

SUBJECT: Creating a committee to study fingerprinting of juveniles on probation

COMMITTEE: Corrections — favorable, without amendment

VOTE: 4 ayes — Parker, White, Riddle, Rose

0 nays

3 absent — Allen, J.D. Sheffield, Toth

SENATE VOTE: On final passage, May 1 — 31-0

WITNESSES: No public hearing

DIGEST: SB 1769 would require the Texas Juvenile Justice Board to appoint by December 1, 2013 an advisory committee that would develop a plan to end the practice of fingerprinting children who are referred to a juvenile probation department for delinquent conduct not related to a felony charge. Appointees to the board must include:

- chief juvenile probation officers;
- juvenile prosecutors;
- juvenile defense attorneys;
- peace officers;
- Department of Family and Protective Services representatives;
- juvenile justice advocates; and
- members of the public.

The board would be required to designate a presiding officer for the committee, whose members would be unpaid and would not be entitled to reimbursement for expenses.

The committee would be required to develop the plan by December 1, 2014.

Rules and requirements for state agency advisory committees would not apply to the committee formed by the Juvenile Justice Board, which would

be abolished along with this Act on January 1, 2015.

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:**

SB 1769 would create a committee to study how best to eliminate the practice of fingerprinting a youth who commits a low-level offense so that the stigma of being in the juvenile justice system did not follow them.

Many juvenile records remain accessible long after a youth has paid their obligation to the juvenile justice system and moved on with their lives. This can affect a person when a background check is performed for a job application, when they seek housing, or when they apply to schools.

Forming the committee would be a first and necessary step to prohibit fingerprinting someone who was referred to the juvenile justice system for a low-level offense. No criminal record would be created for someone the state does not fingerprint.

The committee would include experts who work in every aspect of the juvenile justice system and they would weigh this issue carefully and develop a clear plan by December 1, 2014.

**OPPONENTS  
SAY:**

Although the state should study how to ensure that juveniles who commit a few minor transgressions are not haunted by their criminal record, the bill would start the process with the charge to strip away an important tool used by law enforcement and the juvenile justice system. Fingerprinting has been used for decades to help solve crimes. The juvenile justice system also uses fingerprints to track a person who re-offends. Often, whether a person has committed a first offense or is serially afoul of the law helps determine the course of a juvenile justice case.