

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 14, 2015

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3277** by Dutton (Relating to the authority of the office of independent ombudsman with the Texas Juvenile Justice Department in regard to juveniles in custody in certain facilities not operated solely for children committed to the department.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3277, As Introduced: a negative impact of (\$2,278,304) through the biennium ending August 31, 2017.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$1,224,652)
2017	(\$1,053,652)
2018	(\$1,053,652)
2019	(\$1,053,652)
2020	(\$1,053,652)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
	1
2016	(\$1,224,652)
2017	(\$1,053,652)
2018	(\$1,053,652)
2019	(\$1,053,652)
2020	(\$1,053,652)

Fiscal Analysis

The bill would amend the Human Resources Code to expand the duties of the Office of the Independent Ombudsman (OIO) associated with the Texas Juvenile Justice Department (TJJD).

Under the provisions of the bill, the OIO would be required to investigate, evaluate, and secure the rights of youth who are confined to non-secure post-adjudication residential treatment facilities (12 across the state), pre-adjudication secure detention facilities (50), holdover facilities (2) and post-adjudication secure facilities (34). The bill would allow the OIO to conduct, organize, and provide technical assistance for audits of facilities to ensure that the audits are conducted in compliance with the federal Prison Rape Elimination Act National Standards. The bill would take effect September 1, 2015.

Methodology

The OIO anticipates providing monthly site visits and complaint investigations to the 34 post-adjudication facilities with 7 FTEs and providing service through a complaint hotline and site investigation to the remaining facilities. Since the average length of stay for youth in pre-adjudication and holdover facilities is much shorter than post-adjudication facilities, analysis provided by the OIO indicates the youth in pre-adjudication and holdover facilities could be served by providing them access to a 24 hour toll-free call center. This plan includes 6 FTE call center operators and 3 additional FTEs as Deputy Ombudsmen to conduct investigations and perform periodic site visits at pre-adjudication and holdover facilities. The operation of a call center is not required by the bill; however, the OIO plan on how to best implement the provisions of the bill includes the operation of a call center.

Costs associated with the first year of implementation include 16 FTEs (\$55,000 salary x 10 for Deputy Ombudsmen, plus agency payroll contribution and employee retirement and benefits is \$736,340) and (\$33,153 salary x 6 for administrative call center staff, plus agency payroll contribution and employee retirement and benefits, is \$266,312), 7 vehicles (\$140,000), travel (\$32,000), technology costs (\$31,000), and other operating expenses (\$19,000), for a total amount of \$1,224,652. Costs for following years would include these items except for vehicle purchases and technology related purchases, for a total of \$1,053,652. It is assumed that the provision related to PREA audits could be absorbed within TJJD resources since certain TJJD staff and the Chief Ombudsman already participate in these audits.

Technology

The technology costs associated with the ten Deputy Ombudsman FTEs is estimated to be \$31,000 for computers, electronic accessories, mobile phones, and phone plans.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 644 Juvenile Justice Department

LBB Staff: UP, ESi, AI, RCa, KVe, JPo