

SUBJECT: Statewide registry for juvenile detention and correctional facilities

COMMITTEE: Juvenile Justice and Family Issues — favorable, with amendment

VOTE: 5 ayes — Goodman, J. Jones, McClendon, McReynolds, Smith

0 nays

4 absent — Staples, Naishtat, A. Reyna, Williams

WITNESSES: For — None

Against — None

On — Donald Lee, Conference of Urban Counties

BACKGROUND : The Texas Juvenile Probation Commission (TJPC) is required by law to adopt minimum standards for juvenile detention facilities, public post-adjudication juvenile secure correctional facilities that are operated under the authority of a juvenile board, and certain private post-adjudication juvenile secure correctional facilities. The TJPC must annually monitor compliance with those minimum standards or ensure that a facility is certified by the American Correctional Association. In addition, the TJPC must annually inspect certain private, post-adjudication juvenile secure correctional facilities.

DIGEST: HB 2749, as amended, would require the TJPC to operate a statewide registry for all public and private juvenile pre-adjudication secure detention facilities and post-adjudication secure correctional facilities, except those facilities operated or certified by the Texas Youth Commission. TJPC annual inspection duties would be expanded to include all facilities in its statewide registry.

The bill would specify that TJPC minimum standards would apply to public and private juvenile pre-adjudication secure detention facilities.

HB 2749 would take effect September 1, 1997.

SUPPORTERS SAY: HB 2749 would help protect juveniles in secure facilities by increasing the TJPC's inspection abilities and by giving it the prerequisite it needs for authority to investigate suspected child abuse or neglect in those facilities. The Family Code authorizes a state agency to investigate alleged child abuse or neglect in any juvenile facility it operates, licenses, certifies or registers. Currently, neither the Department of Protective and Regulatory Services, which usually investigates reports of child abuse or neglect, nor the TJPC operates, licenses, certifies or registers juvenile secure facilities. As a result, reports of alleged abuse in juvenile facilities often fall through the cracks. HB 2749 would remedy this problem by requiring the TJPC to register juvenile secure facilities, thereby giving it authority to investigate those facilities.

OPPONENTS SAY: No apparent opposition.

NOTES: The committee amendment would allow facilities to continue using American Correctional Association standards.

Two related bills by Rep. McClendon are HB 1928, which would require juvenile secure facilities, except those operated or certified by the Texas Youth Commission, to register annually with the TJPC and adhere to its minimum standards, and HB 1929, which would require juvenile probation officers to report child abuse or neglect to local law enforcement agencies and those agencies to immediately notify the TJPC of any reports they receive. Both bills have been passed by the House.