelines.
- H. A juvenile who receives a new paper referral, while participating in the deferred prosecution program, for a Child in Need of Supervision offense or Misdemeanor A, B or C will receive the following consequences:
  - 1. The current deferred prosecution supervision will be closed in TechShare.Juvenile as of the date of the new referral;
  - 2. The facts of the new referral will be assessed and a decision will be made as to whether the juvenile will remain in the deferred prosecution program or not;
  - 3. If it is decided to continue the juvenile in the deferred prosecution program, a new agreement with appropriate services will be made for a minimum of 4 to 6 months.
- I. A juvenile who receives a new paper referral, while participating in the deferred prosecution program, for a felony offense will receive the following consequences:
  - 1. The current deferred prosecution supervision will be closed in TechShare.Juvenile unsuccessfully;
  - 2. Upon receipt of the petition, the file will be updated and sent to the DA Liaison.
- J. A juvenile who receives a new Letot Center Intake referral while participating in the deferred prosecution program will participate in a crisis session with their parent/guardian; the juvenile will be released to the parent/guardian, appropriate residential care, or the Letot Center non-residential care. The offense report and release or hold information will be forwarded to the assigned probation officer that has been supervising the juvenile.
- K. A Deferred Prosecution Program Agreement shall be developed with the juvenile and parent/guardian. The contract shall include the following:
  - 1. Monthly fees assessed, or waiver of fees;
  - 2. Monetary restitution to victims, must be completed by the 4<sup>th</sup> month of supervision unless an agreement has been made between the parties;
  - 3. Juveniles may be assessed at least 8 hours community service restitution for all offenses;
  - 4. A chemical assessment must be completed for all drug related offenses;
  - 5. The juvenile and/or family shall be referred to an appropriate community-based intervention program to address identified needs and issues;
  - 6. The parent/guardian must identify restrictions to be imposed on the juvenile and set behavior expectations;
- L. The probation officer/case manager will monitor the families' involvement with community resource programs.
- M. A deferred prosecution shall be closed successfully when the juvenile completes the Deferred Prosecution Program Agreement, the juvenile's behavior stabilizes during deferred prosecution and there are no serious compliance issues, the juvenile is not perceived to be a threat to themselves or others, or when the juvenile moves to another jurisdiction and all of the above are fulfilled.
- N. When a deferred prosecution is closed unsuccessfully, the case will be referred to the District Attorney's office for filing.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 9: Support Services		
Section 1: Victim Services	Related Standards: TFC Title 3, Section 57.003	

The Victim Services Unit shall provide victims an avenue for recovery and compensation for losses through department sponsored programs and ensure that a victim receives:

- 1. A written notice of the rights outlined in Section 57.002;
- 2. An application for compensation under the Crime Victims' Compensation Act (as warranted); and
- 3. A victim impact statement with information explaining the possible use and consideration of the victim impact statement at detention, adjudication and release proceedings involving the juvenile.

#### II. Definitions:

<u>Victim:</u> is defined as a person who as the result of the delinquent conduct of a juvenile suffers a pecuniary loss or personal injury or harm.

- A. The Victim Services staff is responsible for contacting the victim, within 15 days of receipt of the offense report, by letter or phone to obtain documentation of loss and to notify them of their rights.
- B. Upon receipt of documentation of loss, the Victim Service Unit secretary shall place the documentation in the corresponding file until a case is filed, or send the information to a Deferred Prosecution Officer if case is not filed and pursued through the deferred process.
- C. When the case is filed, Victim Services staff shall provide a Victim Service Report/Addendum to the Court indicating the victim's loss and response.
- D. Victim Services may refer victims to the District Attorney's office.

Dallas County Juvenile Department Probation Services

Policies and Procedures, 2014 Revision

Chapter 9: Support Services

Section 2: Mediation

#### I. Policy:

Mediation services shall occur between the juvenile, their parent or guardian, the victim and their family, a trained mediator and the Mediation Officer when ordered by the court or referred by the Probation Officer to create a fair and equitable resolution that responds to the needs of the victim and offers rehabilitation for the juvenile. The intent is to ensure that the juvenile takes direct responsibility for his/her actions.

Mediation shall be conducted by trained mediators only. All applicants must complete 40 hours of training before they are allowed to mediate cases. The training is conducted by the Victim Services staff, along with assistance from other community agencies. The mediators are a group of community professionals chosen to assist in the Mediation and Victim Services staff.

#### II. Definitions:

Mediation: is defined as an informal and confidential way for people to resolve disputes with the help of a neutral mediator who is trained to help people discuss their differences. The mediator does not decide who is right or wrong or issue a decision. Instead, the mediator helps the parties work out their own solutions to problems.

#### III. Procedure:

The types of cases that can be referred to mediation are: property offenses, offenses against persons and offenses for which there have been no losses, but the people who are involved in the case are in conflict and their issues are brought to mediation to be resolved.

- A. All mediations referred to the Victim Services program shall be conducted and supervised by the Victim Services Unit.
- B. The Mediation program shall accept any cases:
  - 1. Referred by the Court or the probation officer with the approval of the Attorney;
  - 2. With an identifiable victim, as well as something to negotiate or discuss;
  - 3. That display overt hostility by any parties, however it must be noted in the referral.
- C. Referrals to mediation shall be made in the following manner:
  - 1. The Probation Officer shall submit a referral via the Juvenile Information System(JIS), whether the referral is ordered by the court or at the discretion of the Probation Officer;
  - 2. The referral should be made immediately after the Pre-Trial Hearing, to ensure that the mediation occur prior to disposition;
  - 3. The Probation Officer should see the Pre-Trial Order prior to making a referral to determine if mediation was ordered by the court before contacting the Attorney for approval to mediate;
  - 4. A separate referral should be made for each victim.
- D. Some cases may be returned without mediation being consummated. For Deferred Prosecution cases, the case is staffed with the Supervisor for filing of the original offense. For court cases, the court is notified that there was not an agreement and the matter is resolved by the court.
- E. The following types of cases shall be considered inappropriate for mediation:
  - 1. Cases in which the juvenile or victim refuse to participate or cannot be located;
  - 2. If any party pose a threat of violence during the mediation session;
  - 3. Hostility cannot be neutralized;

- 4. Juvenile refuses mediation on the grounds that he/she is innocent of the charges;
- 5. Case is scheduled for a Trial by Court or Trial by Jury;
- 6. Juvenile is suspected to be mentally incompetent by virtue of mental retardation or mental illness;
- 7. Plan of restitution cannot be reached;
- 8. If any party makes a statement of intent to violate the law.
- F. If the disqualifying circumstances change, the case may be reconsidered.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 9: Support Services		
Section 3: Restitution	Related Standards: TFC 54.041;54.048	1

The Dallas County Juvenile Department shall provide a restitution program that promotes the rehabilitation of the juvenile and provide the victim with compensation for any loss, damages or injuries.

#### II. Definitions:

Restitution: is defined as the act of compensating for loss, damage or injury.

- A. The Victim Services Unit shall contact the victim by phone or letter to obtain documentation of losses.
- B. If the child is too young to obtain employment, is mentally or physically unable to acquire employment, the parent or guardian shall be held liable for making restitution payments.
- C. The Victim Services unit shall determine the type and amount of restitution;
  - 1. Monetary restitution may be utilized when:
    - a) Monetary loss has been verified;
    - b) The ability of the juvenile or parent/guardian has been established; and
    - c) The victim desires reimbursement.
  - 2. Direct service restitution may be used if agreed through mediation.
  - 3. Community service restitution may be used in conjunction with or in lieu of monetary restitution.
- D. The restitution shall be included in the juvenile's terms and conditions of probation.
- E. The assigned Probation Officer shall monitor the juvenile's compliance with the terms and conditions of probation.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 9: Support Services		
Section 4: Community Service Restitution	Related Standards: TFC, Title 3, Section 54.044	

A juvenile placed on probation by the court under Section 54.04(d), Texas Family Code, shall be required as a condition of probation to work a specified number of hours at a community service project approved by the court and designated by the Dallas County Juvenile Department, unless the court determines and enters a finding on the order placing the juvenile on probation that:

- 1. The juvenile is physically or mentally incapable of participating in the project;
- 2. Participating in the project shall be a hardship on the juvenile or the family of the juvenile; or
- 3. The juvenile has shown good cause that community service should not be required.

The number of Community Service Restitution hours that a juvenile shall perform shall be determined according to the CSR matrix. The juvenile probation officer shall ensure that juveniles on probation complete all court ordered community service restitution hours or hours given in response to probation violations at an approved CSR site, prior to probation expiring.

Community Service Restitution (CSR) Matrix

Offense	Recommended Hours
Felony 1	50
Felony 2	45
Felony 3	40
State Jail Felony	35
VOP	30
Misdemeanor A	30
Misdemeanor B	15

<sup>\*\*</sup>When one or more offenses are pending adjudication, the highest adjudicated offense shall determine the number of CSR hours to be recommended\*\*

#### II. Definitions:

<u>CSR</u>: Community Service Restitution can be defined as when juveniles perform a service within the community, without any gains or pay, at a non-profit community agency, educational or governmental facility.

<u>CSR Coordinator:</u> an individual who develops and coordinates a community service restitution program for juveniles to complete a specified number of volunteer community service hours with non-profit, community agencies. Also, act as a liaison with community agencies and recruit new community agencies with which juveniles can complete CSR hours.

- A. The probation officer shall make a recommendation to the courts on the number of community service hours a juvenile shall be ordered based on the CSR matrix. The hours shall be recommended in the court report and placed on the Terms and Conditions of Probation.
- B. The probation officer shall secure a copy of the most recently approved community service site list (by field district) from the K drive in the CSR folder. The list is periodically updated; therefore, the probation officer

shall ensure that the most recent copy is given to the juvenile. Hours shall only be accepted if they are completed at a site that has been approved by the Juvenile Board:

- 1. A probation officer may submit a site for consideration to the CSR Coordinator who will begin the approval process;
- 2. The probation officer shall not give a juvenile approval for hours performed until the CSR Coordinator verifies that the site has been approved by the Juvenile Board. The site must be approved prior to any hours being performed.
- C. The probation officer shall give the approved CSR time sheet found on the K Drive to the juvenile to record hours performed. No other format of a CSR time sheet shall be accepted apart from a signed letter from the CSR site's designated contact person indicating the date and hours performed by the juvenile.
- D. The probation officer shall establish an expected timeline with the juvenile and parent for the completion of the ordered CSR hours. Additionally, the court may also have an expectation to be met.
- E. Upon completion of CSR hours by the juvenile, the CSR timesheet should be thoroughly completed with signatures from the supervising person and submitted to the probation officer.
- F. The probation officer shall input each individual date hours were performed in TechShare. Juvenile. The hours should not be recorded in a single lump sum. Each date shall be entered separately, along with the name of the site where the hours were performed, and the number of hours that were performed on that date.
- G. When the probation officer makes a referral to the CSR Coordinator for an event, the referral must include the juvenile's name as it appears in TechShare. Juvenile, the PID number, and an emergency contact telephone number. In the event that the juvenile has no contact number, the probation officer may substitute his/her own contact information.
- H. CSR hours that are assigned as a violation response shall be documented in TechShare.Juvenile under the community service tab and in a chronological entry.
- I. Community Service hours performed while in placement or while participating in a non-residential program may not be used for credit toward Community Service Restitution. Contract agencies performing "community projects" as a part of their program may not be considered as Community Service Restitution.
- J. If a juvenile fails to complete the balance of CSR hours prior to probation expiring, the remaining hours shall be entered in TechShare.Juvenile as written off. A chronological entry in TechShare.Juvenile shall also be entered indicating why the hours were not completed.
- K. Only the court can waive Community Service Restitution hours.
- L. Under no circumstances shall any CSR hours performed under a pre-adjudication or diversionary program be later credited for CSR hours ordered upon disposition.
- M. When a juvenile's court order is modified, the CSR hours that were not performed shall be entered in TechShare. Juvenile as written off. The new amount of ordered hours shall be entered on the modified Terms and Conditions of Probation.
- N. For juveniles being discharged from a placement facility:
  - 1. Enter the amount of CSR hours ordered at the modification/disposition, if applicable; or
  - 2. If the remaining balance and/or any number of CSR hours were not ordered at the modification / disposition, a proportionate number of hours utilizing the CSR matrix shall be entered on the Terms and Conditions of Probation.

Dallas County Juvenile Department Prob Policies and Procedures, 2014 Revision	ation Services	
Chapter 9: Support Services	12.7	
Section 5: Home Detention		

The Home Detention program shall assist the assigned Probation Officer in monitoring the juvenile's compliance with his/her revised curfew schedule. The Home Detention Officer shall make three (3) face to face contacts, three (3) curfew checks and one (1) parent contact per week. A juvenile placed on the Home Detention program is allowed to leave the home for the purpose of attending school, reporting to the assigned Probation Officer and attending any counseling/court ordered programs. The assigned Probation Officer may grant permission for the subject to leave the home in an emergency situation; however the Home Detention Officer shall be notified immediately upon granting that permission.

#### II. Definitions:

<u>Home Detention</u>: is defined as an alternative to detention that places a juvenile on home restriction, with the exception of attending school, reporting to Probation Officer and participation in any counseling / court ordered programs.

- A. A juvenile may be placed on Home Detention via court order or approval from the assigned probation officer's supervisor and the Home Detention supervisor due to probation violations (runaway, persistent curfew violations, etc.)
- B. Supervision of the juvenile shall begin immediately after the case has been assigned to the Home Detention Officer.
- C. The juvenile shall remain on the Home Detention program a minimum of 30 days unless stated otherwise by the court.
- D. The assigned Probation Officer does not have to conduct curfew checks while the juvenile is enrolled in the Home Detention program, however all other contacts shall remain the same.

Dallas County Juvenile Department Probation Services
Policies and Procedures, 2014 Revision
Chapter 9: Support Services
Section 6: Evening Reporting Center

#### I. Policy:

The Evening Reporting Center (ERC) is a juvenile justice program that offers an alternative to detention for referred youth throughout Dallas County, which will impart valuable life skills and provide a structured environment for education.

The ERC staff provides well-supervised activities and education to fourteen to seventeen (14-17) year old males and females four (4) days a week (Monday – Thursday) between the hours of 4:30pm to 8:00pm. Most of the participants will be involved in the program for up to twenty (20) days.

The youth will be involved in programs that emphasize educational activities, recreational programming, independent living, emotional and social skills. In addition, the youth will be served dinner and a healthy snack. The participants will be transported to and from the facility by staff. One (1) juvenile probation officer and two (2) juvenile supervision officers are assigned to the Evening Reporting Center. It is mandatory that all participants referred to the ERC complete orientation with a staff member prior to starting the program.

#### Objectives:

- 1. Provide well supervised activities and education services to the participants using community resources and department services.
- 2. Serve a healthy sit down dinner to encourage communication, learning and model appropriate table manners.
- 3. Monitor the youth's attendance, behavior and progress within the program.
- 4. Promote and positive and healthy learning environment for all participants by being consistent and redirecting inappropriate behaviors.

#### II. Definitions: None

#### III. Procedure:

#### A. Youth Eligibility:

- 1. The eligible youth must be referred by the assigned probation officer or the Court.
- 2. The eligible youth must be on active probation.
- 3. The eligible youth must meet admission criteria or be subject to administrative override.
- 4. The eligible youth may be referred back to the program, if determined appropriate and approved by the Manager of Field Services.

#### B. Referral Process:

- 1. The assigned probation officer submits the admission criteria/referral form with supervisor approval to ERC staff.
- 2. Upon acceptance to the program, the youth and his/her parent/guardian must complete orientation with the ERC staff member. All paperwork regarding policies and procedures of the Evening Reporting Center must be signed prior to the youth being allowed to participate in the program.

#### C. Admission Process:

- 1. Admission to the ERC program will take place with the ERC staff member with the youth and his/her parent/guardian. The youth will not be allowed to start the ERC program until orientation has been completed.
- D. <u>Program Rules</u>: Failure to follow the rules of the Evening Reporting Center may be grounds for unsuccessful release from the program.

- 1. Participants must be in attendance at ERC Monday-Thursday (4:30-8:00 p.m.).
- 2. Every participant must sign-in daily.
- 3. No outside food or drinks are allowed in the program or on the van.
- 4. Tobacco products, lighters, matches, drugs, drug paraphernalia, alcohol, or any type of weapons are strictly prohibited.
- 5. Participants are not allowed to leave the program during operating hours.
- 6. Fighting, horse playing, sexual activity, and/or profanity are strictly prohibited in the program and on the van.
- 7. Gang activity (writings, drawings, hand gestures, communication, or clothing), is prohibited.
- 8. Participants are not permitted to bring more than \$20.00 into the program.
- 9. All personal property will be kept in a clear zip lock bag and returned at the end of the evening.
- 10. All participants including parents of the ERC program are subject to a physical pat down search including property items upon entering the program site.

#### E. Behavioral Expectations:

- 1. All participants are expected to follow staff directives at all times.
- 2. All participants are expected be on time to the ERC program.
- 3. All participants are expected to be respectful of staff and other participants including, other's property and the program site.
- 4. Participants are expected to cooperate with program activities.
- 5. Participants are expected to be attentive and respectful of all volunteers and facilitators.

#### F. Dress Code:

- 1. Participants may not wear clothing that is deemed inappropriate by ERC staff. This may include, but is not limited to, clothing with offensive language or slogans, drug or alcohol advertisement, racist or sexist messages, etc.
- 2. No revealing clothing such as crop tops, tube tops, tank tops, short-shorts, short skirts, hip huggers, sagging pants, etc.
- 3. No house shoes, slippers, pajamas, etc.
- 4. No head coverings such as hats, hairnets, bandanas, beanies, do rags, etc.
- 5. ERC staff does not allow clothing or jewelry that may identify you with a GANG. Such items are prohibited.

#### G. Behavioral Management:

- 1. The participant will be advised at orientation of the behaviors that are expected at ERC.
- 2. The participant will be expected to follow the rules; it is the responsibility of ERC to enforce the rules and expected behaviors.
- 3. The participant will receive a verbal warning for minor rule violations.
- 4. If the participant repeatedly violates the rules or engages in disruptive behavior, he/she will be removed from the group and meet with a staff member until the behavior can be resolved.
- 5. Incident reports will be completed for contraband, assault, self-harm, and/or any serious behavior such as sexual activity within the program, possession of a weapon, noticeably and/or verbally under the influence or in possession of drugs and or alcohol, or any other event as needed.
- 6. Any criminal activity will be referred to law enforcement.

#### H. <u>Transportation</u>:

- 1. Transportation to and from the ERC site is provided by ERC staff, and pick-up and drop-off of participants is at approved locations.
- 2. Parents/guardians may also provide transportation to the ERC site directly.

#### I. Grievances:

- 1. Participants/parents/guardians will be informed of their rights to grieve behavior and disciplinary action by staff, volunteers/facilitators, or other participants. Grievances that have not been resolved informally will be filed according to the procedures outlined below. All grievances will be handled in a timely manner without threat of consequences against the participant/parent/guardian filing the grievance.
- J. <u>Releases</u>: A participant will be released from the Evening Reporting Center program pursuant to one of the three following types of completion:

- 1. Successful release: The participant completed the program requirements.
- 2. Early release: The participant exceeded the program expectations.
- 3. Unsuccessful release: The participant failed to comply with the program rules or expectations.
- 4. Upon the release of the participant from the Evening Reporting Center program, the ERC Probation Officer shall prepare a discharge summary detailing the participant's involvement in the ERC program

Dallas County Juvenile Department Probation Services
Policies and Procedures, 2014 Revision
Chapter 9: Support Services

Section 7: Day Reporting Center

#### I. Policy:

The Day Reporting Center (DRC) may be utilized to address juveniles who may be transitioning from placement, who are not currently enrolled in school, who have not attended school for an extended period of time or the juvenile and/or parent may simply refuse to enroll the juvenile in school.

#### II. Definitions:

<u>Day Reporting Center:</u> is defined as an alternative to detention that provides juveniles with an intensively supervised and structured positive educational environment which holds them accountable while encouraging and reinforcing pro-social behaviors.

- A. A juvenile may be placed in the Day Reporting Center program via court order or approval from the Supervisor and Administration.
- B. The assigned probation officer must complete a Notification of Change in Conditions of Probation (NOC) and submit to the court.
- C. The probation officer shall contact the Day Reporting Center Supervisor to report that permission has been granted for the juvenile to participate in the Day Reporting Center program. An intake shall be scheduled and the probation officer shall notify the juvenile and parent of the scheduled appointment.
- D. The Probation Officer shall forward a copy of the completed NOC to the Day Reporting Center Supervisor.
- E. While the juvenile is enrolled in the Day Reporting Center program, he/she is not required to report to the assigned probation officer at the probation office or reporting site. The assigned probation officer shall be required to meet with the juvenile at the Day Reporting Center twice per month. All other contacts will be in accordance with the juvenile's supervision level.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 9: Support Services		
Section 8: Juvenile Justice Alternative Education Program	Related Standards: TAC 348	

The JJAEP Quality Assurance/Program Manager shall receive referrals of discretionary and mandatory expulsions from the 15 Dallas County School Districts based on memorandum of understanding (MOU) for placement by the Case Review Committee and placement in the Dallas County JJAEP program. All referrals accepted at the Case Review Committee hearing are then entered into TechShare. Juvenile as a paper referral. The chargeable offenses are taken into consideration by the 304<sup>th</sup> and 305<sup>th</sup> Juvenile Courts.

#### II. Definitions:

<u>Juvenile Justice Alternative Education Program (JJAEP)</u>: is defined as an educational program operated by the Dallas County Juvenile Board to serve students pursuant to Chapter 37 of the Texas Education Code or students under the jurisdiction of the juvenile court.

- A. The Case Review Committee shall review the referral at the initial intake. The referral shall be formalized, added into TechShare.Juvenile with the same dates, the referring school, and the record shall be attached to the originating referral.
- B. A juvenile shall be referred to the JJAEP program for 60 days on a discretionary expulsion or for 180 days on a mandatory expulsion.
- C. When there is an assigned field probation officer, they shall maintain contact with the Case worker to monitor the activities and compliance of the juvenile while enrolled at JJAEP;
- D. The probation officer shall maintain contact with the juvenile according to the juvenile's supervision level;
- E. The JJAEP Caseworker shall:
  - 1. Create a file in TechShare.Juvenile, when there is not one, to enter the expulsion as a referral and/or offense;
  - 2. Enter the assigned caseworker/probation officer name in the juvenile's description screen;
  - 3. Close the JJAEP program when the juvenile has successfully completed the JJAEP program.

Dallas County Juvenile Department Probation Services	
Policies and Procedures, 2014 Revision	
Chapter 9: Support Services	
Section 9: Electronic Monitoring	100

The Electronic Monitoring (EM) program may be used to monitor juveniles who have been placed on home restriction/lock down by the court or the Probation Officer. The juveniles participating in the EM program shall only be allowed to attend school, report to the assigned Probation Officer, or participate in counseling/court ordered programs. The parent shall be required to seek approval from the Probation Officer prior to deviating from the EM schedule.

#### II. Definitions: None

- A. A juvenile may be placed on the EM by the court or with approval from the assigned probation officer's supervisor.
- B. When a juvenile is consistently violating his/her curfew or absconding from the home, the probation officer may staff the case with their supervisor/assistant supervisor for permission to place the juvenile on the EM program.
- C. Upon approval from the Supervisor, the probation officer shall complete a Notice of Change in Conditions of Probation indicating that the juvenile shall participate in the EM program and submit it to the Court.
- D. The probation officer shall contact the EM technicians to see if there is available equipment and to schedule a time for the juvenile and parent to report to the Detention Center to have the equipment installed.
- E. All EM's shall be installed at the Henry Wade Juvenile Justice Center.
- F. The probation officer shall make weekly chronological entries in TechShare.Juvenile to reflect the juvenile's compliance in the EM program.
- G. The juvenile shall remain on the EM a minimum of 30 days, unless the juvenile blatantly refuses to participate in the program (i.e. refusal to charge EM, consistent refusal to comply with schedule, juvenile removes EM, etc.). The length of participation can be extended by the court or the Probation Officer. The Probation Officer must staff the case with their supervisor/assistant supervisor and notify the EM technicians prior to the 30<sup>th</sup> day if they plan to request an extension.

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 9: Support Services		
Section 10: Interpreter Services	Related Standards: CCP Article 38.30 & 38.31	

The Dallas County Juvenile Department shall make every effort to ensure that a communication barrier between staff, clients and families does not exist to impede services.

Limited English Proficient individuals shall be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

In any proceeding, if a party notifies the court that the juvenile, the juvenile's parent or guardian, or a witness does not understand and/or speak English or is deaf, the court shall appoint a qualified interpreter to interpret the proceedings in any language, including sign language, that the person can understand, as provided by Article 38.30 & 38.31, Code of Criminal Procedure.

#### II. Definitions:

<u>Limited English Proficient (LEP)</u>: is defined as persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

<u>Primary Language</u>: is defined as the language normally used in the home by the juvenile and parent, guardian or custodian.

#### III. Procedure:

#### A. Intake

- 1. Intake staff shall identify juveniles and parents, guardians or custodians requiring language interpreter services and convey the information to the Facility Expediter and document in TechShare.Juvenile.
- 2. The intake probation officer should be language appropriate.
- 3. If a language appropriate intake officer is not available, an interpreter should be requested to complete the intake process with the juvenile and parent, custodian or guardian.

#### B. Detention

- 1. Each resident shall be provided a verbal orientation within 12 hours of admission into the facility. If the resident is not sufficiently fluent in English, arrangements shall be made to provide the resident with an orientation in the resident's primary language within 48 hours of admission [TAC 343.412/608].
- 2. When a juvenile requiring interpretation services is detained, a language appropriate probation officer shall be assigned when possible to communicate with the juvenile and family.
- 3. If a language appropriate probation officer is not available, arrangements shall be made for a language appropriate interpreter as needed to visit the child while in detention for as long as the juvenile is detained.

#### C. Court

- 1. Other than Spanish speaking interpreter services, the court shall request interpreters for court proceedings except for walk-up and review hearings which shall be the responsibility of the assigned probation officer.
- 2. If a probation officer is informed of an interpreter being needed for court purposes and the court is unaware, the probation officer shall immediately notify the courts.

#### D. Supervision

- 1. The assigned probation officer should be language appropriate when possible.
- 2. If a language appropriate probation officer is not available, an interpreter must be used to assist in communication with the juvenile and family. A member of the family should be used as an interpreter only under exigent circumstances.

#### E. Requesting an Interpreter

- 1. A request form and all other interpreter services related forms can be found on the K Drive/JD Forms/Interpreter Services subfolder.
- 2. Upon completing the request form and obtaining supervisor's signature, it shall be e-mailed to Budget Services. The interpreter's completed claim form shall also be submitted to Budget Services.
- 3. The requestor shall contact an interpreter by email or telephone, at least 72 hours prior to the scheduled event, regarding his/her availability to handle interpretation assignments. The requestor must provide the interpreter with the following information for the assignment:
  - a. Service Date
  - b. Type of Language
  - c. Type of Assignment (assessment, detention hearing, review hearing, mediation, family therapy)
  - d. Location
  - e. Start/End Times
  - f. Contact Name
  - g. Contact Phone Number
- 4. The Deaf Action Center shall be contacted for deaf interpreting services. The services are free of charge and the Deaf Action Center may be contacted at (214) 521-0407

Dallas County Juvenile Department Probation Services		
Policies and Procedures, 2014 Revision		
Chapter 9: Support Services		
Section 11: Volunteers, Interns, and Mentors (VIM)	Related Standards: TAC 343.386 & 341.3 (b)(2)	

The Dallas County Juvenile Department welcomes citizen involvement in our services and programs offered to juveniles. The use of volunteers, interns, and mentoring services is designed to enhance Dallas County Juvenile Department programs and services provided to youth and families. The Department encourages public involvement in the juvenile justice process and efforts with citizen involvement. Volunteers, interns, and mentors (VIM) will be accepted from cultural and socioeconomic segments of the community. VIM's involvement provides increased community contact for the juvenile and enhances direct services. VIM's cooperative endeavor broadens community resources for the Department's facilities, juvenile justice programs, and juvenile justice alternative education program. The Texas Juvenile Justice Department (TJJD) standards, states all volunteers, interns, and mentors shall be screened prior to the selection and provided training and supervision. The official registration and identification process of volunteers, interns, and mentors is maintained by the Department. The date, time, purpose, and description of services is documented and available on the premises of each facility and program. Volunteer, interns, and mentors shall perform professional services only when certified or licensed to do so and only with approved permission. Volunteers, interns, and mentors are encouraged to participate in the establishment of policy and procedures for the VIM programs and to attend training events made available by the Department.

#### II. Definitions:

<u>Volunteer:</u> Any person who, of his/her own free will, provides voluntary services to the Department with no monetary or material gain. The term volunteer includes regular or occasional service. Volunteers are recruited to supplement and enrich, but not to substitute activities and functions by staff in the Department.

Intern: Any person who, of his/her own free will, provides voluntary and sometimes specialized services to the Department. The intern may receive course hour credit for their services and may receive financial support from the placing college or university, however, the Dallas County Juvenile Department does not provide financial payments or support. Intern assignments will be based on the students' needs for training, level of skill required in each of the Department's programs and contractual or other arrangement between the college/university and the Department.

Mentor: Any person who, of his/her own free will, provides voluntary services to the Department with no monetary or material gain. The term mentor includes regular or occasional service. Trained mentors give juveniles support and guidance with will encourage and promote positive change in the lives of youth.

#### III. Procedure:

#### A. Recruiting:

- 1. Recruiting of volunteers and mentors is a staff responsibility under the supervision of the designated volunteer coordinator in each facility, juvenile justice program, and education program.
- 2. Each facility and all juvenile justice programs shall designate in writing to the applicable Division Deputy Director, including the Deputy Director of Administrative and Executive Services the name of the person responsible for recruiting volunteers/mentors.
- 3. The volunteer coordinator will recruit applicants from the community through speaking engagements, media, newspaper, and personal references.

4. Recruiting efforts shall include, among other resources, local churches, colleges/universities, and service organizations.

#### B. Eligibility:

- 1. Any person who is of good character, at least twenty-one years of age and sufficiently mature to handle the responsibility involved, is eligible to become a volunteer or mentor.
- 2. Relatives of a juvenile may not serve as a volunteer/mentor to work with any juvenile to whom they are related while the juvenile is a resident in any facility, participating in any juvenile justice program under the jurisdiction of the Dallas County Juvenile Department.
- 3. Former employees of the Dallas County Juvenile Department may serve as volunteers and/or mentors.
- 4. Any person interested in volunteering with the Dallas County Juvenile Department shall not be eligible for volunteer/mentoring services if:
  - i. He/she has been convicted or placed on deferred adjudication for a felony against the laws of this state, another state, or the United States within the past ten (10) year, and/or is currently on felony probation or parole.
  - ii. He/she has been convicted or placed on deferred adjudication for a jailable misdemeanor against the laws of this state, another state, or the United States within the past five (5) years, and/or is currently on probation or parole.
  - iii. He/she is currently or ever been registered as a sex offender under Chapter 62, Texas Code of Criminal Procedures.
  - iv. If determined ineligible for any reason by the Dallas County Juvenile Department.

#### C. Screening/Selection Process: All volunteers/mentors must:

- 1. Complete a volunteer/mentor application.
- 2. Provide three (3) written references, reference letters must be maintained by the designated volunteer coordinator of the applicable Department Division.
- 3. Submit to a criminal background check through the FAST fingerprint pass for a national criminal history record check, including a sex offender registration check through the Texas Department of Public Safety.
- 4. Complete a personal one on one interview with the designated volunteer coordinator. Routine interviews include the applicant's motivation for wanting to volunteer/mentor and clear understanding of the applicant's and Department's needs.
- 5. Provide a valid driver's license or Texas identification card.
- 6. The volunteer/mentor shall agree in writing to adhere to the Department's policies and procedures before being accepted as a volunteer/mentor. The volunteer/mentor must sign and date a Dallas County Juvenile Department Volunteer/Mentor Agreement.
- 7. Attend and complete General Orientation Training and continue to attend any additional training as needed throughout participation in the program.

#### D. Assigning Volunteers/Mentors:

- 1. The assignment of volunteers and mentors to youth under the jurisdiction of the Dallas County Juvenile Department will be a collaborative and cooperative effort between the applicable volunteer coordinator and the Division Deputy Director.
- 2. Volunteers/Mentors shall be selected as those who are best suited to work with the youth, staff, and each program.

#### E. Termination of Volunteers and Mentors:

- 1. The services of a volunteer and/or mentor may be terminated at any time with or without notice. Volunteers/mentors serve at the sole discretion of the Dallas County Juvenile Department. Termination of a volunteer/mentor or volunteer/mentor organization may include, but are not limited to the following reasons;
  - i. Disqualification based on criminal history;
  - ii. Breach of confidentiality;
  - iii. Ethical, policy, or procedural violations;
  - iv. Physical or emotional illness;
  - v. Inability or refusal to cooperate with departmental staff;

- vi. Engaging in activities which threaten the order or security of any office, program or the safety of the volunteer, juveniles, students, visitors, or staff.
- vii. Erratic or unreliable attendance;
- viii. Inappropriate conversation, attitude, behavior, or mannerisms toward any youth;
- ix. If found to have abused, neglected, or exploited any child;
- x. Under the supervision of the Texas Department of Family Protective Services;
- xi. Unsatisfactory service.

#### F. Training of Volunteers/Mentors:

- 1. Volunteers/mentors must complete 4.0 hours of training provided by the volunteer coordinator or Department Trainers;
- 2. Volunteers/Mentors will be provided an overview of the Dallas County Juvenile Department.
- 3. Training will include information concerning the reporting of abuse, neglect, and exploitation and the requirements under the Prison Rape Elimination Act of 2003 (PREA).
- 4. The designated volunteer coordinator shall maintain documentation of training in the volunteer's file.
- 5. All volunteer files are subject to audits.
- 6. Applicable training offered to the Dallas County Juvenile Department staff may be made available to volunteers/mentors.

#### G. Volunteer/Mentor General Duties and Responsibilities:

- 1. Volunteers/mentors will be issued an identification badge. Identification badges are to be worn at all times when in the Dallas County Juvenile Department programs, facilities, or schools.
- 2. A volunteer/mentor sign-in time log will be kept on each volunteer to record their time spent in service. All volunteers/mentors shall sign in and out of each program and record on the sign-in log their activities while volunteering/mentoring to the youth.
- 3. Volunteers/mentors will be allowed to provide professional services only when they are certified to do so and with prior approval from the assigned Deputy Director or designee.
- 4. Volunteers/mentors may not give their telephone number, addresses or any personal information about him/herself or his/her family to any youth, youth's family or friends unless authorized by the volunteer coordinator. Some mentor programs may allow an exchange of phone numbers (to be determined by applicable Division Deputy Director). The volunteer coordinator will provide information on the exchange of personal phone numbers.
- 5. Volunteers/mentors may not be left alone with youth without the consent of the volunteer coordinator. Coordination of the meeting between the youth and the volunteer/mentor is the responsibility of the volunteer coordinator.
- 6. Volunteers/mentors may not take youth to their (volunteer/mentor) residence under any circumstances.
- 7. Volunteers/mentors are required to report any concerns regarding observations of inappropriate actions or conversations involving youth under the jurisdiction of the Department. The volunteer or mentor may notify the volunteer coordinator either in writing or in person.
- 8. It is mandatory that a volunteer /mentor maintain strict confidentiality regarding activities, names, and circumstances of the youth under the jurisdiction of the Dallas County Juvenile Department.
- 9. Volunteers/mentors are not allowed to have contact with youth or their families outside the perimeters of the volunteer/mentor's assigned Dallas County Juvenile Department Program.
- 10. Volunteers/mentors must adhere to the Dallas County Juvenile Department's policy and procedures concerning the report and investigation of alleged child abuse, neglect, or exploitation.

#### H. Intern Programs:

- 1. Intern programs under the direction of the Dallas County Juvenile Department are designed to provide for cooperation and/or consultation with college and universities in areas of mutual concern. Intern programs provide a learning experience for both the student and the Department, resulting in the student developing a greater understanding and appreciation for the Juvenile Department and the Juvenile Justice System.
- 2. All interns shall be bound by the Dallas County Juvenile Department Policy and Procedures regarding the eligibility, processing, training, and termination of volunteers and mentors (see above policy # 3.05)

- and relevant standards concerning departmental staff, as well as the professional code of ethics toward which the intern is working or has been licensed.
- 3. Undergraduate intern applications, processes, interviews, and training will be under the direction of the Deputy Director of Administrative Services Division. The Deputy Director of Administrative Services Division will coordinate the placement of all approved interns. Graduates seeking an internship will be reviewed by the Deputy Director of Administrative Services Division to determine if an appropriate program is available within the Department.
- 4. All paperwork related to interns will be managed and maintained by the Deputy Director of Administrative Services Division or his/her designee.

#### Psychology Division Intern Programs:

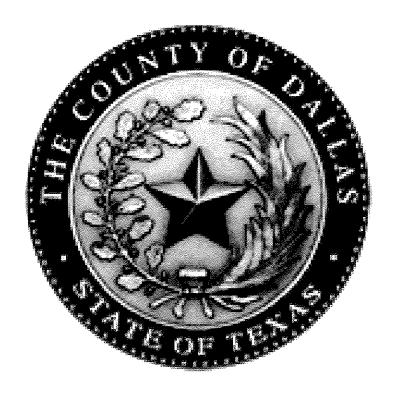
The Dallas County Juvenile Department Clinical Services Division is comprised of six services components, each headed by a doctoral level psychologist. These units allow for a well-integrated Clinical Division that provides a comprehensive service delivery system to Dallas County youth and their families. Each intern accepted into the Graduate Student Program under the direction of the Psychology Division shall be placed under the direction of the Deputy Director of Clinical Services or designee.

#### Supervision of Interns (Clinical/Psychology Division):

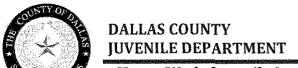
Each intern will be assigned an assessment supervisor who will provide a minimum of one hour of individual supervision per week for psychological assessments and evaluation. A second supervisor will be assigned to each intern to meet one hour a week to discuss counseling cases.

- 1. The assessment supervisor is the primary supervisor and all supervision needs should be discussed with this supervisor unless other arrangements have been made.
- 2. Each intern will be provided with a Graduate Student Orientation Manual
- 3. Each intern must attend the General Orientation/Training Program provided by a designated volunteer coordinator and/or Training Unit.
- 4. Intern personnel files will be maintained in the Clinical/Psychology Division. The application, criminal background check information results will be maintained by the Administrative and Executive Services Division (a copy of the application may be maintained by the Psychology Division).
- 5. Specific times for supervision are to be arranged by the supervisor and intern.
- 6. The assigned supervisor must be made aware of changes in schedule, any difficulties with cases, and any impediments to completing assignment on time.
- 7. Each intern is responsible for completing progress notes for each individual case and the notes should be turned in to the appropriate supervisor on a weekly basis or as agreed upon.
- 8. The decision to terminate a graduate student's internship or any internship under the direction of the Clinical/Psychology Division of the Dallas County Juvenile Department will be at the discretion of the Clinical Services Deputy Director and/or the Director of the Dallas County Juvenile Department.

Dallas County Juvenile Department provides opportunities for undergraduate internships in cooperation with numerous colleges and universities. Interns not assigned to the Psychology Division are under the Direction of the Deputy Director of assigned area and are expected to follow program rules and procedures.



# ACTION ITEM



#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5 Dallas, Texas 75212

#### Memorandum

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Contract and Agreement for Residential Placement of Female Juvenile Offenders

#### **Background:**

The Juvenile Department identified the need for a local facility for placement of post-adjudication female offenders many years ago, and in the mid 1990's started conversations to build our own facility in Dallas County. Several years later, the Letot Capital Foundation agreed to embark on a capital campaign to solicit funds for the construction of the facility. This is their second capital campaign to benefit the Juvenile Department; their first one having taken place in the 1980's to build the Letot Center.

Construction of the Letot Residential Treatment Center for Girls (Letot RTC) started in July of 2013 and occupancy is scheduled for April of 2015. When planning first started, the Juvenile Department projected a need for 96 beds, based on placement needs of the girls in the Juvenile Department. At the same time, the Juvenile Department subscribed to the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative, resulting in a significant decrease in placement cases. The decrease in the number of placements means that Letot RTC will not be operating at capacity if Dallas County is its sole reference source. An opportunity now exists for the Letot RTC to provide contract placement to other counties.

The purpose for this brief is to request permission from the Juvenile Board to offer other juvenile departments the opportunity to contract for placement services of post-adjudication females at the Letot RTC.

#### **Operational Impact:**

The Letot RTC will have a maximum occupancy of 96 girls, and is projected to accept 16 girls starting in April of 2015, gradually increasing occupancy as needed. Referrals from the Dallas County Juvenile Department will have priority, so there will always be space available to meet our needs. The Department plans to charge a daily rate of \$140 for contract placement, so that each contract bed could bring between \$25,200 and \$37,800 revenue for a 6 to 9 month period. The daily rate is based on the Texas Juvenile Justice Department specialized placement rate.

#### **Strategic Plan Compliance:**

This request conforms to the Dallas County Strategic Plan – Vision 3: Dallas County is safe, secure and prepared. (Coordinate programs and systems to reduce crime. Maximize effectiveness of County's criminal justice resources.)

#### Legal Impact:

The contract has been reviewed by Administrative Legal Advisor for approval, and was approved as to form by Assistant D.A. Denika Caruthers. The Chairman of the Juvenile Board and the County Judge are required to sign the contract after approval by the Juvenile Board and Commissioners Court, respectively.

#### **Performance Measures:**

To treat post-adjudicated girls in the Dallas and surrounding counties in becoming productive, law abiding citizens, while promoting public safety and victim restoration.

#### **Financial Impact:**

The Department plans to charge a daily rate of \$140 for contract placement; thus each contract bed could bring between \$25,200 and \$37,800 revenue for a 6 to 9 month period. Payments from expected revenue will be deposited into 120-5110-45652 (Juvenile-Letot Beds) via check made out to Dallas County with the description Juvenile Department Letot Beds and deposit code listed on the payment. The financial information has been reviewed by Ms. Carmen Williams, Budget Supervisor.

#### Recommendation:

It is recommended that the Dallas County Juvenile Board authorize the Juvenile Department to offer other juvenile departments the opportunity to contract for placement of post-adjudication females at the Letot RTC.

Recommended by:

Dr. Terry S. Smjth, Director

Dallas County Jyvenile Department

# ATTACHMENT ONE CONTRACT AND AGREEMENT FOR SECURE LONG-TERM RESIDENTIAL SERVICE OF JUVENILE OFFENDERS

STATE OF TEXAS	§
COUNTY OF DALLAS	Ş

# DALLAS COUNTY JUVENILE BOARD LETOT RESIDENTIAL TREATMENT CENTER FOR GIRLS Residential Services

#### XXX 1, 2015 - XXXX 31, 2016

This Contract and Agreement made and entered into by and between the County of Dallas, acting by and through its duly authorized representatives, the Dallas County Juvenile Board (hereinafter referred to as "Dallas County") and acting by and through its duly authorized representatives,, County Judge and representative of the Commissioners Court of County (herein referred to as CONTRACT County), to be effective 1, 2015 to 31, 2016.		
	ARTICLE I <u>WITNESSETH</u>	
1.01	Whereas, Dallas County operates the Letot Residential Treatment Center for Girls according to all applicable State of Texas standards and required Federal Government laws and standards including but not limited to what the State of Texas requires for the Federal Prison Rape Elimination Act standards; and	
1.02	Whereas, CONTRACT County, in order to carry out and conduct its juvenile program in accordance with the Texas Juvenile Justice Code has need of the use of the Letot Residential Treatment Center for Girls to house and maintain females of juvenile age, referred for an act of delinquency or an act indicating a need for supervision, during the post-disposition treatment prescribed by the Court; and	
1.03	Whereas, Dallas County desires to make the facility available to CONTRACT County for such use and purpose, and CONTRACT County desires to contract for the use of said facility:	
1.04	Now, therefore, the parties agree as follows:	
	(1) The term of this contract shall be for a period of one year from the date of execution.	

This contract shall automatically renew with the same terms and conditions unless within

sixty (60) days prior to the expiration of the contract, one party gives notices to the other party regarding any changes to the terms and conditions of the contract.

If either party hereto feels in its judgment that the contract cannot be successfully continued and desires to terminate this contract, then the party so desiring to terminate may do so by notifying the other party in writing within 30 days, by certified mail or personal delivery to its principal office, of its intention to terminate the contract.

After receipt of notice of termination, CONTRACT County shall remove all girls placed in the facility on or before the termination date.

- (2) Dallas County will provide room and board 7 days a week, 24-hour supervision, an approved education program, recreation facilities, and behavior counseling to each girl placed within the facility. Provide basic residential services, including: standard supervision by qualified adults, food and snacks, recreation, personal hygiene items, haircuts, transportation, school supplies, and room, (rent, utilities, maintenance, telephone). Dallas County will Provide and document paraprofessional counseling, off-campus visits or furloughs, major incidents, and worker contacts. Any and all costs associated with off-campus visits or furloughs will be paid by the parent or guardian. Dallas County will also provide routine medical treatment that may customarily and reasonably be provided within the facility; however, Dallas County shall not provide nor be responsible for emergency examination, treatment, hospitalization, or any other service requiring transportation or removal of the girl outside the facility. Any outside medical procedure, treatment, examination, or hospitalization shall be the sole responsibility and obligation of CONTRACT County.
- (3) CONTRACT County agrees to pay Dallas County the sum of \$140.00 per day for each bed used. This sum shall be paid to Dallas County upon billing and following the paying procedures agreed upon by the contracting counties and the auditor of Dallas County, Texas, the per day cost being the contracted amount.
- (4) If emergency examination, treatment, and/or hospitalization outside the facility is required for a girl placed in the facility by CONTRACT County, the Administrator of the facility is authorized to secure such examination, treatment, or hospitalization at the expense of CONTRACT County and to request that CONTRACT County be billed for the same. CONTRACT County agrees to indemnify and hold harmless Dallas County, its representatives, agents, and employees for any liability for charges for medical treatment, examination, and/or hospitalization. The administrator shall notify CONTRACT County of such an emergency within 24 hours of its occurrence.
- (5) Prior to transporting a girl to the facility for placement, the official authorizing placement shall call the facility to ensure that space is available. The placement needs of Dallas County take precedence over those of contract counties and placement of girls from CONTRACT County may be denied if space limitations require.
- (6) Girls from the CONTRACT County who are alleged to have engaged in delinquent conduct or conduct indicating a need for supervision (CINS) will be admitted to the facility

under the authority of the Juvenile Court of CONTRACT County or its designated official.

- (7) Each girl placed therein shall be required to follow the rules and regulations of conduct as fixed and determined by the Administrator and staff of the facility.
- (8) If a girl is accepted by the facility from CONTRACT County and such girl thereafter is found to be, in the sole judgment of the Administrator, mentally unfit, dangerous, or unmanageable or a combination of such conditions or characteristics, or whose mental or physical health condition would or might endanger the other occupants of the facility, then in the Administrator's sole judgment, upon such determination and notification by the Administrator to the CONTRACT County Juvenile Judge or Probation Office, a Juvenile Probation Officer or Deputy Sheriff from CONTRACT County shall immediately and forthwith remove or cause to be removed such girl from the residential facility.
- (9) Dallas County agrees that the facility will accept any girl qualified hereunder, without regard to such girl's religion, race, creed, color, or national origin.
- (10) It is understood and agreed by the parties hereto that girls placed in the facility under the proper orders of the Juvenile Court of CONTRACT County shall be maintained therein except that the staff of the facility may take the girls under supervision from the facility for medical treatment, field trips or required community services.
- (11) It is further understood and agreed by the parties hereto that girls placed in the facility may be granted furloughs with parents, guardian, custodian, or other responsible adults only after prior approval of the Judge of Juvenile Court in CONTRACT County or their designated representative.
- (12) It is further understood and agreed by the parties hereto that nothing in this contract shall be construed to permit CONTRACT County, its agents, servants, or employees in any way to manage, control, direct, or instruct Dallas County, its servants or employees in any manner respecting any of their work, duties, or functions pertaining to the maintenance and operation of the facility.

# ARTICLE II DEFAULT

- 2.01 CONTRACT County may, by written notice of default to Dallas County, terminate in whole or any part of this contract in any of the following circumstances:
  - (a) If Dallas County fails to perform the work called for by this contract within the time specified herein, or
  - (b) If Dallas County fails to perform any of the provisions of this contract, or fails to perform the work as to endanger performance of this contract in accordance with its terms, and in either of these two circumstances does not cure such failure

within a reasonable period (or such extensions as authorized by CONTRACT County in writing) after receiving notice of default.

2.02 Except with respect to defaults of subcontractors, Dallas County shall not be liable for any excess costs if the failure to perform the contract arises out of causes beyond the control and without the fault or negligence of Dallas County. If the failure to perform is caused by the default of a subcontractor, and without the fault or negligence of either of them, Dallas County shall not be liable for any excess costs for failure to perform.

# ARTICLE III OFFICIALS NOT TO BENEFIT

- 3.01 No officer, member, or employee of the Criminal Justice Division and no member of its governing body, and no other public officials of Dallas County who exercise any function or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this contract which affects their personal interest or have any personal or pecuniary interest, direct or indirect, in this contract or the proceeds thereof.
- 3.02 No member of or Delegate to the Congress of the United States of America, no Resident Commissioner, or employee of the Law Enforcement Assistance Administration or the Department of Justice shall be admitted to any share or part thereof or to any benefit to arrive herefrom.
- 3.03 No member of or Delegate to the Congress, or State Official, or Resident Commissioner shall be allowed to any share or part of this contract, or to any benefit that may arise therefrom.
- 3.04 Dallas County agrees to insert this Clause III into all subcontracts entered into the performance of the work assigned by this contract.

## ARTICLE IV EQUAL EMPLOYMENT OPPORTUNITY

- 4.01 During the performance of this contract, Dallas County agrees as follows:
  - (a) Dallas County will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. Dallas County will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, or religion. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or advertising, lay-off or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. Dallas County agrees to post in conspicuous places, available to employees and applicants for employment,

notices to be provided setting forth the provision of this non-discrimination clause.

(b) Dallas County will in all solicitations or advertisement for employees placed by or on behalf of Dallas County, state that all qualified applicants for positions in the facility will receive consideration for employment without regard to race, color, religion, sex, or national origin.

## ARTICLE V DUTY TO REPORT

- 5.01 Allegations Occurring Inside the Facility. As required by Texas Family Code Chapter 261 and Title 37 Texas Administrative Code Chapter 358, or successor provisions, Service Provider, and any of its employees, interns, volunteers or contractors, shall report any allegation or incident of abuse, neglect, exploitation, death or other serious incident involving a juvenile in a juvenile justice facility or juvenile justice program in the following manner:
  - A. For all allegations and incidents except sexual abuse and serious physical abuse: within twenty-four (24) hours from the time the allegation is made, to the following:
    - 1. Local law enforcement agency; and

. .

- 2. Texas Juvenile Justice Department by submitting a TJJD Incident Report Form to facsimile number 1-512-424-6717 (or if unable to complete the form within 24 hours, then by calling toll-free 1-877-786-7263, followed by submitting the report within 24 hours of said call). In addition, for serious incidents, a treatment discharge form or other medical documentation that contains evidence of medical treatment pertinent to the reported incident shall be submitted to the Texas Juvenile Justice Department within 24 hours of receipt; and
- 3. With respect to juveniles placed by CONTRACT County, the TJJD Incident Report Form shall also be sent to \_\_\_\_\_\_County Juvenile Probation Department within 24 hours at facsimile number Dallas.
- B. For allegations and incidents of sexual abuse or serious physical abuse:
  - 1. Local law enforcement agency immediately, but no later than one (1) hour from the time a person gains knowledge of or suspects the alleged serious physical abuse or sexual abuse. The initial report shall be made by phone to law enforcement;

- 2. Texas Juvenile Justice Department immediately, but no later than four (4) hours from the time a person gains knowledge of or suspects the alleged serious physical abuse or sexual abuse. The initial report shall be made by phone by calling toll-free 1-877-786-7263. Within 24 hours of the report by phone, the completed TJJD Incident Report Form shall be submitted by facsimile number 1-512-424-6717 or by email; and
- 3. With respect to children placed by CONTRACT County, the TJJD Incident Report Form shall also be sent to Dallas County Juvenile Probation Department within 24 hours at facsimile number Dallas 214-698-4299.
- 5.02 Allegations Occurring Outside the Facility. Any person who witnesses, learns of, receives an oral or written statement from an alleged victim or other person with knowledge or who has a reasonable belief as to the occurrence of alleged abuse, neglect, exploitation, death or other serious incident involving a child, but that is not alleged to involve an employee, intern, volunteer, contractor, or service provider of a program or facility, shall be immediately reported to law enforcement or to other appropriate governmental unit as required in Texas Family Code Chapter 261.

#### 5.03 As used within this Agreement:

- A. An allegation or incident includes the witnessing, learning, or receiving an oral or written statement from an alleged victim or other person with reasonable belief or knowledge as to the occurrence or an alleged abuse, neglect, exploitation, death or other serious incident involving a child in a juvenile justice facility or juvenile justice program.
- B. A serious incident is attempted escape, attempted suicide, escape, reportable injury, youth-on-youth physical assault or youth sexual conduct.
- C. Sexual abuse is conduct committed by any person against a child that includes sexual abuse by contact or sexual abuse by non-contact.
- D. Serious physical abuse is bodily harm or condition that resulted directly or indirectly from the conduct that formed the basis of an allegation of abuse, neglect or exploitation, if the bodily harm or condition requires medical treatment by a physician, physician assistant, licensed nurse practitioner, emergency medical technician, paramedic or dental.
- E. A juvenile justice facility is a facility, including its premises and affiliated sites, whether contiguous or detached, operated wholly or partly by or under the authority of the governing board, juvenile board or by a private vendor under a contract with the governing board, juvenile board or governmental unit that serves children under juvenile court jurisdiction. The term includes: a public or private juvenile post-adjudication secure correctional facility required to be certified in accordance with the Texas Family Code; and a public or private non-secure juvenile

post-adjudication residential treatment facility housing children under juvenile court jurisdiction.

F. A juvenile justice program is a program or department operated wholly or partly by the governing board, juvenile board or by a private vendor under contract with the governing board or juvenile board that serves children under juvenile court jurisdiction or juvenile board jurisdiction. The term includes a juvenile justice alternative education program and a non-residential program that serves juvenile offenders while under the jurisdiction of the juvenile court or juvenile board jurisdiction and a juvenile probation department.

#### ARTICLE VI VENUE

6.01 Exclusive venue for any litigation arising from this Agreement shall be in **DALLAS COUNTY**, Texas.

#### ARTICLE VII LEGAL CONSTRUCTION

7.01 In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceable provision shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained therein.

### ARTICLE VIII EXECUTION

8.01 This Contract and Agreement this date executed is made by and between the parties hereof; it being the declared intention of the parties hereto that the above and foregoing contract is a contract providing for the care of girls who have allegedly committed an act of delinquency or an act indicating a need for supervision and payment for such care by CONTRACT County for such girls placed in the facility by the Judge of CONTRACT County having juvenile jurisdiction.

8.02	This contract is in lieu of all previous contracts between Dallas County and CONTRACT
	County for these purposes, said previous contracts to terminate, become null and void
	and be of no further force or effect on the date this contract becomes effective. Executed
	in duplicate this day of, 2015, to be effective
	, 2015, each copy hereof shall be considered an original copy for al
	purposes.

DALLAS COUNTY JUVENILE BOARD:			
BY:	Judge Cheryl L. Shannon Chairman of the Dallas County Juvenile Board		
RECO	OMMENDED:		
BY:	Dr. Terry S. Smith Director of Juvenile Services Chief Juvenile Probation Officer		
COM	IMISSIONERS COURT OF DALLAS COUNTY, TEXAS		
and l	nty Judge Presiding Officer of Said Court as County, Texas		
COM	IMISSIONERS COURT OFCounty		
	nty Judge and iding Officer of Said Court		
Appr	oved as to form:		
Ву:			
	Denika R. Caruthers, J.D. Administrative Legal Advisor		
	Dallas County Juvenile Department		

#### Referrals

The Dallas County Juvenile Department is currently accepting post adjudicated girls from Juvenile Departments for admittance into the Letot Girls Residential Treatment Center.

#### Admissions Criteria

Domestic Trafficked Minors/ High Risk Youth are girls who have been in an ongoing sexual relationship with an adult or individual at least three years older, have received or been promised food, money, or shelter in exchange for sex or sexually explicit activity, have been sexually advertised, and/or have an open case with the Child Exploitation Unit. The girls must have an IQ of 70 or higher.

Other criteria considered for admissions are girls with a runaway history of at least 4 times in the last year or for a duration of 30 days, substance abuse needs as secondary treatment (excluding youths recommended for Residential Drug Treatment), gang membership or affiliation, prior out of home placements, and/or Child Protective Services involvement.

#### **Exclusionary Criteria**

Considering the sensitive nature of this population and emphasis on therapeutic treatment, those excluded from admittance are girls who have a history of sexual offending behaviors, multiple aggravated acts in the past 6 months, history of fire setting behaviors, currently pregnant, or have a primary diagnosis of substance abuse. Girls who have attempted suicide, have suicidal ideation, and/or exhibited active psychosis within the past 30 days will not be admitted until stable and will be evaluated for appropriateness and stability on a case by case basis.

#### **Contact Information**

Terry S. Smith, Ph.D.

Executive Director

Bill Edwards

Assistant Executive Director

Denika R. Caruthers,

Administrative Legal Advisor

John Pita, Ph.D.

Deputy Director of Clinical Services

Ervin L. Taylor

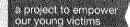
Deputy Director of Institutional Services

R. Keith Armwood

Superintendent of Letot







# Letot Girls Residential Treatment Center



10503 Denton Drive Dallas, Texas 75220

#### Dallas County Juvenile Department

Putting Youth First



#### The Letot Girls RTC

The mission of the Letot Girls RTC is to empower neglected and exploited girls to be productive, caring and responsible citizens by providing them a safe environment for long-term residential, gender-responsive treatment involving their families and supported by community partners.

The Letot Girls RTC is a long term, 6-9 months, therapeutic residential facility serving, post-adjudicated girls only, ages 13 - 17, who have been identified as Domestic Trafficked Minors/High Risk Youths

The goal of the Letot Girls RTC is to provide evidence-based treatment focused on teaching effective emotion regulation and problem solving skills, minimizing harmful and impulsive reactions, developing positive selfidentity, increase self-esteem, and sense of empowerment in order to change their future trajectory. Each girl will receive individualized aftercare and community services to assist in their successfully re-integration back into the community, which has proven to significantly reduce recidivism rates. For out-of-county youth, recommendations for after-care services will be provided to ensure continuation of care.

#### **Therapeutic Treatment Services**

The girls will engage in intensive therapeutic treatment consisting of individual, group and family therapy, and parenting psychoeducation groups. Therapeutic modalities are evidence-based, best practices for treatment of adolescents exposed to trauma. Treatment models utilized include: Trauma Focused Cognitive Behavioral Therapy, Dialectical Behavioral Therapy, Psychodynamic Therapy, Art Therapy, and Trauma Sensitive Yoga Therapy. To better support our out-of-county youth, video conferencing will be available to coordinate treatment between youth and family.

#### **Educational Services**

The educational program will allow girls to attend school on site through the Dallas County's Academy for Academic Excellence Charter School. The Education department will provide core academic classes and specialized services including Credit Recovery Lab, Personalized Graduation Plans, GED Prep and testing assistance. An Educational Assistance

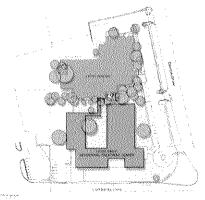


#### **Specialized Services**

In addition to evidence-based treatments and educational services the Letot Girls RTC incorporates unique therapies focused on improving self-efficacy, quality of life, and career aspirations. These unique and specialized programs include: Culinary Arts Program, Horticulture and Gardening Program, Dog Training, Financial Capabilities Class, and Career Readiness.

#### **Program Efficacy**

The Letot Girls RTC aspires to be a leading treatment facility for trauma-exposed girls. To ensure the treatment efficacy and implementation of the most optimal treatment options available, pre and post testing procedures are utilized. These standardized and reliable outcome assessment measures specifically target trauma symptoms, behavioral issues, personality characteristics, emotion regulation, static and dynamic risk factors, and recidivism rates.



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# ACTION ITEM

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# DALLAS COUNTY JUVENILE DEPARTMENT

**Dr. Terry S. Smith**Director Juvenile Services
Chief Juvenile Probation Officer

#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5 Dallas, Texas 75212

#### MEMORANDUM

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Dialectical Behavior Therapy Training - Behavioral Tech, LLC (BTECH) Contract Approval

#### Background of Issue:

In FY2014, the Texas Juvenile Justice Department established a Mental Health Services Grant (Grant N). This grant provides local juvenile probation departments with funds to increase mental health services and supplement existing mental health services to juveniles under their jurisdiction. Grant N funding for the Dalias County Juvenile Department is used to fund eight positions in the psychology division and the probation Special Needs Unit (SNU) and for specialized training for those units. Throughout the year, the psychology division and SNU participate in specialized mental health trainings in order to enhance mental health services in the department. A portion of the Grant N funding will be used for these trainings as approved by JB Order 2014-1589. One of these trainings will teach all psychology staff the Dialectical Behavior Therapy (DBT) model.

The purpose of the brief is to approve the contract for the DBT training facilitated by Behavioral Tech, LLC (BTECH). The vendor, BTECH, is headed by the creator of DBT, Dr. Marsha Linehan. DBT is an evidence-based treatment that is one of the most empirically supported trauma-based treatments for youth, especially in females. This model teaches behavioral skill sets to clients including mindfulness, distress tolerance, interpersonal effectiveness, and emotional regulation through the use of individual therapy and training groups. In this training, psychology staff members will learn how to implement these strategies with clients as well as the stages of the DBT process and how to prioritize treatment goals. There are 18 agencies in the state of Texas that are certified DBT sites and 383 certified DBT sites nationwide. These sites include: Loma Linda University Behavioral Medicine Center, and the Manteca Unified School District both located in California; Connecticut Juvenile Training School; CSTS Youth & Family Services in Michigan; Bronx Children's Psychiatric Center, and the NYU Child Study Center in New York; San Angelo State Support Living Center; the Mayo Clinic Health Systems – Wisconsin; and numerous community mental health authorities. Of the 383 certified DBT sites nationwide, 216 provide services to adolescents, 10 of which are in the state of Texas. Many other agencies utilize the DBT model as part of their treatment, but are not certified sites, such as The Center for Success & Independence, and Mingus Mountain.

#### **Impact on Operations and Maintenance:**

In April 2015, the psychology division will coordinate a two-day training with BTECH for the psychology staff and interns to learn and implement the DBT model in therapy. During the training, psychology staff will be available for clinical emergencies and will continue groups after training hours.

#### Strategic Plan Compliance:

This request complies with Vision 3: Dallas is safe, secure, and prepared, by expanding disposition alternatives with regard to treatment for youth/families involved in the juvenile justice system.

#### **Legal Information:**

The contract has been approved as to form by Ms. Denika Caruthers, Administrative Legal Advisor, Dallas County Juvenile Department. The contract is attached.

#### Financial Impact/Considerations:

The DBT training, facilitated by BTECH, will be supported by the Mental Health Services Grant (Grant N) from the Texas Juvenile Justice Department (TJJD). The department has allocated \$55,478 for training for the psychology division and special needs unit staff. The expenses for the DBT training will be \$13,000 (\$6,000/day which includes all training materials and guides, plus travel expenses totaling \$1,000 according to the Dallas County policy). The total Grant N funding from TJJD is \$726,380.90.

#### Performance Impact Measures:

This training allows psychology staff to implement the DBT model in all treatment settings including individual therapy, group therapy, family therapy, and substance abuse interventions.

#### **Project Schedule/Implementation:**

The DBT training will take place April 23-25, 2015, at the Henry Wade Juvenile Justice Center located at 2600 Lone Star Dr., Dallas, TX 75212.

#### Recommendation:

It is recommended that the Dallas County Juvenile Department approve the contract with Behavioral Tech, LLC (BTECH) for Dialectical Behavior Therapy training.

Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department

Compassionate and scientifically valid treatments made available to every person with complex and severe mental disorders

February 5, 2015

Hon. Cheryl Lee Shannon Chairperson, 305<sup>th</sup> District Court Dallas County Juvenile Department 414 S R L Thornton Fwy Dallas, TX 75203

Dear Judge Shannon,

This shall serve as confirmation and agreement that **Dallas County Juvenile Department** has contracted with **Behavioral Tech, LLC (BTECH)**, to provide the following training and consultation in Dialectical Behavior Therapy (DBT). Description, dates, location and fees are listed below:

#### **Overview Workshop**

Description	Dates	Location	Max Attend.	Fees
2-Day Workshop: Overview of DBT	April 23-24	Dallas, TX	50	\$6,000/Day plus travel expenses for 1 trainer*
	TOTAL f	for Overview	Workshop:	\$12,000 + Trainer Travel Expenses

<sup>\*</sup>Behavioral Tech, LLC shall designate a qualified trainer/qualified trainers to deliver these training and consultation services.

#### Training Participation

**Dallas County Juvenile Department** agrees to limit participation in the training and consultation to the maximum number of participants listed in the table above.

#### Training Logistics

All costs and preparations associated with hosting this training will be incurred solely by **Dallas County Juvenile Department.** These costs may include, but are not limited to, the training site room rental, catering, continuing education, long-distance phone calls and audiovisual equipment.

#### Use of Behavioral Tech, LLC Training Materials

Behavioral Tech, LLC will provide Dallas County Juvenile Department with sets of Behavioral Tech, LLC materials to reproduce and distribute to participants. The Behavioral Tech, LLC training materials are restricted to only those participants who attend the trainings associated with the materials. They may not be copied, distributed, or used for any other purpose. All materials are ©2002-2014 Marsha M. Linehan, Ph.D., ABPP and published by Behavioral Tech, LLC.

#### Video/Audio Recording

**Dallas County Juvenile Department** recognizes and agrees that BTECH has a strict policy prohibiting audio or visual recording for all aspects of training provided by BTECH trainers. **Dallas County Juvenile Department** agrees that there will be no recording without permission.

#### Cancellation Policy

If **Dallas County Juvenile Department** decides to cancel these services after this letter of agreement has been signed, then **Dallas County Juvenile Department** agrees to pay BTECH a \$3,000 cancellation fee and expenses that were originally allowed and incurred under the contract, prior to the date of cancellation.

#### Travel Expenses

Behavioral Tech, LLC will be incurring certain out of pocket costs and trainers' travel expenses on behalf of Dallas County Juvenile Department. Reimbursement for travel expenses will be limited to flight, hotel, car rental, and food. All reimbursement will comply with specified Dallas County reimbursement codes (\$100/night for hotel; \$36/day for food; economy class flight; and compact car for car rentals). Dallas County Juvenile Department is responsible for reimbursing these costs directly to BTECH.

The trainers' travel expenses are reimbursements by **Behavioral Tech**, **LLC** and this payment is not taxable revenue. The trainer's travel expenses should not be included on any tax forms submitted to **Behavioral Tech**, **LLC** at a later date.

#### Payment

All invoices will be submitted to **Dallas County Juvenile Department**. Payment should be made to "Behavioral Tech, LLC" and is due within 30 days of the onsite the onsite training and consultation. Billing for the trainers' travel expenses will be invoiced separately.

#### Sovereign Immunity

This Agreement is expressly made subject to County's Sovereign Immunity, Title 5 of the Texas Civil Practices and Remedies Code, and all other defenses applicable to local governmental entities and public officials under federal and state law. Nothing in this Agreement is intended to benefit any third party beneficiary.

#### **INDEMNIFICATION**

DALLAS COUNTY, DALLAS COUNTY JUVENILE BOARD, DALLAS COUNTY COMMISSIONERS, ELECTED OFFICIALS, APPOINTED OFFICIALS, OFFICERS, DIRECTORS EMPLOYEES, AGENTS AND REPRESENTATIVES (HEREINAFTER, "INDEMNITEES") SHALL NOT BE LIABLE TO CONTRACTOR, ITS SUBCONTRACTORS, EMPLOYEES, AGENTS, INVITEES, LICENSEES, ASSIGNS OR TO ANY OTHER PERSON WHOMSOEVER OR ENTITY WHATSOEVER, FOR ANY INJURY TO PERSON OR DAMAGE TO PROPERTY, ON OR ABOUT COUNTY PROPERTY, INCLUDING, BUT NOT LIMITED TO, CONSEQUENTIAL DAMAGE: (1) CAUSED BY ANY ACT OR OMISSION OF CONTRACTOR, ITS SUBCONTRACTORS, EMPLOYEES, AGENTS, INVITEES, LICENSEES, ASSIGNS OR OF ANY OTHER PERSON ENTERING COUNTY PROPERTY BY EXPRESS OR IMPLIED INVITATION OF CONTRACTOR OR SUBCONTRACTOR; OR (2) OCCASIONED BY OR THROUGH ANY ACT OR OMISSION OF CONTRACTOR OR ITS SUBCONTRACTOR ON COUNTY PROPERTY OR OF ANY OTHER PERSONS WHOMSOEVER; OR (3) ARISING OUT OF THE USE OF COUNTY PROPERTY BY CONTRACTOR, ITS

SUBCONTRACTORS, EMPLOYEES, LICENSEES, INVITEES OR ASSIGNS; OR (4) ARISING OUT OF ANY BREACH OR DEFAULT BY CONTRACTOR, ITS SUBCONTRACTORS, EMPLOYEES, LICENSEES, INVITEES OR ASSIGNS OF ANY OF THE REQUIREMENTS OR PROVISIONS OF THIS AGREEMENT OR IN THE EXECUTION OR PERFORMANCE OF ITS OBLIGATIONS HEREUNDER; OR (5) OCCASIONED BY OR THROUGH THE USE OF ANY COUNTY PROVIDED UTILITIES, COMPUTERS, SOFTWARE, FIRMWARE, HARDWARE OR ANY VIRUS OR SIMILAR RELATED ITEMS THAT MAY BE CONTRACTED BY CONTRACTOR THROUGH SUCH USE.

CONTRACTOR ASSURES THAT IT IS AN INDEPENDENT CONTRACTOR AND NOT AN AGENT, SERVANT, OR EMPLOYEE OF COUNTY. CONTRACTOR AGREES, AND SHALL REQUIRE ALL SUBCONTRACTORS TO AGREE, TO PROTECT, INDEMNIFY, DEFEND AND HOLD HARMLESS INDEMNITEES AGAINST ALL CLAIMS, DEMANDS, ACTIONS, SUITS, LOSSES, DAMAGES, LIABILITIES, COSTS AND/OR EXPENSES OF EVERY KIND AND NATURE (INCLUDING, BUT NOT LIMITED TO. COURT COSTS, LITIGATION EXPENSES AND ATTORNEY'S FEES) AND ALL RECOVERABLE INTEREST THEREON, INCURRED BY OR SOUGHT TO BE IMPOSED ON INDEMNITEES BECAUSE OF BODILY INJURY (INCLUDING DEATH) OR DAMAGE TO PROPERTY (WHETHER REAL, PERSONAL OR INCHOATE), ARISING OUT OF OR IN ANY WAY RELATED (WHETHER DIRECTLY OR INDIRECTLY, CAUSALLY OR OTHERWISE) TO: (1) THE PERFORMANCE OF, ATTEMPTED PERFORMANCE OF, OR FAILURE TO PERFORM, THE SERVICES UNDER THIS AGREEMENT BY CONTRACTOR, ITS SUBCONTRACTORS, EMPLOYEES, AGENTS, INVITEES, LICENSEES, ASSIGNS OR TO ANY OTHER PERSON WHOMSOEVER AND/OR ANY OTHER PERSON OR ENTITY; (2) THE NEGLIGENT ACT OR OMISSION OF CONTRACTOR, SUBCONTRACTORS, EMPLOYEES, AGENTS, INVITEES, LICENSEES, ASSIGNS IN THE EXECUTION OR PERFORMANCE OF THIS AGREEMENT; (3) THE CONDITION OF THE PREMISES ON WHICH SAID SERVICES ARE BEING PERFORMED; (4) THE SELECTION, PROVISION, USE OR FAILURE TO USE, BY ANY PERSON OR ENTITY, OF ANY POWER SOURCE, HARDWARE, SOFTWARE, TOOLS, SUPPLIES, MATERIALS, EQUIPMENT OR VEHICLES (WHETHER OWNED OR SUPPLIED BY INDEMNITEES, CONTRACTOR, OR ANY OTHER PERSON OR ENTITY) IN CONNECTION WITH SAID SERVICES; (5) THE PRESENCE ON COUNTY PROPERTY OF CONTRACTOR, ITS SUBCONTRACTORS, EMPLOYEES, INDEPENDENT CONTRACTORS. AGENTS, INVITEES, LICENSEES, ASSIGNS OR ANY OTHER PERSON ACTING BY OR ON BEHALF OF CONTRACTOR: (6) THE SERVICES UPON OR ADJACENT TO ALL OR ANY PART OF COUNTY PROPERTY, WHETHER OR NOT CAUSED BY OR CONTRIBUTED TO BY THE PRESENCE IN OR OPERATION OF ANY FACILITY OR ANY OPERATION, STRUCTURE OR FACILITIES OF COUNTY, OR ANY OTHER PARTY, OR BY NEGLIGENCE OR ALLEGED NEGLIGENCE ON THE PART OF INDEMNITEES OR ANY OF INDEMNITEES' AGENTS, EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, INVITEES OR LICENSEES; (7) THE BREACH OF ANY OF THE REQUIREMENTS AND PROVISIONS OF THIS AGREEMENT OR ANY FAILURE OF CONTRACTOR. ITS SUBCONTRACTORS, EMPLOYEES, AGENTS, INVITEES, LICENSEES, OR ASSIGNS IN ANY RESPECT TO COMPLY WITH AND PERFORM ALL OF THE REQUIREMENTS AND PROVISIONS; (8) OCCASSIONED THROUGH THE LOSS OF FUNDS OR RIGHTS TO RECEIVE ANY SUM OF MONEY IN ANY FORM OR MEDIUM ARISING OUT OF THE BREACH OF ANY OF THE REQUIREMENTS AND PROVISIONS OF THIS AGREEMENT; AND (9) OCCASSIONED BY ANY CIVIL OR CRIMINAL ACTIVITY OR PENALTY UNDER STATE OR FEDERAL LAW BY CONTRACTOR, ITS SUBCONTRACTORS, EMPLOYEES, AGENTS, INVITEES, LICENSEES, OR ASSIGNS ARISING OUT OF THE BREACH OF ANY OF THE REQUIREMENTS AND PROVISIONS OF THIS AGREEMENT. IN ADDITION, CONTRACTOR HEREBY COVENANTS AND AGREES THAT IT WILL HOLD INDEMNITEES HARMLESS FOR ALL PERSONAL PROPERTY OF CONTRACTOR, ITS CONTRACTORS, SUBCONTRACTORS, EMPLOYEES, AGENTS, GUESTS, CONSULTANTS, SUBCONTRACTORS, LICENSEES, SUBLICENSEES, INVITEES OR OTHER PARTY HAVING ANY PERSONAL PROPERTY ON COUNTY PREMISES IN RELATION TO THE CONTRACTOR'S USE OF THE AREA. CONTRACTOR FURTHER AGREES TO DEFEND, AT ITS SOLE COST AND EXPENSE (AT THE ELECTION OF COUNTY), AGAINST ANY CLAIM, DEMAND, ACTION OR SUIT FOR WHICH INDEMNIFICATION IS PROVIDED HEREUNDER.

APPROVAL AND ACCEPTANCE OF CONTRACTOR'S SERVICES BY COUNTY SHALL NOT CONSTITUTE NOR BE DEEMED A RELEASE OF THE RESPONSIBILITY AND LIABILITY OF CONTRACTOR, ITS SUBCONTRACTORS, EMPLOYEES, OFFICERS, AGENTS, INVITEES, LICENSEES OR ASSIGNS FOR THE ACCURACY AND COMPETENCY OF THEIR SERVICES; NOR SHALL SUCH APPROVAL AND ACCEPTANCE BE DEEMED TO BE AN ASSUMPTION OF SUCH RESPONSIBILITY BY THE COUNTY FOR ANY DEFECT, ERROR OR OMISSION IN THE SERVICES PERFORMED BY CONTRACTOR, ITS SUBCONTRACTORS, EMPLOYEES, OFFICERS, AGENTS, INVITEES, LICENSEES OR ASSIGNS IN THIS REGARD. CONTRACTOR SHALL DEFEND, HOLD HARMLESS AND INDEMNIFY THE COUNTY FOR DAMAGES RESULTING FROM SUCH DEFECTS, ERRORS OR OMISSIONS.

WITHOUT IN ANY WAY LIMITING OR RESTRICTING THE INDEMNIFICATION AND DEFENSE AGREEMENTS STATED ABOVE, CONTRACTOR AGREES THAT IT IS THE INTENTION OF THE PARTIES HERETO THAT CONTRACTOR, ITS CONTRACTORS AND SUBCONTRACTORS, AND THEIR INSURERS BEAR THE ENTIRE RISK OF LOSS OR INJURY TO ANY OF CONTRACTOR'S EMPLOYEES, "BORROWED SERVANTS," INDEPENDENT CONTRACTORS, AGENTS, REPRESENTATIVES, SUBCONTRACTORS, VENDORS, MATERIALMEN, OR ANY OTHER PERSON PRESENT ON THE PROPERTY OR PERFORMING ANY OTHER ACT OR SERVICE ON CONTRACTOR'S BEHALF OR AT ITS REQUEST, WHETHER OR NOT ANY SUCH LOSS OR INJURY IS CAUSED IN WHOLE OR IN PART BY ANY NEGLIGENCE OR FAULT OF INDEMNITEES, AND WITHOUT SEEKING ANY CONTRIBUTION THEREFOR FROM INDEMNITEES OR ITS INSURERS.

THESE PROVISIONS SHALL APPLY, WHETHER OR NOT ANY SUCH INJURY OR DAMAGE HAS BEEN, OR IS ALLEGED TO HAVE BEEN, CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OR FAULT OF INDEMNITEES, OR ON ANY OTHER THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INTENTIONAL WRONGDOING, STRICT PRODUCTS LIABILITY, OR THE BREACH OF A NON-DELEGATABLE DUTY.

THESE PROVISIONS SHALL SURVIVE TERMINATION, EXPIRATION OR CANCELLATION OF THIS AGREEMENT OR ANY DETERMINATION THAT THIS AGREEMENT OR ANY PORTION HEREOF IS VOID, VOIDABLE, INVALID OR UNENFORCEABLE.

#### **Insurance**

Within ten (10) days after the effective date of this Agreement, Contractor shall furnish, at its sole cost and expense, the following minimum insurance coverage. Such insurance is a condition precedent to commencement of any services. Contractor shall, in the stated ten (10) day period, furnish to the Dallas County Purchasing Agent verification of the insurance coverage in the type and amount required herein, meeting all conditions in this Agreement, by an insurance company acceptable to County and authorized to do business in the State of Texas. Such insurance shall show the County as the certificate holder (general liability insurance). Coverage dates shall be inclusive of the term of the Agreement and each renewal period, if any.

- 1. The following minimum insurance coverage is required:
  - (a) Commercial General Liability Insurance, including Contractual Liability Insurance. Commercial General Liability Insurance coverage for the following: (1) Premises Operations; (2) Independent Contractors or Consultants; (3) Products/Completed Operations; (4) Personal Injury; (5) Contractual Liability; (6) Explosion, Collapse and Underground; (7) Broad Form Property Damage, to include fire legal liability. Such insurance shall carry limits of One Hundred Thousand and 00/100 Dollars (\$100,000.00) for bodily injury and property damage per occurrence with a general aggregate of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) and products and completed operations aggregate of One Hundred Thousand and 00/100 Dollars (\$100,000.00). There shall not be any policy exclusion or limitations for personal injury, advertising liability, medical payments, fire damage, legal liability, broad form property damage, and/or liability for independent contractors or such additional coverage or increase in limits specifically contained within the bid specifications.

This insurance must be endorsed with a Waiver of Subrogation Endorsement, waiving the carrier's right of recovery under subrogation or otherwise from County.

(b) Commercial Automotive Liability Insurance. Prior to using or causing to be used a motor vehicle other than a vehicle for hire (cab), Contractor shall furnish to the County a certificate showing commercial automotive liability insurance covering all owned, hired, and non-owned vehicles (excluding cabs) used in connection with the services performed under this Agreement, with the minimum limits of One Hundred Thousand and 00/100 Dollars (\$100,000.00) each person and Three Hundred Thousand and 00/100 Dollars (\$300,000.00) each accident for bodily injury and One Hundred Thousand and 00/100 Dollars (\$100,000.00) each occurrence for property damage or a combined single limit for bodily injury and property damage liability in a minimum amount of Four Hundred Thousand and 00/100 Dollars (\$400,000.00).

This insurance must be endorsed with a Waiver of Subrogation Endorsement, waiving the carrier's right of recovery under subrogation or otherwise from County.

- (c) <u>Professional Liability: Errors or Omissions Insurance</u>. Contractor shall indemnify County for damages resulting from the failure to use due care and professional skill in rendering professional services to clients, which shall insure against defects, errors, or omissions, and shall secure, pay for, and maintain in full force and effect during the term of this Agreement and any subsequent extensions hereto and thereafter for an additional five (5) years from the effective date of cancellation, termination, or expiration of this Agreement or any subsequent extensions hereto, sufficient errors and omissions insurance in a minimum amount of One Million and 00/100 Dollars (\$1,000,000.00) single limit with certificates of insurance evidencing such coverage to be provided to County.
- 2. Contractor agrees that, with respect to the above-referenced insurance, all insurance contracts will contain the following required provisions:
  - (a) Name Dallas County, its elected officials, appointed officials, officers, directors, employees, agents, representatives, and volunteers as additional insureds (as the interest of each insured may appear) as to all applicable coverage.
  - (b) Provide for thirty (30) days prior written notice to the County for cancellation, non-renewal or material change, or ten (10) days for non-payment of premium.
  - (c) Provide that the inclusion of one or more persons, corporations, organizations, firms or entities as insureds under this policy shall not in any way affect the right of any such person, corporation, organization, firm or entity with respect to any claim, demand, suit, or judgment made, brought or recovered in favor of any other insured.
  - (d) Provide that this policy shall protect each person, corporation, organization, firm or entity in the same as though a separate policy had been issued to each, provided that its endorsement shall not operate to increase the insurance company's limits of liability as set forth elsewhere in the policy.
  - (e) Provide for an endorsement that the other insurance clause shall not apply to the County where the County is an additional insured on the policy.
  - (f) Provide for notice to the County at the address shown below by registered mail.
  - (g) Each applicable policy of insurance shall contain a waiver of subrogation if required above under subsection 1, and Contractor agrees to waive subrogation against County, its elected officials, appointed officials, officers, directors, employees, agents, representatives, and volunteers for injuries, including death, property damage, or any other loss.

- 3. Contractor shall be solely responsible for all cost of any insurance as required here, any and all deductible amount, which in no event shall exceed ten percent (10%) of the amount insured and in the event that an insurance company should deny coverage.
- 4. It is the intent of these requirements and provisions that insurance covers all cost and expense so that the County will not sustain any expense, cost, liability or financial risk as a result of the performance of services under this Agreement.
- Except as otherwise expressly specified, Contractor shall agree that all policies of insurance shall be endorsed, waiving the issuing insurance company's right of recovery against County, whether by way of subrogation or otherwise.
- 6. <u>Insurance certificates</u>. The certificates of insurance shall list Dallas County as the certificate holder. Any and all copies of Certificates of Insurance shall reference the RFP number for which the insurance is being supplied. All insurance policies or duly executed certificates for the same required to be carried by Contractor under this Agreement, together with satisfactory evidence of the payment of the premium thereof, shall be delivered to the Dallas County Purchasing Agent located at the Dallas County Records Building, 509 Main Street, 6<sup>th</sup> Floor, Suite 623, Dallas, Texas 75202 within ten (10) days of execution and/or renewal of this Agreement and upon renewals and/or material changes of such policies, but not less than fifteen (15) days prior to the expiration of the term of such coverage, or such non-delivery shall constitute a default of this Agreement subject to immediate termination at County's sole discretion.
- 7. All insurance coverage shall be on a per claim/occurrence basis unless specifically approved in writing and executed by the Dallas County Purchasing Agent and Risk Manager.
- 8. All insurance required to be carried by Contractor and/or subcontractors under this Agreement shall be acceptable to County in form and content, in its sole discretion. All policies shall be issued by an insurance company acceptable and satisfactory to County and authorized to do business in the State of Texas. Acceptance of or the verification of insurance shall not relieve or decrease the liability of the Contractor.
- 9. Approval, disapproval or failure to act by the County regarding any insurance supplied by Contractor shall not relieve Contractor of full responsibility or liability for damages and accidents as set forth herein. Neither shall bankruptcy, insolvency or denial of liability by any insurance company exonerate the Contractor from liability.
- 10. Minimum insurance is a condition precedent to any work performed under this Agreement and for the entire term of this Agreement, including any renewals or extensions. In addition to any and all other remedies County may have upon Contractor's failure to provide and maintain any insurance or policy endorsements to the extent and within the time herein required, or such insurance lapses, is reduced below minimum requirements or is prematurely terminated for any reason, County shall have the right:
  - A. to order Contractor to stop work hereunder which shall not constitute a Suspension of Work;
  - B. to withhold any payment(s) which become due to Contractor hereunder until Contractor demonstrates compliance with the requirements hereof and assurance and proof acceptable to County that there is no liability to County for failure to provide such required insurance;
  - C. to, at its sole discretion, declare a material breach of this Agreement, which, at County's discretion, may result in:
    - (1) termination of this Agreement;
    - (2) demand on any bond, as applicable;
    - (3) the right of County to complete this Agreement by contracting with the "next low proposal." Contractor will be fully liable for the difference between the original contract price and the actual price paid, which amount is payable to County by Contractor on demand; or

- (4) any combination of the above.
- D. to any combination of the above.
- 11. Contractor shall advise County in writing within twenty-four (24) hours of any claim or demand against County or Contractor known to Contractor related to or arising out of Contractor's activities under this Agreement.
- 12. Acceptance of the services by County shall not constitute nor be deemed a release of the responsibility and liability of Contractor, its employees, associates, agents or subcontractors for the accuracy and competency of their services; nor shall such acceptance be deemed an assumption of responsibility or liability by County for any defect in the services performed by Contractor, its employees, subcontractors, and agents.
- 13. Nothing herein contained shall be construed as limiting in any way the extent to which Contractor may be held responsible for payments of damages to persons or property resulting from Contractor's or its subcontractor's performance of the work covered under this Agreement.
- 14. Contractor shall provide that all provisions of this Agreement concerning liability, duty and standard of care, together with the indemnification provisions, shall be underwritten by contractual liability coverage sufficient to include obligation within applicable policies.
- 15. It is agreed that County shall deem Contractor's insurance primary with respect to any insurance or self-insurance carried for liability arising out of operations under this Agreement.
- 16. Contractor shall notify County in the event of any change in coverage and shall give such notices not less than thirty (30) days prior to the change, which notice must be accompanied by a replacement certificate of insurance.
- 17. The provisions of this Section are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.
- 18. The provisions of this Section shall survive termination or expiration of this Agreement or any determination that this Agreement or any portion hereof is void, voidable, invalid or unenforceable.

#### Governing Law and Venue

The validity and interpretation of this Agreement, and the rights and obligations of the parties hereunder, shall be governed by and construed in accordance with the laws of the State of Texas and, if any provision of this Agreement is held to be invalid, void, voidable or unenforceable, the remaining provisions shall nevertheless continue in full force and effect. This Agreement is performable and enforceable in Dallas County, Texas where the principal office of County is located and the state courts of Dallas County shall be the sole and exclusive venue for any litigation, special proceeding, or other proceeding as between the parties that may be brought, or arise out of, in connection with, or by reason of this Agreement.

Dallas County Juvenile Department acknowledges, understands, and agrees that Behavioral Tech, LLC training seeks to assist therapists in reducing patient suicide. Dallas County Juvenile Department also acknowledges, understands and agrees that Behavioral Tech, LLC and its trainers are not responsible for any costs or damages resulting from a suicide that might occur after Dallas County Juvenile Department members' complete training and consultation with Behavioral Tech, LLC.

#### DALLAS COUNTY JUVENILE BOARD

			A. Fale
BY:	Judge Cheryl Shannon, Chairman	BY:	Alexis Karlson, MSSW
	Dallas County Juvenile Board		Director of Business Development & Operations
REC	OMMENDED:		
	BY: Dr. Terry S. Smith, Director		
	Dallas County Juvenile Department		
Ву:			
	Denika Caruthers, J.D.		
	Administrative Legal Advisor		
	Dallas County Juvenile Department		

\*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).



# ACTION ITEM

K.



## DALLAS COUNTY JUVENILE DEPARTMENT

**Dr. Terry S. Smith**Director Juvenile Services
Chief Juvenile Probation Officer

#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5 Dallas, Texas 75212

#### **MEMORANDUM**

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

**Subject:** Juvenile Processing Offices – Garland and Rowlett Police Departments

#### Background of the Issue:

Amendments passed during the 77<sup>th</sup> Legislative Session assigns the Juvenile Board the responsibility of designating Juvenile Processing Offices within Dallas County.

The Juvenile Board has previously approved sites as Juvenile Processing Offices (see attached list). The Department regularly reviews sites to make appropriate additions, deletions, modifications, or amendments to this list. When the department is notified of the modification of a site, or receives a request from law enforcement for designation of a new site, we personally inspect the site and appraise the agency of their obligations and responsibilities when processing juveniles at the approved site.

#### Impact on Operations and Maintenance:

The Garland Police Department's Rooms J10085 (No Status Offenders) and J1015 (Status Offenders Only) located at 1900 W. State Street, Garland, Texas 75042 were previously designated as approved Juvenile Processing Offices by this Department and the Dallas County Juvenile Board.

In response to the Juvenile Department's commitment to review all previously approved Juvenile Processing Offices, particularly Rooms J1008 (No Status Offenders) and J1015 (Status Offenders Only) located at the Garland Police Department, 1900 W. State Street, Garland, Texas 75042 were personally inspected by Rudy Acosta, Deputy Director of Probation Services on January 14, 2015 and he has determined these sites remain suitable as a Juvenile Processing Offices. The designated rooms are clearly identified with affixed signage outlining an assigned room number and labeled as a Juvenile Processing Room.

In addition, specific training relating to the requirements of the Juvenile Processing Office utilization and operation was provided to the designated Agency representative, Detention Supervisor Don McDonald during the site visit. The training provided the Agency representative with information from Title 3 of the Texas Family Code, § 52.025 and the Juvenile Justice Delinquency and Prevention Act outlining the requirements of operating a Juvenile Processing Office and the specifics associated with the handling of juveniles in the Juvenile Processing Office. The training document was signed by the Agency representative and a copy will be maintained by the Juvenile Department.

To assist referred youth in becoming productive, law abiding citizens, while promoting public safety and victim restoration.

214-698-2200 Office

The Rowlett Police Department's Room 3, Juvenile Processing Room located at 4401 Rowlett Road, Rowlett, Texas 75088 was previously designated as an approved Juvenile Processing Office by this Department and the Dallas County Juvenile Board.

In response to the Juvenile Department's commitment to review all previously approved Juvenile Processing Offices, particularly Room 3, Juvenile Processing Room located at the Rowlett Police Department, 4401 Rowlett Road, Rowlett, Texas 75088 was personally inspected by Rudy Acosta, Deputy Director of Probation Services on January 23, 2015 and he has determined this site remains suitable as a Juvenile Processing Office. The designated room is clearly identified with affixed signage outlining an assigned room number and labeled as a Juvenile Processing Room.

In addition, specific training relating to the requirements of the Juvenile Processing Office utilization and operation was provided to the designated Agency representative, Detective David Mayne during the site visit. The training provided the Agency representative with information from Title 3 of the Texas Family Code, § 52.025 and the Juvenile Justice Delinquency and Prevention Act outlining the requirements of operating a Juvenile Processing Office and the specifics associated with the handling of juveniles in the Juvenile Processing Office. The training document was signed by the Agency representative and a copy will be maintained by the Juvenile Department.

#### **Strategic Plan Compliance:**

This Juvenile Processing Office designation complies with the Dallas County Strategic Plan: Vision 3- Dallas County is safe, secure, and prepared.

#### **Legal Impact:**

Law enforcement agencies must follow the Juvenile Justice Code and Code of Criminal Procedure guidelines when processing youthful offenders:

In conformance with Title 3 of the Texas Family Code § 52.025, the Juvenile Board of Dallas County has ordered the plans and guidelines of each law enforcement agency in Dallas County operating a Juvenile Processing Office be amended and adopted as follows:

SECTION 1. Any juvenile taken into custody and not released in the field by the officer shall be brought immediately to either an office or to an official designated site herein without unnecessary delay and without first being taken elsewhere. The juvenile shall not be permitted contact with any adult who is in custody, charged with, or convicted of a crime.

SECTION 2. The following are "offices or rooms designated by the Juvenile Board where a child who has been taken into custody may be taken pursuant to Section 52.02 and 52.025 of the Texas Family Code, and as such are designated as Juvenile Processing Offices;"

The Juvenile Board also requires Juvenile Processing Offices may be used to complete all investigative and administrative activities related to taking a child into custody; said activities including, but not limited to the following:

(1) The full investigation of each subject offense for which each child is taken into custody and all related offenses admitted to or alleged to be committed by said child, and may be used for temporary detention, for purposes

To assist referred youth in becoming productive, law abiding citizens, while promoting public safety and victim restoration.

of investigation of the identity and age of the juvenile, and for purposes of investigating and continuing the investigation of each subject offense and each related offense.

- (2) The completion of investigative and administrative paperwork concerning each subject and related offense and the taking of any oral, written, or magistrate confessions as may occur pertaining to each subject or related offense and for all other related investigative conduct such as fingerprinting, photographing, and other medical and/or scientific examinations or testing necessary to the investigation of the subject or related offenses.
- (3) The creation or completion of any essential forms and records, including, but not limited to, all police reports, offense reports, arrest reports, and supplements to said reports and other reports or records, required by the Juvenile Court or Title 3 of the Texas Family Code or other law or the particular law enforcement agency's procedures.
- (4) The photographing and/or fingerprinting of the child as authorized by Title 3 of the Texas Family Code or other applicable law. Warnings may be issued to the child as required or permitted by Title 3 of the Texas Family Code or other applicable law. An oral or written statement of the child may be taken and warning given pursuant to Title 3 of the Texas Family Code either in said Juvenile Processing Office or before an official designated by the Juvenile Court in Section 3 of the order.
- (5) All administrative steps necessary subsequent to taking a child into custody.

#### Recommendation:

The Juvenile Department recommends the Juvenile Board approve the Juvenile Processing Offices for the Garland Police Department located at 1900 W. State Street, Garland, Texas 75042, by approving Rooms J1008 (No Status Offenders) and J1015 (Status Offenders Only) as designated Processing Offices.

In addition, the Juvenile Department recommends the Juvenile Board approve the Juvenile Processing Office for the Rowlett Police Department located at 4401 Rowlett Road, Rowlett, Texas 75088, by approving Room 3, Juvenile Processing Room as a designated Processing Office.

Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department

## JUVENILE PROCESSING OFFICE DESIGNATIONS DALLAS COUNTY JUVENILE BOARD

- Addison Police Department
   Juvenile Processing/Briefing Room
   4799 Airport Parkway
   Addison, TX 75001 972-450-7120
   Detention Supervisor, Mr. Michael Meharg
- Balch Springs Police Department Juvenile/Holding Processing Room 12500 Elam Road Balch Springs, TX 75180 Sgt. Gilbert 972-557-6036
- Baylor Health Care Department of Public Safety – Police Supervisors Room 4005 Crutcher Street, Ste 100 Dallas, TX 75246 214-820-6193 Asst. Chief Jesse Gomez/Det. Marlena Colvin
- 4) Carrollton Police Department
   Youth Services Section Room 119 & 112
   2025 Jackson
   Carrollton, TX 75006
   Sgt. Bill Janecek/Joel Payne 972-466-9144
- 5) Cedar Hill ISD Police Department
  Beltline Intermediate School
  Door 5A entrance, Room 1 & 2
  504 E. Beltline Rd.
  Cedar Hill, TX 75104
  Lt. Eddie Thompson 469-272-2088
- 6) Cedar Hill Marshall's Office 285 Uptown Boulevard, Room 7108 Cedar Hill, TX 75014 Marshall Leland Herron 972 291-1500 Ext.1048

- 7) Charlton Methodist Medical Center 3500 W. Wheatland-CID Office Dallas, TX 75203 Lt. Kraft 214-947-7701
- 8) City of Combine Municipal Court Combine Police Department Judge's Office, Chief's Office 123 Davis Rd. Combine, TX 75159 972-476-8790
- Cockrell Hill Police Department
   Juvenile Interview Room and Sergeants Office
   4125 W. Clarendon Drive
   Dallas, TX 75211
   Sgt. Beckman 214-339-4141
- 10) Coppell Police Department Room 125/ Juvenile Processing Room 130 S. Town Center Blvd. Coppell, TX 75019 Sgt. Bill Camp 972-304-3593
- 11) Dallas Independent School District Police
   Department
   Holding Rm, Detail Rm, and Detectives Off
   1402 Seegar Street
   Dallas, TX 75215
   Deputy Chief Gary Hodges 214-932-5610
- 12) DFW International Airport Police
  Public Safety Station One, Conf. Rm 154
  Small & Large Conference Room CID
  2900 E. 28<sup>th</sup> St.
  DFW Airport, TX 75261
  Sgt. Malcolm A. Mosely 972-574-5576

- 13) Dallas County Hospital District
  Police Department
  Police Roll Call Room
  5201 Harry Hines Blvd.
  Dallas, TX 75235
  Capt. Richard D. Roebuck Jr. 214-590-4330
- 14) Dallas County Juvenile Department
  Truancy and Class C Enforcement Center
  Interview Rooms 1-4 & Holding Rooms 1-3
  414 S.R.L. Thornton Freeway
  Dallas, TX 75203
  Marquita Fisher 214-860-4408
- 15) Dallas County Juvenile Department
  Detention Center and Probation Dept.
  Henry Wade Juvenile Justice Center
  2600 Lone Star Dr.
  Dallas. TX 75212 214-698-2200
- 16) Dallas County Sheriff's Department Rooms C3-6 and C3-7 Frank Crowley Courts Building 133 N. Industrial Blvd. Dallas, TX 75202 Detective Billy Fetter 214-653-3495
- 17) Dallas Police Department Youth Division and Family Crimes 1400 S. Lamar, Rm 1W017 Dallas, TX 75201 214-671-3495 Lt. Willemina Edwards / Det. R.P. Dukes
- 18) Desoto Police Department
  Juvenile Youth Division
  714 E. Beltline Rd.
  Desoto, TX 75115
  Det. W. Tillman 469-658-3028

- 19) Duncanville Police Department
  Juvenile Processing Rooms "Located in Lobby"
  203 E. Wheatland Rd.
  Duncanville, TX 75116
  Inv. Warren Evans 972-780-5037
- 20) Duncanville High School Rooms L-105 and A118 900 W. Camp Wisdom Rd. Duncanville, TX 75116 Inv. John Cole 972-708-3713
- 21) Duncanville Reed Middle School Room #509 530 E. Freeman Road Duncanville, TX 75116 Officer R.L. Perry 972-708-3949
- 22) Duncanville Byrd Middle School Room #400F 1040 W. Wheatland Road Duncanville, TX 75116 Inv. S. Ivy 972-708-3478
- 23) Duncanville Kennemer Middle School Room labeled as "Police", located in Library. 7101 W. Wheatland Rd. Dallas, TX 75229 Inv. L. Holcomb 972-708-3713
- 24) Eastfield Community College Police Dept.
  Room #N112-E
  3737 Motley Drive
  Mesquite, TX 75150
  Cpt. Michael Horak 972-860-8344
- 25) Eastfield Community College-Pleasant Grove Campus Police Department Room #112-N
  802 S. Buckner Blvd.
  Dallas, TX 75217
  Cpt. Michael Horak 972-860-8344

- 26) Farmers Branch Police Department
  Juvenile Sect Rm / Rm 156 / Interview Rm 204
  3723 Valley View Ln.
  Farmers Branch, TX 75244
  Sgt E.L. Stokes 972-919-9352
- 27) Garland Police Department
  Room J1008 & J1015
  1900 W. State Street
  Garland, TX 75042
  Supv. Don McDonald 972-485-4891
- 28) Glenn Heights Police Department
  Patrol Sgt.Office, Squad Rm, CID Office &Lt.
  Office
  550 E. Bear Creek
  Glenn Heights, TX 75154
  Det. Kevon L. Howard 972-223-3478
- 29) Grand Prairie Johnson D.A.E.P.Rooms 11650 Stonewall Dr.Grand Prairie, TX 75052Officer Ray Star 972-262-7244
- 30) Grand Prairie Police Department Rooms J1, J2, J3, J4, J5, J6, 1009, 1010 &1029 1525 Arkansas Lane Grand Prairie, TX 75052 Deputy Chief Mike Taylor 972-237-8716
- 31) Grand Prairie Young Men's Leadership Academy at Kennedy Middle School School Resource Office-A216A 2205 SE 4<sup>th</sup> Street Grand Prairie, TX 75051 Leon Roddy, S.R. Officer 972-237-8764
- 32) Grand Prairie High School
  Room 501 A&B
  101 High School Dr.
  Grand Prairie, TX 75050
  Off. David Hooper, S.R.Officer 972-870-5707

- 33) South Grand Prairie High School
  A Hall Resource Office-A121
  301 W. Warrior Trail
  Grand Prairie, TX 75052
  Off. John Almazan, S.R. Officer 972-343-1507
- 34) South Grand Prairie High School Ninth Grade Center, Room A110C 305 W. Warrior Trail Grand Prairie, TX 75052 Off. Briggs, S.R. Officer 972-343-7607
- 35) Highland Park Department of Public Safety Room 331 and Report Writing Room 4700 Drexel Drive Dallas, TX 75205 and Dallas, TX 75209 Detective Rusty Nance 214-559-9306
- 36) Hutchins Police Department
  "Patrol Room"
  205 W. Hickman
  Hutchins, TX 75141
  Asst. Chief D.W. Landers 972-225-2225
- 37) Irving Police Department
  Municipal Court Room, 2<sup>nd</sup> Floor
  Juvenile Holding Area/Interview Lineup
  Juvenile Arraignment Court Room
  Irving, TX 75061
  Investigator Jill Smith 972-721-6559
- 38) Lancaster Police Department
  Rooms A148 and B122
  1650 North Dallas Avenue
  Lancaster, TX 75134
  Asst. Chief W.C. Smith 972-218-2726
- 39) Lancaster ISD Police Department Elsie Robinson Middle School Room 'LISD Police' 822 W. Pleasant Run Lancaster, TX 75146 Off. Keith Wilkerson 972-218-3086

To assist referred youth in becoming productive, law abiding citizens, while promoting public safety and victim restoration.

- 40) Lancaster ISD Police Department
  Lancaster High School
  Room G123, Police Office, Room C126A
  200 Wintergreen Rd.
  Lancaster, TX 75134
  Chief Sam Allen 469-261-8889
- 41) Lancaster ISD Police Department Headquarters Room 603 814 W. Pleasant Run Rd. Lancaster, TX 75134 Chief Sam Allen 469-261-8889
- 42) Mesquite Police Department Rooms 1016, 1019, 1021, 1022, 2008, 4045 & 4047 777 North Galloway Ave. Mesquite, TX 75149 Lt. David Gill 972-816-8096
- 43) Methodist Medical Center 1441 N. Beckley Ave, Front Lobby Dallas, TX 75203 Lt. M.P. Barber 214-947-8181
- 44) Richardson Police Department
  Youth Crimes Unit/Interview Rm, Rm D-214
  140 N. Greenville Ave
  Richardson, TX 75081
  Sgt. Jaime Gerhart 972-744-4862
- 45) Richland College Police Department
  Pecos Hall- Rooms P161, P162, P163, P170,
  P172, and Kiowa Hall- Room K110
  12800 Abrams Rd
  Dallas, TX 75243
  Sgt. Sena 972-761-6758

- 46) Rowlett Police Department
  Room 3, Juvenile Processing Room
  4401 Rowlett Road
  Rowlett, TX 75088
  Lt. David Nabors 972-412-6215
  Detective Mayne 972-412-6292
- 47) Sachse Police Department
  Juvenile Division & Youth Holding Area
  Rooms 116 and 118
  3815 Sachse Rd.
  Sachse, TX 75048
  Chief Richard Benedict 972-495-2271
- 48) Seagoville Police Department
  Law Enforcement Center Interview Room and
  Patrol Room
  600 North Highway 175
  Seagoville, TX 75159
  CID Det. AJ. Jumper 972-287-2999
- 49) Southern Methodist University Police Dept.
  Briefing Room 214
  3128 Dyer Street
  Dallas, TX 75205
  Lt. Brian Kelly 214-768-1577
- 50) Texas Department of Public Safety Region 1 Headquarters-Holding Cell Area 350 West Interstate 30 Garland, TX 75043 Sgt. Tim Simmons 214-648-8311
- 51) UT Southwestern Medical Center Police Dept. Room BLC 206, BLC 214 & BLC 228 5323 Harry Hines Blvd Dallas, TX 75390-9027 Lt. Jason Bailey 214-648-8311

- 52) University Park Police Department Room 215, 2<sup>nd</sup> Floor 3800 University Boulevard Dallas, TX 75205 Det. Ken Ardanowski 214-987-5360
- 53) Union Pacific Railroad
  Police Department JPO Room
  9211 Forney Road
  Dallas, TX 75172
  Landon McDowell 972-882-4001
- 54) Wilmer Police Department
  Warrant Office and Patrol Room
  219 E. Beltline Rd.
  Wilmer, TX 75172
  Sgt. Eric Pon 972-441-6565 Ext. 270

#### JUVENILE BOARD ORDER

**ORDER NO:** 

2015-XXX

DATE:

February 23, 2015

STATE OF TEXAS

δ

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COUNTY OF DALLAS

**BE IT REMEMBERED** at a regular meeting of the Juvenile Board of Dallas County, Texas, held on the 23rd day of February, 2015, in accordance with the Texas Open Meetings Act, with a quorum of the member present, to wit:

Name

Name

Name

Name

Name

Name

Name

Name

Name

Where, among other matters, came up for consideration and adoption the following Juvenile Board Order:

WHEREAS,

the Juvenile Board is charged with the responsibility of designating Juvenile Processing Offices pursuant to Juvenile Justice Code 51.02 (12), 52.02 (a) and (b), 52.025 (a), 52.027 (f), 52.05 (a) and (b), 52.01 (a) and (c), 58.01 (4), 52.03 (d), 52.041 (c) and (d), and Article 15.27 of the Code of Criminal Procedures; and

WHEREAS,

the Juvenile Board of Dallas County previously approved Juvenile Processing sites; and

WHEREAS,

the Rowlett Police Department's Room 3, Juvenile Processing Room located at 4401 Rowlett Road, Rowlett, Texas 75088 was previously designated as an approved Juvenile Processing Office by this Department and the Dallas County Juvenile Board; and

WHEREAS,

in response to the Juvenile Department's commitment to review all previously approved Juvenile Processing Offices, particularly Room 3, Juvenile Processing Room located at the Rowlett Police Department, 4401 Rowlett Road, Rowlett, Texas 75088 was personally inspected by Rudy Acosta, Deputy Director of Probation Services on January 23, 2015 and he has determined this site remains suitable as a Juvenile Processing Office. The designated room is clearly identified with affixed signage outlining an assigned room number and labeled as a Juvenile Processing Room; and

WHEREAS,

in addition, specific training relating to the requirements of the Juvenile Processing Office utilization and operation was provided to the designated Agency representative, Detective David Mayne during the site visit. The training provided the Agency representative with information from Title 3 of the Texas Family Code, § 52.025 and the Juvenile Justice Delinquency and Prevention Act outlining the requirements of operating a Juvenile Processing Office and the specifics associated with the handling of juveniles in the Juvenile Processing

Office. The training document was signed by the Agency representative and a copy will be maintained by the Juvenile Department; and

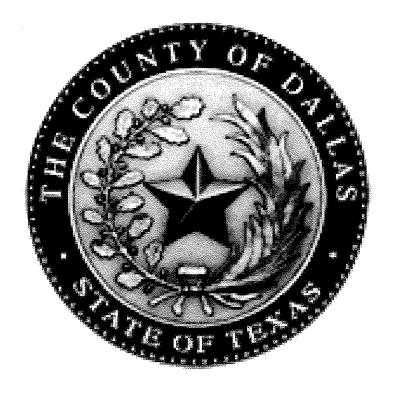
WHEREAS.

this Juvenile Processing Office designation complies with the Dallas County Strategic Plan; Vision 3 – Dallas County is safe, secure, and prepared; and

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Juvenile Board approve the Juvenile Processing Office for the Rowlett Police Department located at 4401 Rowlett Road, Rowlett, Texas 75088, by approving Room 3, Juvenile Processing Room as a designated Processing Office.

**DONE IN OPEN BOARD MEETING** this 23<sup>rd</sup> day of February, 2015.

The forgoing Juvenile Board Org	der was lawfully moved by	and
seconded by	, and duly adopted by the Juvenile Board on a vote o	offor
the motion and opposed.		
Recommended by:	Approved by:	
Dr. Terry S. Smith, Director	Judge Cheryl Lee Shannon, Chairman	
Dallas County Juvenile Department	Dallas County Juvenile Board	



# ACTION ITEM

L.



#### DALLAS COUNTY JUVENILE DEPARTMENT

**Dr. Terry S. Smith**Director Juvenile Services
Chief Juvenile Probation Officer

#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5

Dallas, Texas 75212

#### **MEMORANDUM**

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Memorandum of Understanding with Big Thought for Evening Reporting Center

#### Background of Issue:

Big Thought is a community-based nonprofit organization dedicated to student success, and has been a key contributor to improving education in Dallas for 28 years. Specifically, for over twenty years Big Thought's Creative Solutions program has partnered with Dallas County to help adjudicated youth develop life skills through the creation of visual and performance art. Big Thought uses art to catalyze learning through creative engagement, infusing in youth both the hope for a better future along with the tools to overcome obstacles in daily life. Working as individuals and in group projects under the guidance of professional teaching artist/mentors, youth participants develop skills associated with job and college readiness such as such as teamwork, decision-making, problem-solving, critical thinking and communication through the creation of visual and performance art.

The Dallas County Juvenile Department's Evening Report Center (ERC) operates as an alternative to detention for youth on probation that are currently at risk for violating their terms of probation. The ERC aims to impart valuable life skills and provide a structured environment for education. At the ERC, the youth are involved in programs that emphasize educational activities, recreational programming, independent living, emotional and social skills. The ERC received funding from the Office of the Governor, Criminal Justice Division (CJD) to implement art-based programming from an outside vendor. The purpose of this brief is to approve a MOU with Big Thought to implement this programming with the ERC.

#### Impact on Operations and Maintenance:

The ERC would greatly benefit from the Big Thought community-based art therapy program. The art therapy will be instructed by professional visual and performing artist who are trained to work with troubled youth. Participants will learn the fundamentals of visual art, including drawing, painting, printmaking, cultural metal art, sculpting and glasswork. Each workshop session will be 90 minutes long starting with a circle check in. The location of the program delivery will be at the Juvenile Justice Alternative Education Program building, located at 1673 Terre Colony Court, Dallas, Texas 75212.

#### **Strategic Plan Compliance:**

This request complies with the Dallas County Strategic Plan: Vision 3- Dallas County is safe, secure, and prepared by expanding disposition alternatives with regard to treatment for youth and families involved in the Juvenile Justice System.

#### **Legal Information:**

The Memorandum of Understanding has been approved as to form by Denika Caruthers, Dallas County Juvenile Department Adminstrative Legal Advisor.

#### Financial Impact/Considerations:

Big Thought will provide one session per week for a total of twenty (20) sessions at the incurred cost of \$132.50 per session for a total of \$2,650. The Juvenile Department will be invoiced after the conclusion of the twenth (20<sup>th</sup>) session. The courses will be funded under FY2015 grant Evening Reporting Center (7019) from the Office of the Governor, Criminal Justice Division (CJD), for a total not to exceed \$\$2,650.00. The financial information has been reviewed by Ms. Carmen Williams, Budget Supervisor.

#### **Performance Impact Measures:**

The youth who participate will increase their life skills, knowledge of art, problem solving and creative expressions. Big Thought uses art to catalyze learning through creative engagement, infusing in youth both the hope for a better future along with the tools to overcome obstacles in daily life. Participants and parent will complete a survey designed by the Juvenile Department's research and statistics team; six month and yearly performance measure reports are required by CJD.

#### **Project Schedule/Implementation:**

The program will be implemented upon final execution of the Memorandum of Understanding.

#### Recommendation:

It is recommended that the Dallas County Juvenile Board approve the Memorandum of Understanding with Big Thought for the Evening Reporting Center. It is further recommended that the Dallas County Juvenile Board authorize the Chairperson to execute related documents on behalf of the Juvenile Board.

#### Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department

#### Memorandum of Understanding

# Between Big Thought And Dallas County Juvenile Board on Behalf of the Dallas County Juvenile Department

**Background.** Big Thought is a community-based nonprofit dedicated to student success, and has been a key contributor to improving education in Dallas for 28 years. Guided by our mission to make imagination a part of everyday learning, Big Thought's approach to creative learning combines core academics, standards-based arts instruction and community resources to help develop the capacities our young people need to thrive.

**Parties.** This memorandum of understanding (hereinafter referred to as "MOU") is made and entered into by and between **Big Thought**, and Dallas County Juvenile Board.

- 1. Purpose. The purpose of this MOU is to establish the terms and conditions under which **Big**Thought will provide the Creative Solutions art and life skills based program the as outlined in the attached program proposal to the juvenile offenders in the Dallas County system.
- 2. Signature education program being offered by Big Thought.
  - Creative Solutions For over twenty years Big Thought's Creative Solutions program has partnered with Dallas County to help adjudicated youth develop life skills through the creation of visual and performance art. Creative Solutions uses art to catalyze learning through creative engagement, infusing in youth both the hope for a better future along with the tools to overcome obstacles in daily life. Working as individuals and in group projects under the guidance of professional teaching artist/mentors, youth participants develop skills associated with job and college readiness such as such as teamwork, decision-making, problem-solving, critical thinking and communication through the creation of visual and performance art.
- 3. Cost. The cost to the Dallas County Juvenile Board for Big Thought will provide one session per week for a total of twenty (20) sessions at the incurred cost of \$132.50 per session per session for a total cost of \$2,650. The Juvenile Department will be invoiced after the conclusion of the twenth (20th) session. The courses will be funded under FY2015 grant Evening Reporting Center (7019) from the Office of the Governor, Criminal Justice Division (CJD), for a total not to exceed \$2,650.00.
- 4. Term of MOU. The term of this contract shall be from September 1, 2014 to August 31, 2015.
- 5. Termination. This MOU may be terminated, without cause, by either party upon written notice.
- 6. Insurance. It is Big Thought's responsibility to make sure that it has a comprehensive general liability and professional insurance with "personal injury" coverage, with minimum limits of \$1,000.000 for bodily injuries to or death of a person, and an aggregate of \$500,000.00 for any one (1) occurrence is in place for the (Creative Solutions) program. Attached is the certificate of liability insurance detailing coverage types and limits.

#### Indemnification.

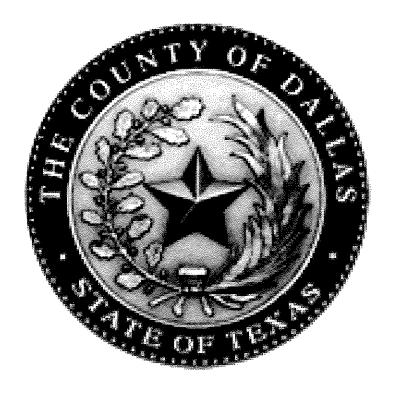
Big Thought, to the fullest extent allowed by law, agrees to indemnify and hold harmless DALLAS COUNTY, Dallas County Juvenile Board, Dallas County Juvenile Department, its assigns, officers, directors, employees, agents, representatives and the Youth Services Advisory Board, (referred collectively in this Section as "COUNTY) against any and all claims, lawsuits, judgments, costs and expenses for personal injury, property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by any negligent or strictly liable act or omission of Big Thought, its officers, agents, or employees, in the performance of this agreement; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the County, its officers, agents,

Dallas County Juvenile Department

Big Thought and the Country, responsibility and indemnity, if any, shall be apportioned in accordance with the law of the State of Texas, without waiving any governmental immunity available to the Country under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties to this agreement and are not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

- 7. Choice of Law. In providing Services required by this MOU, the parties must observe and comply with all licenses, legal certifications, or inspections required for the Services, or materials, and all applicable Federal, State, and local statutes, ordinances, rules, and regulations. This MOU shall be governed by Texas law and exclusive venue shall lie in Dallas County, Texas. All statutes and law stated herein shall be updated as amended.
- 8. Severability. This MOU is expressly made subject to Dallas County's sovereign immunity, Title 5 of the Texas Civil Remedies Code and all applicable State and Federal law. The parties expressly agree that no provision of this Contract is in any way intended to constitute a waiver of any immunities from suit or from liability that the Dallas County has by operation of law. Nothing herein is intended to benefit any third-party beneficiaries to this Contract.
- 9. Sovereign Immunity. This MOU is expressly made subject to Dallas County's sovereign immunity, Title 5 of the Texas Civil Remedies Code and all applicable State and Federal law. The parties expressly agree that no provision of this Contract is in any way intended to constitute a waiver of any immunities from suit or from liability that the Dallas County has by operation of law. Nothing herein is intended to benefit any third-party beneficiaries to this Contract.

repre	sentatives on the day of			20
DALL	AS COUNTY:	Big Th	nought: Livia A	Trae,
BY:	Clay Jenkins	BY:	Ed Meier	
	Dallas County Judge		Big Thought	
DALL	AS COUNTY JUVENILE BOARD:			
BY:	Judge Cheryl L. Shannon			
	Chairman of the Dallas County Juvenile E	Board		
RECO	MMENDED:			
BY:	Dr. Terry S. Smith			
	Director Juvenile Services			
	Chief Juvenile Probation Officer			
Ву:				
	Denika R. Caruthers, J.D.			
	Administrative Legal Advisor			•



# ACTION ITEM

M.



# DALLAS COUNTY IUVENILE DEPARTMENT

**Dr. Terry S. Smith**Director Juvenile Services
Chief Juvenile Probation Officer

#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5 Dallas, Texas 75212

#### **MEMORANDUM**

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Memorandum of Understanding with Inspire U for Evening Reporting Center

#### Background of Issue:

Inspire U Coaching and Educational Services for youth is a community-based organization committed to strengthening and improving the relationships of families through coaching, workshop seminars, and motivational speaking engagements that create opportunities that inspire men, women, and teens to develop vital life skills that empower personal growth and overall well-being. The Inspire U program has been serving the Dallas community since 2006. The founders, Sonya and Norman Goode have providing programming for the Dallas County Truancy Court since 2011, Dallas ISD, Family Care Connection, North Texas Fatherhood Initiative and Victory Meadow Youth Development Foundation –Eagle Scholars Youth Program. The Dallas County Juvenile Department's Evening Report Center (ERC) operates as an alternative to detention for youth on probation that are currently at risk for violating their terms of probation. The ERC aims to impart valuable life skills and provide a structured environment for education. At the ERC, the youth are involved in programs that emphasize educational activities, recreational programming, independent living, emotional and social skills. The ERC received funding from the Office of the Governor, Criminal Justice Division (CJD) to implement mentoring and social skill building programming from an outside vendor. The purpose of this brief is to approve a MOU with Inspire U to implement this programming with the ERC.

#### Impact on Operations and Maintenance:

The ERC will utilize Inspire U's *Inspire Teens* - YELL curriculm program. The *Inspiring Teens* program brings a myriad of educational programs for adolescents, including YELL — Youth Engaged in Leadership and Learning and The 7 Habits of Highly Successful Teens, to teach adolescents to make better choices when it comes to dealing with peer pressure, substance use and abuse, faulty thinking, anger and conflict resolution, communicating more effectively, being more responsible and making better choices. The program covers the fundamentals of effective communication and interpersonal skills, analytical and critical reflection and skill building, and leadership. This will be a six session course that will meet for 1.5-2 hours each session. The location of the program delivery will be at the Juvenile Justice Alternative Education Program building, located at 1673 Terre Colony Court, Dallas, Texas 75212 for youth enrolled in the ERC

#### Strategic Plan Compliance:

This request complies with the Dallas County Strategic Plan: Vision 3- Dallas County is *safe*, *secure*, *and prepared* by expanding disposition alternatives with regard to treatment for youth and families involved in the Juvenile Justice System.

#### **Legal Information:**

The Memorandum of Understanding has been approved as to form by Denika Caruthers, Dallas County Juvenile Department Adminstrative Legal Advisor.

#### Financial Impact/Considerations:

Inspire U will provide one session per week in four 6 week rotations at the incurred cost of \$175 per session for a total cost of \$4,900. The Juvenile Department will be invoiced after the conclusion of the each six week rotation. The courses will be funded under FY2015 grant Evening Reporting Center (7019) from the Office of the Governor, Criminal Justice Divsion, for a total not to exceed \$4,900. The financial information has been reviewed by Ms. Carmen Williams, Budget Supervisor.

#### Performance Impact Measures:

As a result of the *Inspiring Teens* sessions, students will learn the importance of leadership, discover their own personal leadership styles, work on developing skills that demonstrate good leadership, and explore the attitude of a great leader. The core activities in the YELL curriculum will encourage skill and knowledge building in three key areas: Communication and Interpersonal Skills, Analytical and Critical Reflection and Positive Involvement in School and/or Community Affairs. Participants and parent will complete a survey designed by the Juvenile Department's research and statistics team. be given a satisfication survey. Six month and yearly performance measure reports are required by CJD.

#### Project Schedule/Implementation:

The programs will be implemented upon final execution of the Memorandum of Understanding.

#### Recommendation:

It is recommended that the Dallas County Juvenile Board approve the Memorandum of Understanding with Inspire U. It is further recommended that the Dallas County Juvenile Board authorize the Chairperson to execute related documents on behalf of the Juvenile Board.

Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department

#### Memorandum of Understanding

## Between INSPIRE U Coaching and Educational Services And Dallas County Juvenile Board on Behalf of the Dallas County Juvenile Department

**Background. INSPIRE U Coaching and Educational Services** is a community based organization committed to strengthening and improving the relationships of families through coaching, workshop seminars, and motivational speaking engagements that create opportunities that inspire men, women, and teens to develop vital life skills that empower personal growth and overall well-being.

- 1. Parties. This memorandum of understanding (hereinafter referred to as "MOU") is made and entered into by and between INSPIRE U Coaching and Educational Services, and Dallas County Juvenile Board.
- 2. Purpose. The purpose of this MOU is to establish the terms and conditions under which INSPIRE U Coaching and Educational Services will provide the standardized educational program, Inspiring Teens, as outlined in the attached program proposal to the juvenile offenders in the Dallas County system.
- 3. Signature education program being offered by INSPIRE U Coaching and Educational Services
  - a. Inspiring Teens The Inspiring Teens program brings a myriad of educational programs for adolescents, including YELL Youth Engaged in Leadership and Learning and The 7 Habits of Highly Successful Teens, to teach adolescents to make better choices when it comes to dealing with peer pressure, substance use and abuse, faulty thinking, anger and conflict resolution, communicating more effectively, being more responsible and making better choices. The program covers the fundamentals of effective communication and interpersonal skills, analytical and critical reflection and skill building, and leadership. This will be a six session course that will meet for 1.5-2 hours each session.
- 4. Cost. The cost to the Dallas County Juvenile Board for INSPIRE U Coaching and Educational Services will provide one session per week in four 6 week rotations at the incurred cost of \$175 per session for a total cost of \$4,900. The Juvenile Department will be invoiced after the conclusion of the each six week rotation. The courses will be funded under FY2015 grant Evening Reporting Center (7019) from the Office of the Governor, Criminal Justice Division (CJD), for a total not to exceed \$4,900.
- 5. Term of MOU. The term of this contract shall be from September 1, 2014 to August 31, 2015.
- **6. Termination**. This MOU may be terminated, without cause, by either party upon written notice.
- 7. Insurance. It is INSPIRE U'S responsibility to make sure that it has a comprehensive general liability and professional insurance with "personal injury" coverage, with minimum limits of \$1,000.000 for bodily injuries to or death of a person, and an aggregate of \$500,000.00 for any one (1) occurrence is in place for the (INSPIRE U COACHING AND EDUCATIONAL SERVICES) program. Attached is the certificate of liability insurance detailing coverage types and limits. Indemnification.

INSPIRE U Coaching and Educational Services, to the fullest extent allowed by law, agrees to indemnify and hold harmless DALLAS COUNTY, Dallas County Juvenile Board, Dallas County Juvenile Department, its assigns, officers, directors, employees, agents, representatives and the Youth Services Advisory Board, (referred collectively in this Section as "COUNTY against all claims, demands, actions, suits, losses, damages, liabilities, costs, and/or expenses of every kind and nature (including, but not limited to court costs, litigation expenses and attorney's fees) incurred by or sought to be imposed upon County because of injury (including death), including but not limited to exposure to any infections, communicable or sexually transmitted disease, by any manner or method whatsoever, or damage to property (whether real, personal or inchoate), arising out of or in any way related (whether directly or indirectly, causally or otherwise) to any

- act or omission by **INSPIRE U Coaching and Educational Services**) in performance of this Agreement and/or Program, except to the extent such liability, damage fine or expense is the result of negligent acts or omissions of the County.
- 8. Choice of Law. In providing Services required by this MOU, the parties must observe and comply with all licenses, legal certifications, or inspections required for the Services, or materials, and all applicable Federal, State, and local statutes, ordinances, rules, and regulations. This MOU shall be governed by Texas law and exclusive venue shall lie in Dallas County, Texas. All statutes and law stated herein shall be updated as amended.
- 9. Severability. This MOU is expressly made subject to Dallas County's sovereign immunity, Title 5 of the Texas Civil Remedies Code and all applicable State and Federal law. The parties expressly agree that no provision of this Contract is in any way intended to constitute a waiver of any immunities from suit or from liability that the Dallas County has by operation of law. Nothing herein is intended to benefit any third-party beneficiaries to this Contract.
- 10. Sovereign Immunity. This MOU is expressly made subject to Dallas County's sovereign immunity, Title 5 of the Texas Civil Remedies Code and all applicable State and Federal law. The parties expressly agree that no provision of this Contract is in any way intended to constitute a waiver of any immunities from suit or from liability that the Dallas County has by operation of law. Nothing herein is intended to benefit any third-party beneficiaries to this Contract.

IN W	TNESS WHEREOF, the parties have caused this a sentatives on the day of	Agreem	ent to be executed by t	their duly authorize )		
DALL	AS COUNTY: INSPIR	INSPIRE U COACHING AND EDUCATIONAL SERVICES:				
Particular Control of the Control of			Sanua Barkat Gorda			
BY:	Clay Jenkins Dallas County Judge	BY:	Sonya-Pärker Gobde Inspire U CEO	•		
DALL	AS COUNTY JUVÉNILE BOARD:					
BY:	Judge Cheryl L. Shannon Chairman of the Dallas County Juvenile Board					
RECO	MMENDED:					
BY:	Dr. Terry S. Smith					
	Director Juvenile Services Chief Juvenile Probation Officer		·			
By:				-		
,	Denika Caruthers					
	Administrative Legal Advisor					
	Dallas County Juvenile Department					



# ACTION ITEM

N.



## DALLAS COUNTY IUVENILE DEPARTMENT

**Dr. Terry S. Smith**Director Juvenile Services
Chief Juvenile Probation Officer

#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5 Dallas, Texas 75212

#### **MEMORANDUM**

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Management Training for Juvenile Department-WordSmooth

#### Background of Issue:

The Dallas County Juvenile Department is committed to ensuring that its staff, including those in managerial positions is provided with quality professional development opportunities. This is seen as being important to ensuring that quality leadership occurs, including an emphasis on training opportunities that enable staff to change their way of thinking while highlighting empowering staff to achieve the mission of the Juvenile Department, which is to assist referred youth in becoming productive, law abiding citizens while promoting public safety and victim restoration.

The Juvenile Department has been active in empowering staff with a variety of training opportunities. The purpose of the current briefing is to request authorization for the Juvenile Department to contract with WordSmooth to provide training which will aid the Juvenile Department reinforcing value and maximize the benefits of its diversity and address a wide range of diversity-related challenges.

A successful diversity effort is multi-layered and ongoing. When learning sessions are followed with evaluation to inform continuous improvement, a comprehensive approach to diversity education can transform employee reaction from questioning and resistance to curiosity, interest, and confidence. While WordSmooth always measures learning, the measurement is more effective when stakeholder-developed measurements are infused into the organization's employee evaluation processes so that employees are held accountable for using what they have learned (WordSmooth).

#### Impact on Operations and Maintenance:

The current request is identified as a means of potentially improving productivity, services, and supervision by providing staff with strategies to increase respect and loyalty with others, to improve effective communication with others, to identify the steps for delegating effectively, to assist in differentiating between management and leadership, as well as to identify an ethical decision-making model and diversity related challenges.

#### **Strategic Plan Compliance:**

This request complies with Vision 3: Dallas County is safe, secured, and prepared as denoted by the following indicators: leverage impact in the County by implementing best practices and evaluate allocation of adult and juvenile justice resources around Dallas County.

#### **Legal Information:**

The management training contract for the Juvenile Department-WordSmooth has been sent to the Department's Administrative Legal Advisor for review and approval. Ms. Denika Caruthers has approved this contract as to form.

#### **Financial Impact/Considerations:**

Payment for 100 staff to participate in this intensive training program is \$14, 250.00, which includes a book and all training materials. Funds for the training will come from #120-5110-5590 – General Fund's Other Professional Services. These funds were approved and authorized by Ms. Carmen Williams- Supervisor of Budget Services. Below is the listing of specific services:

Consultation with leadership to implement the initiative: 20 hours (two consultants @ \$75 each)			
Up to two off-site focus groups @\$900 per session, with summary report.			
Up to three "First Impressions" 90-minute learning sessions @ \$850 per session.			
Cap of 50 participants per session.			
Up to three "Mind Flex" 90-minute learning sessions @ \$850 per session.			
Cap of 50 participants per session.	\$2,550.00		
Up to three "ACE-ing Conflict" 90-minute learning sessions @ \$850 per session.			
Cap of 50 participants per session.	\$2,550.00		
100 Navigating Diversity books @ \$13	\$1,300.00		
Customization of modules to mesh with DCJD culture	\$900.00		
Program evaluation and reporting	\$1,100.00		
TOTAL ESTIMATE:	\$14, 250. 00		

#### **Performance Impact Measures:**

WordSmooth believes strongly in measuring performance. Learning session participants complete an online survey two to four weeks after attending a learning session. The survey measures participant learning and their implementation of what they learned. Results reported anonymously by participants are very positive:

- 94% say their awareness was increased of any tendencies they have to make assumptions.
- 95% say they learned new information and skills for becoming more mentally flexible.
- 94% say they learned information they can use in their work environment.
- 78% say they have already used something they learned at the session at work or elsewhere.
- 98% say that presenter Jeanae Beal is effective.

#### **Project Schedule/Implementation:**

WordSmooth will be implemented upon the review and approval of the Juvenile Board.

#### **Recommendation:**

It is recommended that the Dallas County Juvenile Board approve the Juvenile Department's request to authorize for the Juvenile Department to contract with WordSmooth to provide training which will aid the Juvenile Department reinforcing values and maximize the benefits of its diversity and address a wide range of diversity-related challenges.

Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department

<b>EEO-1</b>	Form
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NAME OF FIRM: WordSi	moot	h													
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TOTAL 10															3
PREVIOUS YEAR TOTAL 11															2
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"Sow, Cultivate and Harvest Your Organization's Full Potential"

# "Harvesting Respect" Diversity Learning Program Brief prepared for the Dallas County Juvenile Department

February 11, 2015

From

WordSmooth@

www.wordsmooth.com info@wordsmooth.com 8235 Hunnicut Rd. Dallas, Texas 75228 214-367-7513

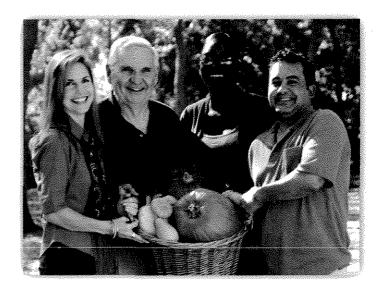
#### Introduction

Poet Audre Lourde said, "It is not our differences that divide us. It is our inability to recognize, accept, and celebrate those differences." As the North Texas region grows increasingly diverse, many individuals continue to struggle to bridge our differences in order to live and work productively together. As a result, individuals and organizations often fall short of realizing their full potential and fulfilling their missions.

#### Harvesting an Organization's Full Potential

The response to the growing scope of human differences in recent years has been 'diversity training.' To be sure, the focus on differences has been and still is necessary. At the same time, some groups have felt left out of the diversity conversation. The Socha learning series is designed to ensure that all groups and all people feel important, respected, and fully engaged.

Through a range of engaging learning opportunities, organizations are encouraged not just to create an



atmosphere that accepts differences, but to seek out ways to Sow, Cultivate and Harvest the seeds of potential in each and every organization stakeholder. Yet creating such a nurturing community is easier said than done. The challenges can be daunting. Consider that:

- Stakeholders may not be conscious of their own behaviors that judge or exclude certain groups or members of groups, and may not explore their own prejudices because exploring them would cause discomfort.
- Stakeholders may not be aware of or able to accurately distinguish between cultural norms and stereotypes.
- Stakeholders may resist the goal of every individual reaching his or her potential for fear of having to make personal sacrifices or change deeply held values.
- Organizations don't have the time or skill to move from tolerating differences to an effort that holds people accountable to fully value and respect everyone.

#### Organizational Background and Philosophy

After a 14-year career with the Greater Dallas Community Relations Commission working to improve race relations and multi-cultural understanding, Patty Bates-Ballard formed WordSmooth when she became the mother of a child with disabilities. She combined her writing and diversity experience to form an inclusive communications company specializing in communications and diversity services for non-profit, healthcare, educational, and governmental organizations. WordSmooth is certified as a Woman-Owned Business Enterprise with the North Central Texas Regional Certification Agency, Affadavit # 18659.

Patty Bates-Ballard and Jeanae Beal have collaborated since 2001 to develop the diversity learning program called Socha. Additional presenters from diverse backgrounds also are available as needed, and have contributed to the program content. Designed to maximize respect for and engage all employees, the Socha program helps organizations *SOw, Cultivate and HArvest* their full potential. It provides the tools needed to assist an organization value and maximize the benefits of its diversity and address a wide range of diversity-related challenges.

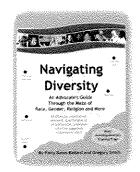
The WordSmooth organization possesses a number of assets:

- Length of Experience. WordSmooth Socha consultants for this project have a combined 45+ years experience developing and delivering diversity education in North Texas.
- Inclusive Philosophy. When they hear the word diversity, many people think "race" and "gender" and stop. The Socha program takes special care to emphasize the full range of ways that people vary one from another, stressing that everyone is included. We also take special care to avoid any suggestion of blame, and instead focus on joint responsibility and benefits. People actually enjoy the programs!
- Wealth of Content. The Socha program meets both effectiveness and diversity education objectives. The Socha approach allows organizations to offer their workforce the best wisdom of decades of management and effectiveness research in a digestible and engaging format infused with a deep respect for diversity. Organizations wishing to go further with diversity learning also have additional options.
- Full Regard. Many people who want to value diversity mistakenly believe that they should be "color blind." Since human beings do notice differences, the difficulty of achieving this goal can cause discomfort. In order to Sow, Cultivate and Harvest each individual's full potential, it is important relinquish the need to be "color (or culture) blind." Instead, the goal is full regard and respect for differences.
- Range of Experience. WordSmooth Socha consultants have a broad range of experience
  working with corporations, businesses, community, and religious groups, with a special
  emphasis on educational, healthcare, and governmental organizations. WordSmooth
  brings thousands of hours of learning session delivery and organizational consultation, as
  well experience with community building, dialogue, and advocacy for change.

Community Involvement. WordSmooth's Socha consultants represent a history of
working to improve the community, and have looked to a broad range of community
representatives for input into the program. The reputation is one of informed change
agents who promote the dignity and value of each and every person. Successful advocacy
on affirmative action, police community relations, hate crimes, and racial profiling
legislation demonstrates a commitment to walking the talk.

In 2008, Patty Bates-Ballard and Gregory Smith co-authored the book Navigating Diversity: An Advocate's Guide Through the Maze of Race, Gender, Religion and More. The book provides a step-by-step process for responding to awkward and insensitive comments, and serves as a companion to the Socha learning session "ACE-ing Conflict."

Dr. Julianne Malveaux, Former President of Bennett College for Women and preeminent speaker on race and culture, has praised Navigating Diversity: "Kudos to Patty Bates-Ballard and Gregory Smith



for helping all of us navigate diversity matters. Using comments ripped from the headlines, pulled from diversity training, and repeated at the water cooler, Bates-Ballard and Smith offer multiple ways we can all deal with comments that are offensive or insensitive. With their open and balanced approach, their humor, and their admonition that we should all model the respect we want to receive, *Navigating Diversity* is an important tool for diversity advocates and for others. No matter how experienced the diversity advocate or leader, there is something to learn from this book."

Socha clients over the last 10 years have included:

- Dallas Police Department Academy
- Irving Police Department Academy
- Lancaster Police Department
- Texas Youth Commission Cottrell House
- Institute for Law Enforcement Administration
- Baylor University Medical Center
- Legal Services of North Texas
- Dallas Housing Authority
- Dallas Academy
- Duncanville ISD
- Garland ISD
- Frisco ISD
- Arlington ISD
- McKinney ISD
- Mesquite ISD
- Birdville ISD
- Crandall ISD
- Girls, Inc.



#### Property Obligations

WordSmooth believes strongly in measuring performance. Learning session participants complete an online survey two to four weeks after attending a learning session. The survey measures participant learning and their implementation of what they learned. Results reported anonymously by participants are very positive:

- 94% say their awareness was increased of any tendencies they have to make assumptions.
- 95% say they learned new information and skills for becoming more mentally flexible.
- 94% say they learned information they can use in their work environment.
- 78% say they have already used something they learned at the session at work or elsewhere.
- 98% say that presenter Jeanae Beal is effective.

#### Survey comments also are very positive:

"At work and working with families, you tend to use isms. In my mind I remembered this course and it allowed me to open up to the parents and show there were no stereotypical judgments made. In one instance, a previous teacher of a student was informing me of "how awful the child was and the parents were even worse." I loved being able to tell her I was going to give them a fair chance. Turns out the child is doing great in my class and the parents love me! Elsewhere, I started to make an assumption (ism) at the grocery store and was reminded of my training... I LOVED the diversity training! Thank you."

"I was working with a student who appeared defiant. When I chose to look at the situation from a different angle, I learned that he was actually very lonely and longed for friends but did not know how to make them."

"Choosing to see problems as "interesting." Trying to put a positive spin on everything that seems to be a problem/confrontational, I have become more aware of different ways to approach problems, come up with solutions, consider other point of views and improved problem solving skills."

"I realized I assume many things about how students/parents/coworkers are, based on their appearances, their mannerisms, and even what grade/subject they teach. I have had to put aside those generalizations and get to know the real person. I am surprised at what I find almost every time!"

"I have learned to see many different perspectives in my home and professional life. It allows me to better communicate and listen in many different situations. I have become better at stepping away and thinking about how others may view my actions instead of only thinking about my point of view."

"The training helped me see that you cannot judge a kid by the prejudices set by society or even by my own experiences. You have to look deeper into the heart of the person to fully grasp how to effectively influence them in a positive manner."

#### **Project Personnel**



Patty Bates-Ballard is Creative Director and Owner of WordSmooth and the lead developer of the Socha diversity learning program. Co-author of the book *Navigating Diversity*, she was the Diversity Director for the Greater Dallas Community Relations Commission. She has worked in the field of multi-cultural relations for over 25 years, and has delivered diversity and conflict resolution programs to school districts, corporations, hospitals, non-profit agencies, churches and all levels of government, including Dallas, Irving and Lancaster Police Departments, Texas Youth Commission, Dallas ISD, Baylor University Medical Center, United Way, and

the IRS, among many others. In 2009, Patty was commissioned to develop a diversity education program for Garland ISD that also was presented at the nation's leading staff development organization, Learning Forward, in 2013. Patty is a trained mediator, with degrees in Psychology and Philosophy from Austin College, Sherman, TX. A mother of two boys, she volunteers at Sanger Elementary School.

#### Certifications

<u>Multiculturalism 4-Day</u>, Visions, Inc./Jo Bowens, 2001; <u>Dismantling Racism</u>, Crossroads/Joseph Barndt, 2000; <u>Undoing Racism</u>, People's Institute For Survival and Beyond, 1998; <u>Diversity Train the Trainer</u>, National Coalition Building Institute/Cherie Brown, 1992; <u>Dismantling Racism</u>, Peace Development Fund/Andrea Ayvazian, 1990. Mediation certificate, Dispute Mediation Services, 1994.



Jeanae Beal is the Senior Trainer for WordSmooth. Jeanae retired from Duncanville ISD, where as Assistant Superintendent for Elementary Operations, she sustained the district's diversity training program. She presented diversity training programs and trained local campus facilitators from 2002 through 2008. A public school educator since 1978, her career spans from teacher to elementary principal to a central level administrator, all in public education. Jeanae joined WordSmooth in 2007 and has presented the Socha workshops to Learning Forward, Baylor University

Medical Center, Garland ISD, Frisco ISD, Birdville ISD, and many others in recent years. As a certified volunteer facilitator with the Greater Dallas Community Relations Commission, she provided diversity training for a number of organizations in the Dallas/Ft. Worth area, including United Way, the City of Coppell and Mesquite ISD. Jeanae received her Bachelor of Science degree in Elementary Education from Stephen F. Austin University in Nacogdoches, Texas and her Master degree from Prairie View A & M University.

#### References

#### **Gregory Smith**

Associate Director
Institute for Law Enforcement Administration
(972) 244-3434

gsmith@cailaw.org

#### Jim Richardson

Headmaster

**Dallas Academy** 

(214) 324-1481

jrichardson@dallas-academy.com

#### **Doug Lawson**

Chief Operating Officer

Baylor University Medical Center
(214) 820-3101

doug.lawson@baylorhealth.edu

#### **Wendy Hudson**

Professional Development Facilitator
Frisco Independent School District
(469) 633-6876
hudsonw@friscoisd.org

#### **Proposed Socha Learning Modules**

After discussion with Dr. Terry Smith, Executive Director of the Dallas County Juvenile Department, it is proposed that the following three modules, under the series title "Harvesting Respect," be presented to personnel within the Dallas County Juvenile Department.



#### **Module 1: First Impressions**

#### First Impressions Objectives:

- 1. To examine the use of assumptions in our daily lives.
- 2. To identify the damages caused by acting on assumptions.
- 3. To identify hidden assumptions.
- 4. To identify common definitions for stereotype, prejudice, discrimination, ism, and oppression.



#### **Module 2: Mind Flex**

#### Mind Flex Objectives:

- 1. To identify the benefits of mental flexibility.
- 2. To develop three mental flexibility skills, using examples from education and industry.
- 3. To apply mental flexibility skills to a true-to-life challenge.



#### **Module 3: ACE-ing Conflict**

#### **ACE-ing Conflict Objectives:**

- 1. To encourage a spirit of organizational stewardship among participants.
- 2. To deepen understanding of the impact of our words.
- 3. To increase skill and comfort level for resolving miscommunication, conflict, and discrimination.
- 4. To practice a three-step communication and conflict resolution process using real-life examples.

#### Proposal Details and Cost Estimate

#### Socha:

#### SOw, Cultivate and HArvest your organization's full potential™

It is recommended that in 2015, the learning session series called "Harvesting Respect" be presented to 100 Dallas County Juvenile Department leadership employees, with a goal of reaching additional employees in 2016 and beyond. Learning sessions of 50 participants or less are most effective. Sessions can be scheduled on weekdays or Saturdays as requested.

To support the success of the effort, consultants work to ensure that the modules mesh with DCJD culture. Off-site focus groups comprised of diverse groups of employees will help ensure that the content is relevant, and typically leads to greater employee buy-in of the training program.

The Socha session facilitator will utilize a Power Point presentation with an accompanying handout for each participant. Each engaging, interactive Socha session begins with learning objectives and ends with a content review to reinforce and gauge learning. Follow-up online surveys measure impact several weeks after each session. Surveys include content retention questions and questions about how participants have applied what they learned. A more comprehensive goal-setting and measurement process is described on the following page. The estimate to deliver the Harvesting Respect Series to 100 leadership employees is outlined below.

Consultation with leadership to implement the initiative: 20 hours (two consultants	
@ \$75 each)	\$1,500.00
Up to two off-site focus groups @\$900 per session, with summary report.	\$1,800.00
Up to three "First Impressions" 90-minute learning sessions @ \$850 per session.	
Cap of 50 participants per session.	\$2,550.00
Up to three "Mind Flex" 90-minute learning sessions @ \$850 per session. Cap of 50	
participants per session.	\$2,550.00
Up to three "ACE-ing Conflict" 90-minute learning sessions @ \$850 per session. Cap	
of 50 participants per session.	\$2,550.00
100 Navigating Diversity books @ \$13	\$1,300.00
Customization of modules to mesh with DCJD culture	\$900.00
Program evaluation and reporting	\$1,100.00
TOTAL ESTIMATE	\$14,250.00

This pricing estimate expires March 31, 2015.

#### A Comprehensive Approach

The Socha diversity + effectiveness learning series is an important tool for creating greater understanding about how to be effective, respectful, and supportive of the organizational goal to Sow, Cultivate, and Harvest each individual's full potential.

Yet because for many, the Socha principles require a major shift in attitude and behavior, a stand alone educational program may not be sufficient to create or sustain the desired level of change. Organizations with the most successful diversity programs make their educational component part of a more comprehensive diversity initiative that includes goals, supports, measurements, and accountability.

Why has the comprehensive approach become a diversity best practice? Diversity can be a very personal and emotional topic, and many people have already developed (and some have well-entrenched) negative opinions about the subject and how it impacts them personally. Diversity-focused educational programs that take place without the support of a comprehensive initiative can create uneasiness on the part of some. Therefore, when a team of organizational stakeholders is tasked with the responsibility to shepherd the initiative, change can be more profound.

This inclusive approach "walks the diversity talk," signaling to stakeholders that their voices are important and *included*. The stakeholder team may use organizational assessments and/or their own experiences, with the help of consultants, to develop organizational goals, objectives, and measurements that make sense in their unique organization, as well as relevant accountability measures. Once these measures are approved by organizational leadership, the educational sessions can then be tailored to assist stakeholders in meeting the organizational objectives. The stakeholder team can continue to serve as a sounding board to ensure the program's applicability to organizational culture, and oversee the process of measurement.

A stakeholder team that develops realistic goals and measurements can set the stage for stakeholder buy-in, as well as ensure the diversity education program's relevance to all participants. Session exercises become even more relevant when stakeholder team members have the opportunity to help shape them, based on their personal experiences. When the educational program is relevant and employees know they will be expected to use it practically, the return on investment is significantly higher.

A successful diversity effort is multi-layered and ongoing. When learning sessions are followed with evaluation to inform continuous improvement, a comprehensive approach to diversity education can transform employee reaction from questioning and resistance to curiosity, interest, and confidence. While WordSmooth always measures learning, the measurement is more effective when stakeholder-developed measurements are infused into the organization's employee evaluation processes so that employees are held accountable for using what they have learned.

WordSmooth consultants have helped coordinate activities with a number of area diversity councils, including United Way of Metropolitan Dallas, Texas Health Resources, and Legal Services of North Texas. The cost for a WordSmooth consultant to facilitate an 8-month process of stakeholder team goal-setting, diversity education program input, and measurement is approximately \$12,000.



## PURCHASE AGREEMENT BETWEEN [DALLAS COUNTY JUVENILE DEPARTMENT] AND WORDSMOOTH

This Purchase Agreement is dated [February 23, 2015], by and between [DALLAS COUNTY JUVENILE DEPARTMENT] at Dallas (Purchaser) and WordSmooth (Provider).

- 1. <u>Services to be Purchased.</u> Provider hereby agrees to provide the services (the "Services") as defined on Exhibit "A" attached hereto and incorporated herein by reference.
- 2. <u>Responsibilities of Purchaser</u>. Purchaser hereby agrees to provide the items outlined on Exhibit "B" attached hereto and incorporated herein by reference.
- 3. <u>Purchase Price/Payment Terms.</u> The purchase price and payment terms for said Services are as set forth on Exhibit "C" attached hereto and incorporated by reference herein.
- 4. <u>Time is of the essence</u>. Time is of the essence with respect hereto; therefore, Provider and Purchaser shall fulfill their respective obligations hereunder on or before the dates set forth herein.
- 5. LIMITATION OF LIABILITY. Wordsmooth, to the fullest extent allowed by law, agrees to indemnify and hold harmless DALLAS COUNTY, Dallas County Juvenile Board, Dallas County Juvenile Department, its assigns, officers, directors, employees, and agents, representatives, (referred collectively in this Section as "COUNTY) against any and all claims, lawsuits, judgments, costs and expenses for personal injury, property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by any negligent or strictly liable act or omission of Big Thought, its officers, agents, or employees, in the performance of this agreement; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the County, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of Big Thought and the Country, responsibility and indemnity, if any, shall be apportioned in accordance with the law of the State of Texas, without waiving any governmental immunity available to the Country under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties to this agreement and are not intended to create or grant any rights, contractual or otherwise, to any other person or entity.
- 6. Venue. Exclusive venue for any litigation arising from this Agreement shall be in DALLAS COUNTY, Texas.
- 7. <u>Product Integrity</u>. In order to preserve the high quality of WordSmooth training products, no employee or agent of Purchaser may train or present a Socha education program to another person unless certified by WordSmooth to be a facilitator.
- 8. <u>Confidential Information</u>. Each party and all agents of each party shall maintain confidential and secret, and shall not divulge, disclose or use in whole or in part, except in performance of the Services, any information obtained or created by the party relating to the other party's businesses or investigations, which (a) is information not generally known to the public, or (b) is proprietary information of such party, its customers or suppliers.

- 9. <u>Session Photography.</u> Purchaser agrees to permit the use of limited videotaping and still photography of sessions for the express use by Provider in promotional materials and publications. All images will be approved by both parties before publication.
- 10. Entire Agreement. This Agreement constitutes the entire agreement between Provider and Purchaser with respect to the Services described in this Agreement and its Exhibits, and supersedes any and all prior and contemporaneous oral or written understandings. This Agreement may not be altered, amended or modified except by a written document executed by both Provider and Purchaser.

	contemporaneous oral or written understandings. T modified except by a written document executed by be	his Agreement may not be alte
	Executed as of the date written above; effective:	
		WordSmooth
		Ву:
		Date: 8235 Hunnicut Ro Dallas, TX 75228 214-367-7513
DALL	AS COUNTY JUVENILE BOARD:	
BY:	Judge Cheryl L. Shannon	
	Chairman of the Dallas County Juvenile Board	
RECO	DMMENDED:	
BY:	Dr. Terry S. Smith	
	Director of Juvenile Services	
	Chief Juvenile Probation Officer	
COM	MISSIONERS COURT OF DALLAS COUNTY, TEXAS	
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Coun	nty Judge	
and I	Presiding Officer of Said Court	
Dalla	s County, Texas	
_APPR	OVED AS TO FORM*:	
Ву:		
	enika R. Caruthers, J.D. dministrative Legal Advisor	

**Dallas County Juvenile Department** 

#### **EXHIBIT "A"**

#### Services Provided by WordSmooth:

WordSmooth will facilitate [NUMBER] 90-minute employee learning sessions at [ADDRESS]. The session schedule is listed below. Sessions may be rescheduled with 7 days notice with the agreement of both parties.

[SCHEDULE]

The facilitator will utilize a Power Point presentation with an accompanying handout for each participant. An electronic copy of each handout will be emailed to Baylor for photocopying.

#### EXHIBIT "B"

#### Responsibilities of Purchaser

Please provide one hour in advance of session start time:

- Room completely set up one hour in advance of session start time
- One (1) power point projector connected to the computer
- Screen or blank white wall
- Enough small tables with chairs each for training participants
- A handout for each participant
- Enough writing instruments (pens and markers) for all participants
- Materials: Purchaser will be responsible for making a handout for each participant.

#### **EXHIBIT "C"**

#### Terms

Invoices will be submitted on the second Monday of each month. Payment is due within 30 days of invoice.

#### Fee

Payment for 100 staff to participate in this intensive training program is \$14, 250.00, which includes a book and all training materials.



# ACTION ITEM

0.



#### DALLAS COUNTY JUVENILE DEPARTMENT

**Dr. Terry S. Smith**Director Juvenile Services
Chief Juvenile Probation Officer

#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5

Dallas, Texas 75212

#### **MEMORANDUM**

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

North Texas Food Bank School Pantry Agreement

#### Background of Issue:

The Dallas County Juvenile Board approved the juror fund allocation of \$39,138.00 (JB Order 2013-102) to provide a food pantry that is housed at the Academy for Academic Excellence's (AAE) Day Reporting Center and Dallas County Juvenile Justice Alternative Education Program (JJAEP). The AAE/JJAEP partnership officially began on February 26, 2014 with the first food pick up from the Food Bank. Over the course the partnership there have been approximately 11 pick-ups and almost 16,000 pounds of food made available to our students and their families. The partnership with the North Texas Food Bank (NTFB) has been extremely beneficial and we are seeking approval from the Dallas County Juvenile Board to continue our partnership with the NTFB. The 2014-2015 Agreement with the NTFB does not require any financial obligation from Dallas County as the food will be donated.

Per NTFB, the goal of this partnership is the same to feed any students we have who are need for healthy free food and hygiene items, when available.

The purpose of this briefing is to request authorization to execute the attached agreement with the North Texas Food Bank.

#### Impact on Operations and Maintenance:

The North Texas Food Bank's food pantry will occur on the Day Reporting Center campus and on the campus of the Dallas County Juvenile Justice Alternative Education Program. The pantry will be maintained and operated by designated Juvenile Department staff.

Grant Services will administer/monitor the contract and review the program and evaluate its effectiveness.

#### **Strategic Plan Compliance:**

This request complies with Vision 3: Dallas is *safe*, *secure*, *and prepared*, by expanding disposition alternatives with regard to treatment for youth/families involved in the juvenile justice system.

#### Legal Information:

The agreement has been approved to form by Ms. Denika Caruthers, Administrative Legal Advisor. The agreement is attached. The agreement requires a signature of the Dallas County Judge and the Chairman of the Dallas County Juvenile Board.

#### Financial Impact/Considerations:

This initiative does not require any financial obligation from Dallas County, thus it does not require approval from Carmen Williams, Budget and Contracts Manager, Dallas County Juvenile Department.

#### Performance Impact Measures:

We anticipate this partnership will allow us to serve 100-150 families per month.

#### **Project Schedule/Implementation:**

The program will be implemented upon final execution of the contract.

#### **Recommendation:**

It is recommended that the Juvenile Board approve the agreement with the North Texas Food Bank. It is further recommended that the Board authorize the Chairman to execute related documents on behalf of the Juvenile Board.

#### Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juverile Department



#### NTFR SCHOOL PANTRY AGREEMENT

A Member of Feeding America

Dallas County Juver	iile Department	2/9/15		
School Pantry Name			Date	
2600 Lone Star Driv	e			
Mailing Address				
Dallas	TX	75212	1410049	
City	State	Zip	Agency Number	
214.698.4903				
Phone Number		•		

IN EXCHANGE FOR THE RIGHT TO BE A NORTH TEXAS FOOD BANK ("NTFB") SCHOOL PANTRY AND THEREBY PERIODICALLY RECEIVE PRODUCTS AND SERVICES FROM NTFB, THE ABOVE NAMED SCHOOL AGREES TO COMPLY WITH CERTAIN REQUIREMENTS. THE SCHOOL WILL:

#### Eligibility

- 1. Have 501(c) 3 federal tax-exempt status as determined and documented by the Internal Revenue Service or be a political subdivision of a federal or state possession.
- 2. Ensure that a licensed pest control company treats all program sites at least twice a year, and more frequently if there are signs of infestation.
- 3. Distribute food at least once per month during the school year and designate a regular day/time for distribution.

#### Term

4. This agreement is valid for a period of one year from the date of signature.

#### Service Requirements

- 5. Distribute the food received from the NTFB to low income individuals as defined by the federal and state income eligibility guidelines of 185% of federal poverty levels. Food and other products received from the NTFB may not be used to reward volunteers, for general distribution to the community, for community events, or for any use other than distribution to clients at no charge.
- 6. Distribute food in accordance with the US Department of Agriculture and Texas Health and Human Services Commission non-discrimination statement included at the end of this agreement.
- 7. Notify the NTFB immediately in case of damage, loss, or theft of product.
- 8. On a continual basis, identify and notify children/families that can benefit from the program.
- 9. Ensure that no product received from the NTFB is sold, offered for sale, transferred out of our service area, or bartered for money, other properties or services. If a food recipient wishes to make a donation, donations must be anonymous and truly voluntary. No one may be refused food or other items for failure to make a donation.

- 10. Show an identification card when picking up or receiving any food or non-food products from the NTFB.
- 11. Accept all food and other items received from or through the NTFB "as is." NTFB makes no representation or warranty regarding the condition or the fitness for any purpose of the food or other items provided.
- 12. Sign invoices prior to leaving the NTFB and have a second person inspect the order upon arrival at the school and sign the invoice, verifying that all product has been received at the intended destination.
- 13. Abide by NTFB Food Storage, Handling and Safety Practices that are in conformance with local, state and federal regulations, and ensure that employees and volunteers are provided training or have sufficient experience to safeguard the quality and safety of distributed food.
- 14. Not require a client to provide a social security card or any other documentation related to citizenship in order to receive food.
- 15. Attend civil rights training and review the training material once a year with all staff and volunteers that are involved in the distribution or service of food.
- 16. Not transfer NTFB product to another organization.

#### Reporting and Notices

- 17. Provide client count of children/families accessing the pantry.
- 18. Inform the NTFB of any changes in contact names, addresses, phone numbers, and/or services provided and provide any other relevant information.
- 19. If the distribution site is relocating, request prior approval from NTFB for the new location that will be storing and/or distributing NTFB product.
- 20. Provide a list of all potential distribution sites.

**Dallas County Juvenile Board** 

#### Monitoring and Compliance

- 21. Allow an authorized representative of the NTFB to conduct periodic monitoring reviews.
- 22. Assist, as requested, with any data collection necessary to conduct a thorough evaluation of the pantry program.

EITHER PARTY MAY TERMINATE THIS AGREEMENT, WITH OR WITHOUT CASE, UPON 30 DAYS WRITTEN NOTICE.

[SIGNATURES APPEAR ON THE NEXT PAGE].

DALLAS COUNTY JUVENILE BOARD: Executive, North Texas Food Bank:

BY:

Judge Cheryl Lee Shannon, Chair

Simon Powell, Chief Operating Officer

North Texas Food Bank

DALLAS COUNTY JUVENILE BOARD:	North Texas Food Bank Representative:
ВУ:	BY: Marlor Hanna
Terry Smith, Executive Director Dallas County Juvenile Department	Taylor Hanna, Child Programs Project Manager North Texas Food Bank
APPROVED AS TO FORM:	
By:	·
Denika R. Caruthers, J.D.	
Administrative Legal Advisor Dallas County Juvenile Department	
Danas County savenne Department	

The North Texas Food Bank complies with the U.S Department of Agriculture policy that prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usdagov/complaint filing cust.html">http://www.ascr.usdagov/complaint filing cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>.

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

USDA is an equal opportunity provider and employer.



# ACTION ITEM

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#### DALLAS COUNTY JUVENILE DEPARTMENT

**Dr. Terry S. Smith**Director Juvenile Services
Chief Juvenile Probation Officer

#### Henry Wade Juvenile Justice Center

2600 Lone Star Drive, Box 5

Dallas, Texas 75212

#### **MEMORANDUM**

Date:

February 23, 2015

To:

Dallas County Juvenile Board

From:

Dr. Terry S. Smith, Director

Subject:

Juvenile Detention Alternatives Initiative Professional Services Contract

#### **Background of Issue:**

In May of 2006, the Juvenile Board approved participation in the Juvenile Detention Alternatives Initiative (JDAI) sponsored by the Annie E. Casey Foundation (AECF).

The designation as a JDAI replication site initially included a three-year grant award payable in increments of \$100,000 for each year of implementation. June 30, 2009, was scheduled to be the last day of the grant. July 1, 2014, was the beginning of the ninth year of JDAI project. The Annie E. Casey Foundation has determined the ninth year funding for maintenance of the implemented initiatives. Local sites such as Dallas County will receive a smaller award than state sites for maintenance.

Thus, the purpose of this briefing is to seek approval for continued participation in the JDAI project sponsored by the AECF, approval of a professional services contract with Dr. Jaya Davis for coordination of the JDAI project. Additionally, the appointment of Darryl Thomas, County Auditor, as "Authorized Financial Personnel" for financial documents associated with the JDAI AECF grant.

#### Impact on Operations and Maintenance:

The JDAI Coordinator, Dr. Jaya Davis, will continue to assist in compiling qualitative and quantitative data required for the completion of the JDAI project. The Juvenile Department continues to make progress in validating the Risk Assessment Instrument (RAI), which assist in objective decision-making with regard to risk thereby increasing the likelihood that decisions about detaining youth in secure detention will be made based upon risk as opposed to treatment, racial determinates or mental health needs. Additionally, the Department's JDAI committees (Leadership, Ownership and Authority; Collecting and Analyzing Data; Alternatives to Detention; Objective Admissions Policies and Practices; Case Processing Analysis and Changes; Reductions in Special Detention Populations; Reductions in Racial/Ethnic Disparities and Disproportionate Minority Confinement; Conditions of Confinement; and Gender Specific Groups) which include community stakeholders, juvenile judges, attorneys, and juvenile department staff will continue to work in accordance to the development plan for year nine.

#### Strategic Plan Compliance:

This request conforms to the Dallas County Strategic Plan – Vision 3 Dallas County is safe, secure, and prepared by synchronizing data collection systems and processes across local government entities and departments with the

To assist referred youth in becoming productive, law abiding citizens, while promoting public safety and victim restoration.

214-698-2200 Office 214-698-5508 Fax

designation of the County Auditor as the Authorized Financial Personnel. In addition, the current proposal adheres to Vision 3 via convening local criminal justice partners to identify and expand detention and sentencing alternatives with regard to the professional services contract with Dr. Jaya Davis as the JDAI Coordinator.

#### Legal Impact:

The professional services contract with Dr. Jaya Davis has been sent to the Department's Administrative Legal Advisor for review and approval. Ms. Denika Caruthers has approved this contract as to form.

#### **Financial Impact/Considerations:**

The Juvenile Department has received JDAI funding in the amount of \$15,000 a year following the initial award for the first three years of our participation. The Year 9 monetary award is \$15,000 as well. Year 10, which will begin in July 2015, is also expected to be \$15,000 based on conversations with the Annie Casey Foundation. The current professional services contract budget totals \$12,000 for the JDAI consultant. This stipend will come from the funds that are available from the Annie E. Casey Foundation grant.

#### **Recommendation:**

It is recommended that the Dallas County Juvenile Board approve the Juvenile Department's continued participation in the JDAI project sponsored by the AECF. It is also recommended that the Juvenile Board approve the professional service contract with Dr. Jaya Davis as coordinator of the JDAI project.

Recommended by:

Dr. Terry S. Smith, Director

Dallas County Juvenile Department

#### PERSONAL SERVICES CONTRACT

TO VALIDATE, IMPLEMENT, AND EVALUATE THE RISK ASSESSMENT INSTRUMENT UTILIZED IN THE JUVENILE DETENTION ALTERNATIVE INITATIVE PROJECT

## BETWEEN DR. JAYA DAVIS PHD AND DALLAS COUNTY JUVENILE BOARD ON BEHALF OF DALLAS COUNTY JUVENILE DEPARTMENT

#### 1. PURPOSE

This Contract is entered into by Dr. Jaya Davis ("Consultant") and Dallas County Juvenile Board ("DCJB") on behalf of the Dallas County Juvenile Department ("DCJD") to validate, implement, and evaluate the Risk Assessment Instrument (RAI).

#### 2. TERM

The term of this Contract shall be effective from February 1, 2015 through June 30, 2015 unless terminated earlier under any provision thereof.

#### 3. ENTIRE CONTRACT

This Contract, including all Exhibits, and Addendum, constitutes the entire Contract between the parties hereto and supersedes any other Contract concerning the subject matter of this transaction, whether oral or written. No modification, amendment, notation, renewal or other alteration of this Contract shall be effective unless mutually agreed upon in writing and executed by the parties hereto.

#### 4. BINDING EFFECT

This Contract and the respective rights and obligations of the parties hereto shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto as well as the parties themselves; provided, however, that County, its successors and assigns shall be obligated to perform County's covenants under this Contract only during, and in respect of their successive periods as County during the term of this Contract.

#### 5. SEVERABILITY

If any provision of this Contract shall be held invalid, void or unenforceable, remaining provisions hereof shall not be affected or impaired and such remaining provisions shall remain in full force and effect.

#### 6. DEFAULT/WAIVER/MITIGATION

It is not a waiver of default if the non-defaulting party fails to immediately declare default or delays in taking any action. Pursuit of any remedies set forth in this Contract does not preclude pursuit of other remedies in this Contract or provided by law. Consultant has a duty to mitigate damages.

#### 7. RIGHTS AND REMEDIES CUMULATIVE

The rights and remedies provided by this Contract are cumulative, and either party's using any right or remedy will not preclude or waive its right to use any other remedy. These rights and remedies are in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

#### 8. BINDING CONTRACT / PARTIES BOUND

Consultant warrants and certifies that he has full authority to execute this Contract.

#### 9. HEADINGS

Headings herein are for convenience of reference only and shall not be considered in any interpretation of this Contract.

#### 10. NUMBER AND GENDER

Words of any gender used in this Contract shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise.

#### 11. COUNTERPARTS

This Contract may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

#### 12. SCOPE OF WORK

The contractor agrees to provide services in accordance with Attachment A, and as outlined and described in the Juvenile Detention Alternative Initiative Implementation Plan, both of which are incorporated by reference into this contract.

#### 13. AMENDMENTS

This Contract may be amended during the term of same, and any such amendments shall be in writing and duly executed by the parties hereto. No amendment to this agreement shall become effective and County bound by such amendment until approved by formal order of the Dallas County Juvenile Board.

#### 14. TERMS AND CONDITIONS OF PAYMENT

County agrees to compensate JDAI Consultant for approved budget expenses incurred, subject to the following limitations:

- A. The maximum total not-to-exceed amount to be paid under this Contract will be Twelve Thousand dollars and no 00/100 (\$12,000.00). Consultant will be paid on a monthly basis at a rate of One Thousand dollars and no 00/100 (\$1,000).
- B. County will only be obligated to pay those funds as specified and expended in accordance with the Contract (as set forth in part A above).
- C. County will make payment to Consultant upon receipt of a verified and proper billing in accordance with Texas Government Code, Chapter 2251.
- Consultant agrees to submit complete, fully documented and accurate billings, which will include dates of service.
- E. Payment is explicitly contingent on receipt of funds pursuant to an agreement between County and Annie E. Casey Foundation.
- F. Any dispute between the parties regarding County's payments to Consultant for services rendered under this Contract will be resolved by the County Auditor. In the event that the Consultant is dissatisfied with the decision of the County Auditor, such controversy shall be submitted to the County Commissioner Court, whose decision shall be final.

#### 15. REPORTING AND ACCOUNTABILITY

- A. REPORTING: Consultant agrees to submit all required documentation on a timely basis. Billings for services provided are due at the DCJD no later than the last weekday of the month following the month in which services were provided. Penalties for delinquent reports may include withholding of payments until such time all reports are received, cancellation of the Contract with no obligation to pay for undocumented services, or both.
- B. ACCESS TO AND RETENTION OF RECORDS: Consultant agrees the County, the Inspector General, Comptroller General of the United States, or any of their duly authorized representatives, have the right of timely and unrestricted access to any books, documents, papers, digital files, or other records of Consultant that are pertinent to the award, in order to make audit, examinations, excerpts, transcripts and copies of such documents. This right also includes timely and reasonable access to County fiscal and program personnel for the purpose of reviewing, interviewing, evaluating and monitoring related to such documents. Consultant's failure to perform its obligations, duties, and responsibilities in accordance with all terms and conditions of this Contract may result in termination of this Contract and will be considered in any future allocations of grant funds administered by County. All client records are the property of the County. County retains the right to have access to the Consultant's records or obtain copies for audit, litigation, or other circumstances that may arise. Any disclosure or transfer of records shall conform to the confidentiality provisions contained in this Contract.

These documents shall be maintained and retained by the Consultant for a minimum of five (5) years after the termination of the Contract period. If any litigation, claim, or audit involving these records begins before the retention period expires, the Consultant shall retain the records and documents for not less than five (5) years or until all litigation, claims, or audit findings are resolved, whichever is later.

#### C. INDEMNITY AND BONDING:

Consultant assures that it is an independent contractor and not an agent, servant, or employee of County. Consultant agrees that it will protect, defend, indemnify, and save whole harmless County and all of its officers, agents, and employees from and against all claims, demands, causes of action, damages, judgments, losses and expenses, including attorney's fees, of whatsoever nature, character, or description that any person or entity has or may have arising from or on account of any injuries or damages (including but not restricted to death) received or sustained by person, persons, or property, on account of, or arising out of, or in connection with the performance of the work, including without limiting the generality of the foregoing, any negligent act or omission of the Consultant or any agent, servant, employee or subcontractor of the Consultant in the execution or performance of this Contract. Consultant further agrees to the extent allowed by Texas law to protect, indemnify and hold County harmless against and from any and all claims and against and from any losses, costs, damages, judgments or expenses, including attorney's fees arising out of the breach of any of the requirements and provisions of this Contract or any failure of Consultant, its employees, officers, agents, subcontractors, invitees, or assigns in any respect to comply with and perform all of the requirements and provisions hereof.

Approval and acceptance of Consultant's work by the County shall not constitute nor be deemed a release of the responsibility and liability of the Consultant, its employees, subcontractors, agents and Consultants for the accuracy and competency of their work; nor shall such approval and acceptance be deemed to be an assumption of such responsibility by the County for any defect, error or omission in the work prepared by the Consultant, its employees, subcontractors, agents or Consultants. In this regard, the Consultant shall defend, hold harmless and indemnify the County for damages resulting from such defects, errors or omissions.

#### 16. SUBCONTRACTING

Consultant may not enter into agreements with any subcontractors unless Consultant has received prior written approval from County. Any subcontracts entered into by Consultant shall be in writing and contain the same terms and conditions as set forth in this Contract. Consultant agrees that it will be responsible to County for the performance or lack of performance of any subcontractor.

#### 17. REALLOCATION OF FUNDS

Consultant recognizes that the DCJD may reallocate all or part of the funds under this Contract due to non-achievement of professional services, or other just cause during the Contract period. The County allocation/reallocation policy will be utilized in determining an alternate Consultant.

Consultant shall immediately notify the person designated by the Dallas County Juvenile Department, of any problems, delays, or adverse conditions which will affect the ability of the Consultant to perform its obligations under this contract. Any such notice shall include a statement of actions taken or contemplated to be taken by the Consultant to resolve such problems, delays, or adverse conditions.

#### 18. CONTINGENCIES

Notwithstanding anything to the contrary herein, any payment under this Contract shall be expressly contingent upon the receipt of funds from Annie E. Casey Foundation. In the event insufficient funding or the complete lack of funding by Annie E. Casey Foundation, Consultant shall have no right of action against County.

#### 19. ASSURANCES

- A. Consultant assures that no person will, on the grounds of race, creed, color, handicap, national origin, sex, political affiliation or beliefs, be excluded from, be denied the benefit of, or be subjected to discrimination under any program or activity funded in whole or in part under this agreement.
- B. Incorporated by reference the same as if specifically written herein are the rules, regulations, and all other requirements imposed by law including, but not limited to, those pertinent rules and regulations of the United States of America and State of Texas or any political subdivision.
- C. Consultant assures it will not transfer or assign its interest in this Contract without written consent of County.
- D. Consultant, by acceptance of funds provided under this Contract, agrees and ensures that personnel paid from these funds are duly licensed and/or qualified to perform the required services. Consultant further agrees and ensures that all program and/or facility licenses necessary to perform the required services are current and that County will be notified immediately if such licenses become invalid during the term of this Contract.
- E. Consultant assures that funds under this grant will not be used for lobbying Congress, the legislature, or any agency in connection with a particular contract.
- F. Consultant agrees to comply with all federal and state statutes relating to nondiscrimination. These include but are not limited to: Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color, or national origin; Title IX of the Education Amendments of 1972, as amended (20 U.S.C. SS 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C.S 794), which prohibits discrimination on the basis of handicaps; the Americans with Disabilities Act of 1990 (P.L. 101-336), which prohibits discrimination on the basis of disabilities; the Age

Discrimination Act of 1975, as amended (42 U.S.C. SS 6101-6107), which prohibits discrimination on the basis of age; the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol and drug abuse patient records; any other nondiscrimination provisions in the specific statute(s) pertaining to applicable federal assistance; and the requirements of any other nondiscrimination statute(s) that may apply.

- G. Consultant will comply with Public Law 103-333, Section 508, which requires that when issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, Consultant shall clearly state the percentage of the total costs of the program or project that will be financed with federal money, the dollar amount of funds for the total project or program, and the percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.
- H. Failure to comply with any of the signed assurances may jeopardize the continuation of this Contract and may result in the disallowance of funds and the withholding of future awards.
- 1. The person(s) signing and executing this Contract on behalf of Consultant, or representing themselves as signing and executing this Contract on behalf of Consultant do hereby warrant and guarantee that he, she or they have been duly authorized by Consultant to execute this Contract on behalf of Consultant and to validly and legally bind Consultant to all terms, performances and provisions herein set forth.
- J. Consultant will comply with the requirements of the Immigration Reform and Control Act of 1986, 8 USC 1324a(b)(1) and Immigration Act of 1990, 78 USCA 1101, regarding employment verification and retention of verification forms for any individual hired on or after November 6, 1986, described in this application who will perform any labor or services.
- K. Consultant understands that reimbursement for costs under this Contract shall be in accordance with all applicable state and federal rules, regulations, cost principles, and other requirements relating to reimbursement with federal and state grant funds.
- Consultant agrees to adhere to confidentiality requirements and further agrees that Consultant will not engage in activities that advocate or promote the violation of state or federal laws.
- M. Under Section 231.006, Texas Family Code, Consultant certifies to County that Consultant is not delinquent in any child support obligations and therefore eligible to receive payment under the terms of this Contract. Consultant hereby acknowledges that this Contract may be terminated and payment may be withheld if this certification is inaccurate.

#### 20. PUBLICATION RIGHTS

The Consultant may copyright any work that is subject to copyright and was developed, or for which ownership was purchased. County reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for state and local purposes, and to authorize others to do so.

#### 21. TERMINATION

County may, upon thirty (30) calendar day's written notice to the Consultant, terminate all or any part of this Contract in any one of the following circumstances:

- A. If the Consultant fails to comply with County's reporting requirements, the objectives, the terms, conditions, or standards of this Contract, applicable federal, state, or local laws, rules, regulations and ordinances, or any other requirement set forth in this Contract.
- B. If the Consultant fails to perform the work and services required by this Contract within the time specified herein or any extension thereof.
- C. If funds allocated by Annie E. Casey Foundation become reduced, depleted, or unavailable during the Contract term.

County may immediately terminate or suspend this Contract to protect the health and safety of clients.

Termination of the Contract will be effectuated by delivering to the Consultant a written notice of termination specifying to what extent performance of work under the Contract has been terminated and the effective date of termination. After receipt of said termination notice, the Consultant shall stop work under the Contract on the date of termination and to the extent specified in the notice of termination. Upon receipt of such notice, the Consultant will not incur new obligations and will cancel any outstanding obligations. To the extent state funds are available and reimbursement is permitted, County will reimburse the Consultant for non-canceling obligations which were incurred prior to the termination date. Upon termination of this Contract as herein above provided, any and all unspent funds which were paid by County to the Consultant under this Contract shall be returned to County.

#### 22. SUSPENSION

- A. Should the County desire to suspend the work but not terminate the Contract, the County will issue a written order to stop work setting out the terms of the suspension. The Consultant will stop all work and cease to incur costs during the term of the suspension.
- B. The Consultant will resume work when notified to do so by the County in a written authorization to proceed. Suspension of work does not automatically extend the date of performance for the Contract period. If additional time is required to complete the work because of the suspension, a mutually agreed Contract amendment will be executed in accordance with Article 13 (Amendments).
- C. If Consultant is delayed by the County due to a suspension of work, or otherwise, the Consultant's sole and exclusive remedy for delay shall be the right to a time extension for completion of the Contract and not damages.

#### 23. ACCEPTANCES

By their signatures below, the duly authorized representatives of County and Consultant accept the terms of this Contract in full.

#### 24. CHOICE OF LAW AND VENUE

This Contract is expressly made subject to County's Sovereign Immunity, Title 5 of the Texas Civil Remedies Code and all applicable State of Texas and Federal laws. This Contract and all matters pertinent hereto shall be enforced in accordance with the laws of the State of Texas. Exclusive venue for legal action between the parties arising from this Contract shall be in Dallas County, Texas.

By their signatures below, the duly authorized representatives of County and Consultant accept the terms of this Contract in full.

EXE	CUTED this the	February 2015
DALI	AS COUNTY JUVENILE BOARD:	CONSULTANT:
BY:	Judge Cheryl L. Shannon Chairman, Dallas County Juvenile Board	BY Dr. Java Davis, Ph.D.
REC	OMMENDED:	
BY:	Terry S. Smith, Ph.D., Director, Dallas County Juvenile Department	BY: Denika R. Caruthers, J.D. Administrative Legal Advisor Dallas County Juvenile Department

#### **ATTACHMENT A**

## OF THE PERSONAL SERVICES CONTRACT WITH Dr. Jaya Davis

#### Deliverable Task and Written Documentation

Task No. 1:

Serve as the JDAI Project Coordinator and primary liaison with the Annie E. Casey Foundation.

Written Documentation: Quarterly Status Report

Task No. 2:

Plan and facilitate stakeholders meetings and coordinate activities of smaller working groups.

Written Documentation: Quarterly Status Report

Task No. 3:

Identify appropriate training, technical assistance and site visits.

Written Documentation: Quarterly Status Report

Task No. 4:

Develop and maintain a mechanism for keeping all stakeholders informed of the projects progress on a regular basis.

Written Documentation: Quarterly Status Report

Task No. 5:

Prepare written reports as required by the Annie Casey Foundation or as requested by the Juvenile Board.

Written Documentation: Quarterly Status Report

Task No. 6:

Other duties as recommended by the Annie E. Casey Foundation JDAI project staff and/or the Juvenile Board.

Written Documentation: Quarterly Status Report

Task No. 7:

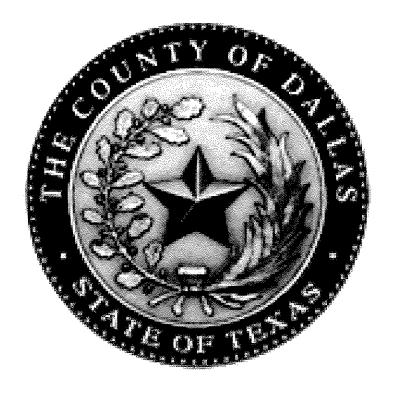
Prepare end of year report for Annie E. Casey Foundation - Dallas County JDAI contract year.

Written documentation: Final Report

Task No. 8:

Prepare a comprehensive end of project report publishing an overview of the project that includes outcome measures of the five year Dallas County Juvenile Department Annie E. Casey Foundation JDAI Initiative report.

Written documentation: Final Published Report



# DISSCUSSION ITEM

Q.

### ACADEMY FOR ACADEMIC EXCELLENCE CHARTER REPORT January 2015

#### Dr. Jerome McNeil Detention Center / AAE Campus (001):

#### QUOTE OF THE MONTH

"The whole purpose of education is to turn mirrors into windows".....-Sydney J. Harris

#### **INSTRUCTION AT A GLANCE**

Total Enrollment -	244
JDC	132
RDT	37
START	35
HILL	40
ESL	29
SPED	64

#### **English/Language Arts Department**

During the month of January, the English Team focused on informational texts for all grade levels. The students created their own companies and used persuasive techniques in an effort to advertise their businesses by creating brochures, posters, etc. They presented their final work by giving an oral presentation to the entire lass. Another project involved focusing on life after receiving a high school diploma. The project involved putting their chosen future occupation on a placard to be placed on their desk. The teacher addressed each student by using their chosen occupation, i.e. Ms. Cosmetologist or Mr. Electrician on a daily basis. For the remainder of the month, the ELA Team continued daily vocabulary review and SRA reading intervention on Mondays.

#### **Math Department**

For the month of January the Math team spent time attempting to identify which students were snapshot students and began to tutor those students. The middle school students worked on angle relationships applying real world experiences by talking through how professions deal with the measurement of angles and why correct measurements are crucial.

In Algebra 1 the students explored systems of linear equations. They discovered that lines that intersected have one solution; graphing the same equations caused infinitely many solutions and parallel lines have no solutions. When applying this to the real world students discovered that oftentimes a car traveling at a certain speed will meet another car traveling at a set speed. They loved it!

The Geometry students focused on how to use the distance and midpoint formulas to draw conclusions about outcomes. They were able to manipulate the formulas to draw conclusions. They also had to prove their findings by graphing. The graphing calculator assisted them while doing this objective.

#### **Science Department**

In the month of January the science department did several activities. The students studied science safety and procedure. They also examine historical perspective of how the internal structure of the atom was discovered. In addition, students compared properties of elements and their behavior. They also learned how the number of protons, neutrons, and electrons in an atom determined from simple rules. In addition, students evaluated the arrangement of the periodic table. They hypothesized properties of the elements and predicted the outcome of elements arrangements.

#### **Social Studies Department**

The Social Studies classes covered a variety of topics throughout the month of January. The middle school students learned about the Causes of the American Revolution, and the American Revolution itself. The middle school scholars also studied the U.S. Constitution and created T-shirts representing their favorite/ most important Amendment of the U.S. Constitution. The high school students were introduced to the Causes of World War II, and World War itself. Another topic that was taught to the students in high school was the Holocaust. All the students studied the work and life of Martin Luther King Jr., the main focus was on the Selma to Montgomery Voting Rights March. The students created their own stamp commemorating the life, and achievements of MLK.

#### **ESL Department**

In the month of January, the ESL Department serviced over 40 students. The ESL team attended the LPAC Assessment training, and tutored Hill students in Math, on Tuesday and Thursday. The team also conducted a LPAC meeting on January 15, 2015.

#### **Special Education Department**

The Special Education team worked together to better serve the students. The Special Education team prepared for 24 ARD meetings and actually held 16 meetings.

#### **Career & Technology Education**

The CTE class worked on interviewing skills and learned how to create a resume. The students explored jobs and took inventory of what career the students wanted to work in. One student received a full scholarship to the school of his choice.

#### Computers

In Odysseyware, students worked on Math and English. The computer teachers work with the general education teachers to supplement Math and English.

#### **Upcoming Events**

Student Holiday/Staff Development Day – February 16, 2015 Black History Month Presentations

#### Day Reporting Center - Campus (002):

#### **QUOTE OF THE MONTH**

"Education is a gift that none can take away".

American Proverb

#### **INSTRUCTION AT A GLANCE**

Total Enrollment - 52 GED 12 SPED 11

#### **School Celebration and Activities**

The Day Reporting Center has been busy this month on numerous initiatives to expand their program. The DRC Staff meet weekly for campus staff meetings. In an effort to stimulate pride on the campus, the staff has conducted student achievement ceremonies for honor roll and perfect attendance for this first semester. In addition, the English and Social Studies classes celebrated the legacy of Dr. Martin Luther King, Jr. through examining his writings and his speeches. The Day Reporting Center is planning numerous activities to celebrate Black History Month.

DRC teachers are designing TEKS based lessons celebrating the achievements and contributions of African American in observation of Black History Month. Throughout the month of February, the DRC staff will honor the contributions of African Americans with a host of engaging activities and events that include all content areas. As a result of this cross-curricula approach, the walls are being decorated with student's work, artwork, historical facts, and other educational materials that chronicled the influences of African Americans in every content area.

#### **State Assessment**

During the month of February, the DRC campus will be conducting STAAR focused tutorial sessions and in preparation for the Spring Administration of the STAAR. The DRC teachers are continuous working on creating individual profiles of students in order to determine the students' strengths and weaknesses which are conducted weekly in each of the core subject areas.

Mr. Aubrey C. Hooper, Principal DRC Campus 002

#### Medlock/Youth Village Campus - (003):

#### QUOTE OF THE MONTH

"It is the supreme art of the teacher to awaken joy in creative expression and knowledge." Albert Einstein

#### WORD OF THE MONTH- CONFIDENT

#### **INSTRUCTION AT A GLANCE**

Total Enrollment - 118 SPED 27 ESL 13

#### Campus at a Glance/Activities

During the month of January both Medlock & Youth Village opened up the 4<sup>th</sup> six weeks of the 2014-2015 school year. The focus on the 003 campus for the six weeks is implementing RTI strategies into the classroom. Test Taking strategies are also being implemented into the classroom. Our campus started Conducting Professional Learning Community (P.L.C.) meetings. These meetings allow for teacher's to collaborate, analyze data and work on student weaknesses. Medlock is now offering a Creative Writing/Reading Class. We are proud to announce that we had 42 students at Medlock, 9 students at Youth Village that made the A/B Honor List. The educational team at Medlock/Youth Village would like to thank the Facility staff, P.O.'s & JSO's who worked with the students and parents to help emphasize the importance of students excelling in their education.

#### A/B Honor Roll Principal's Luncheon

The Medlock/Youth Village campus also held its 3rd six week s A/B honor roll luncheon on January 20<sup>th</sup> (Youth Village) January 21<sup>st</sup> (Medlock).

#### **Vocational Education Programs**

Medlock/Youth Village continue to promote its Vocational Education Programs to Engage, Prepare and Inspire post- secondary needs for all students on the campuses. Youth Village completed its welding course. 12 students at Youth Village received their welding certificates.

#### Credit Recovery/GED Program

The Medlock/Youth Village campus currently has an active credit recovery program and we are steadily finding ways to assist students in their positive transition back into their traditional educational setting. Medlock has also started its GED prep program. Five students have currently been enrolled in the GED program.

#### **Curriculum & Instruction**

In our efforts to focus on individualized learning, we continue to investigate better ways to differentiate instruction to ensure that students are prepared for the increased rigor of the state assessment, the STAAR test. Teachers used The Texas Curriculum Management Program Cooperative (TCMPC) focus documents and assessments to design lessons that will help determine the students' strengths and weaknesses in preparation for both the STAAR and TAKS administrations. Teachers are focusing this six weeks on Project-Based learning activities and Intervention Strategies. Teachers have also been trained in EPS and are excited to start implementing the program.

#### After-School Tutoring/Odysseyware

Both Medlock and Youth Village started the After-School tutoring program. Teachers are also doing some reinforcements in the computer lab via odysseyware.

Medlock - Monday & Wednesday (3:00 p.m. - 3:30 p.m.)
Youth Village - Tuesday & Thursday (3:00 p.m. - 3:30 p.m.)

#### **SEE Program**

Medlock & Youth Village have also implemented the SEE program for additional tutoring throughout the school day. This program is being facilitated by Ms. Dube on every Monday, Tuesday & Thursday.

Yvette Pollard, Principal
Medlock/YV Campus 003
Academy for Academic Excellence 003- Campus
"Working on the Work: Achieving Excellence Together"

#### SAU (Substance Abuse Unit) Campus (004):

#### Campus Life at a Glance

During the month of January the Substance Abuse Unit (SAU) celebrating the holiday, the students assisted in designing the bulletin board and decorating the halls. Both campuses held a Thanksgiving themed Luncheon for the students and staff. During the luncheon, staff celebrated the successes of our students and staff as well and a short skit featuring the students at Letot.

#### **Curriculum & Instruction**

In our efforts to focus on individualized learning, we continue to investigate better ways to differentiate instruction to insure that students are prepared for the increased rigor of the state assessment, the STAAR test. The teachers used The Texas Curriculum Management Program Cooperative (TCMPC) focus documents and assessments to design lessons that will help determine the students' strengths and weaknesses in preparation for the December STAAR administration. The staff is committed to raising the academic bar and preparing our students to reach it.

#### **Social Studies Department**

The Social Studies classes have been studying the Bill of Rights and Civil Rights movement during the month of January. Students created a protest shirt to be used in a hypothetical protest of a violation of the bill of rights. They had to make sure their shirt showed the meaning of the amendment as well as their disdain for the violation. The students also watched a biography about Martin Luther King which chronicled his accomplishments as well as possible causes of his assassination. The students had to come up with a theory as to his killing and how the movement was changed as well as show how it would have been different if had he lived.

To prepare or Black History Month, the students have been researching various historical figures of black history which will be showcased throughout the school for the month of February.

#### **English/Language Arts Department**

The English Language Arts classes created t-shirt slogans designed to incorporate the SOAP (subject, occasion, audience, and purpose) as part of the persuasive unit of our 6 weeks, the 10<sup>th</sup>-12<sup>th</sup> graders. The SOAP is the cornerstone in all advertisement, media, campaigns, etc... The students had to demonstrate an understanding of how the process works through the t-shirts. The 8<sup>th</sup>-9<sup>th</sup> graders were called upon to demonstrate the same understanding through posters.

#### **Credit Recovery**

The SAU credit recovery program has proven to be very successful. The staff is continuously finding ways to assist students in their positive transition back into their traditional educational setting. Several of our high school students are currently participating in the program. The campus continues to promote College and Career Readiness with College and Career Fridays and with our College and Career Wall in an effort to inspire our students to pursue positive post-secondary options.

We are especially appreciative of the extra efforts of our instructional and clerical staff, who worked with students to help emphasize the importance of school. We've recently implemented attendance incentive program at SAU is already proving to be a success this school year. Continuously promoting our collaborative spirit, the teachers have been conducting cross curriculum meetings to better plan their lessons and create consistency throughout the content areas.

#### **Special Services & ESL Department**

A total of 15 Special Education students received services in January. Seven have exited the program and we wish them well. Our great hope is, of course, to never see them here again in the substance abuse program! Three ARDs were performed at SAU during the month, two with parents and/or legal guardians in actual attendance! In addition to their regular class work, the SpEd students also continued to supplement their vocabulary/English skill by working from the Dynamic Literacy workbooks. We began making use of Elements of basic Algebra workbook.

#### Student Advisory/Data

Fifty-Four (54)) students at SAU Files Reviewed/ Endorsements updated with credits For 2<sup>nd</sup> Semester. Five (5) Students completed Credit Recovery courses receiving 0.5 to 1.5 credits in the month of January. Twenty-Four (24) students at Letot Files Review/Endorsements updated with credits for 2<sup>nd</sup> Semester.

#### Parental Involvement

Both SAU and Letot teacher have been making weekly calls to the parents to make sure the parents are informed about student grades and campus events. They will continue to find innovative ways to involve parents in their child's success.

#### **School Celebration and Activities**

#### **Upcoming Events**

**Black History Celebrations** 

#### Ongoing:

Campus PLC Meetings
Attendance & Scholar Incentives
Birthday Presentations
College & Career Readiness (Spirit Friday's)
Team Building Activities

Tracie Smith, Administrator SAU Campus 004

Teach, Encourage, Instruct, Mentor, Praise, Influence, Guide...... INSPIRE

#### LETOT Campus (005):

#### **QUOTE OF THE MONTH**

"The function of education is to teach one to think intensively and to think critically. Intelligence plus character - that is the goal of true education."

- Dr. Martin Luther King

#### **INSTRUCTION AT A GLANCE**

Total Enrollment -	26
SPED	01
ESL	00
Section 504	02

#### Campus at a Glance

During the month of January, the Letot campus conducted several activities to celebrate Thanksgiving teaching students the importance of showing appreciation and acknowledging the advancement of the early explorers. Celebrating the holiday, the students assisted in designing the bulletin board and decorating the halls. Both campuses held a Thanksgiving themed Luncheon for the students and staff. During the luncheon, staff celebrated the successes of our students and staff as well and a short skit featuring the students at Letot.

#### Instruction at a Glance

In our efforts to focus on individualized learning, we continue to investigate better ways to differentiate instruction to insure that students are prepared for the increased rigor of the state assessment, the STAAR test. The teachers used The Texas Curriculum Management Program Cooperative (TCMPC) focus documents and assessments to design lessons that will help determine the students' strengths and weaknesses in preparation for the upcoming STAAR administration. The staff is committed to raising the academic bar and preparing our students to reach it.

The campus continues to promote College and Career Readiness with College and Career Fridays and with our College and Career Wall in an effort to inspire our students to pursue positive post-secondary options. We are especially appreciative of the extra efforts of our campus lead, principal, teachers and clerical staff, who worked with students to help emphasize the importance of school.

#### Parental Involvement

Letot teacher continue to make weekly calls to the parents to make sure the parents are informed about student grades and campus events. We also made contact with all parents by sending a flyer and testing calendar in the mail with the progress reports that were mailed out this month. The flyer contains the upcoming events and/or celebrations for the month of February at Letot. The testing calendar lists the dates of testing for the second semester.

#### Coming soon....

End of the Fourth Six Weeks African American History Month Ground Hog Day Valentine's Day President's Day

Sheterric Malone, Administrator Letot 005

Teach, Encourage, Instruct, Mentor, Praise, Influence, Guide...... INSPIRE

### ACADEMY FOR ACADEMIC EXCELLENCE PROGRAM STATUS REPORT

	Active Enrollments									
Student Enrollmer	nt as of January, 2015	5:	District Total Enroll	ment: 519						
District Average Attendance		470 (90.55%)								
District Special Education Student Population			147 (28.32%)							
CAMPUSES	JDC - 001	DRC - 002	MED./YV - 003	SAU - 004	LETOT - 005					
-	Number	Number	Number	Number	Number					
Enrollment	264	52	121	57	25					
New Students	179 33		22 5		6					
Withdrawals	169	28	20	8	2					
Avg. Daily Attendance	254	31	119	42	24					
Avg. Daily Enrollment	264	52	121	57	25					
Attendance Average	96.21%	59,61%	98.34%	73.68%	96.00%					

Demographics

Demographics										
Category	JDC	- 001	DRC	- 002	MED. /	YV - 003	SAU	3 <b>- 004</b>	LETOT - 005	
GENDER	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Female	49	(19.22%)	09	(16.07%)	00 (	0.0%)	09	(17.31%)	18	(69.23%)
Male	206	(80.78%)	47	(83.93%)	120 (	100%)	43	(82.69%)	08	(30.77%)
GRADE	Nur	nber	Nun	nber	Nu	mber	Number		Nur	mber
3	1	0	(			0		0	1	0
4		1	{			0		0	1	1
5 6		2 5	(	)		0		0	1	0
7		o !9	4	<u>2</u> 7		1 8	ļ	0		1 6
8		. <del>3</del>  4		•		21		10		0
9		10	3			55		27		9
10		0	l 1			28		10		8
11		2	:	3		6		4	1	
12		1				1		0		
AGE	Nur	nber	Nun	nber	Nu	mber	Number		Nur	nber
10		1	(	)		0		0		0
11		2	l		l ŏ		0		1	
12	1 :	5	0		0		Ö			
13		0	4		0		1		8	
14		4	12		17		6			4
15		0	10		31		11			9
16		05	20		48		19		2	
17		2	19 3			25		15	0	
18+		1 T	<u> </u>	3		0		0	<u> </u>	1
ETHNICITY	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
African American	131	(51.37%)	27	(48.21%)	62	(51.67%)	7	(13.46%)	13	(0.50%)
Caucasian	16 (06.27%) 0 (0.00%)		(0.00%)	14	(11.67%)	6	(11.54%)	2	(07.69%)	
Hispanic	105	(41.18%)	29	(51.79%)	44	(36.66%)	37	(71.15%)	11 (42.31%)	
Native American	0	(0.00%)	0 (0.00%)		0 (0.00%)		0	(0.00%)	0	(0.00%)
Other/Asian	3	(01.18%)	0	(0.00%)	0	(0.00%)	2	(03.85%)	o	(0.00%)