

SUBJECT: TJJJD collecting best practices to identify child victims of sex trafficking

COMMITTEE: Corrections — favorable, without amendment

VOTE: 7 ayes — Parker, White, Allen, Riddle, Rose, J.D. Sheffield, Toth
0 nays

WITNESSES: For — Jennifer Carreon, Texas Criminal Justice Coalition; John Moran, Bexar County Juvenile Probation Department; (*Registered, but did not testify*: Ray Allen, Texas Probation Association; Yannis Banks, Texas NAACP; Diana Martinez, TexProtects, The Texas Association for the Protection of Children; Jason Sabo, Children at Risk; Justin Wood, Harris County District Attorney's Office)

Against — None

On — Mike Griffiths, Texas Juvenile Justice Department

DIGEST: HB 3497 would require the Texas Juvenile Justice Department (TJJJD) to evaluate local juvenile probation departments' practices and screening procedures for the early identification of juvenile sex trafficking victims. The purpose of the evaluation would be to develop a set of best practices that could be used by juvenile probation departments to improve their ability to identify juveniles who were victims of sex trafficking.

The best practices could include:

- examining a juvenile's history of referral to juvenile probation departments, including a history of running away from home or being adjudicated for previous offenses;
- making inquiries into a juvenile's history of sex abuse;
- determining a juvenile's need for services, including rape crisis or other counseling; and
- asking the juvenile questions to determine if the juvenile was at high risk of being a sex trafficking victim.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take

effect September 1, 2013.

**SUPPORTERS
SAY:**

HB 3407 would continue the state's efforts to combat the horrific crime of sex trafficking of children. Texas has been identified as a hub for international human trafficking. In response, the state has enacted numerous laws to combat these crimes, including laws to punish traffickers, protect victims, and establish the state's Human Trafficking Prevention Task Force. HB 3407 would continue these efforts by improving the identification of children who were victims or potential victims of sex trafficking.

Juveniles who are victims of sex trafficking or who are at risk of trafficking may come in contact with juvenile probation departments for issues such as running away or other delinquent conduct. If these juveniles could be identified at that time, it is hoped that the through intervention the crime could be halted or prevented and the juvenile could receive treatment or be referred to other resources.

HB 3407 would help in these efforts by requiring the TJJD to evaluate the screening procedures currently being used by some local juvenile probation departments, develop a set of best practices for identifying these juveniles, and share that information with the state's local juvenile probation departments. Some local departments are active in this area, and evaluating and sharing information about their practices could help other departments and child victims. The information could be especially helpful to departments that were beginning efforts in this area.

The TJJD would be the best entity to gather and disseminate this information because it already works closely with local juvenile departments. The Human Trafficking Prevention Task Force has broad-based duties that do not focus exclusively on juveniles. In addition, the TJJD already has a base of knowledge about the issue. A January 2011 report on alternatives for youth involved in prostitution was compiled by the state's Juvenile Probation Commission, which recently merged with the Texas Youth Commission to form the TJJD.

HB 3407 would not burden the TJJD, which could meet the requirements of the bill without additional resources. According to the Legislative Budget Board, there would be no significant fiscal impact to the state. TJJD could easily integrate the requirements of the bill with its other duties and without incurring significant costs because information already

flows between the agency and local departments. The information TJJD developed under the bill could be disseminated easily and inexpensively through the agency's website.

The bill would not place a burden on any local departments because there is no mandate that local departments adopt any specific policy or take any action. Departments would continue to have the flexibility to establish their own practices tailored to their unique circumstances.

OPPONENTS
SAY:

It might be difficult for the TJJD to meet the requirement of HB 3407 without additional resources. The newly formed agency still is merging the work of the two previous agencies that handled juvenile offenders. The proposed fiscal 2014-15 state budget would reduce appropriations for the agency, making it challenging to take on additional, unfunded tasks.

OTHER
OPPONENTS
SAY:

HB 3407 would not go far enough. It should require that local juvenile probation departments adopt best practices identified by the TJJD.

The state's Human Trafficking Prevention Task Force might be a better entity to gather and disseminate information on identifying juvenile sex trafficking victims. The TJJD has numerous other duties, and the task force is focused on trafficking.

NOTES:

The identical companion, SB 1520 by Van de Putte, has been referred to the Senate Criminal Justice Committee.