

**SUBJECT:** Expanding ombudsman oversight authority of juvenile detention facilities

**COMMITTEE:** Juvenile Justice and Family Issues — favorable, without amendment

**VOTE:** 7 ayes — Dutton, Riddle, Hughes, Peña, Rose, Sanford, J. White

0 nays

**WITNESSES:** For — Lauren Rose, Texans Care for Children; Elizabeth Henneke, Texas Criminal Justice Coalition; Brandy Harris; (*Registered, but did not testify*: Matt Simpson, ACLU of Texas; Kathryn Lewis, Disability Rights Texas; Traci Berry, Goodwill Central Texas; Thomas Ratliff, Harris/Fort Bend County Criminal Lawyers Association; Will Francis, National Association of Social Workers-Texas Chapter; Mary Mergler, Texas Appleseed; Lori Henning, Texas Association of Goodwills; Sarah Crockett, Texas CASA; Patricia Cummings, Texas Criminal Defense Lawyers Association; Ryan Parke, Texas Home School Coalition; Yannis Banks, Texas NAACP; Alicia Vogel)

Against — Douglas Vance, Texas Juvenile Detention Association; (*Registered, but did not testify*: Tom Brooks, Harris County Juvenile Probation Department)

On — Debbie Unruh, Independent Ombudsman for Texas Juvenile Justice Department; Jill Mata, Texas Juvenile Justice Department; (*Registered, but did not testify*: Lynne Wilkerson, Bexar County Juvenile Probation Department; Ron Quiros, Guadalupe County Juvenile Services; Randy Turner, Tarrant County Juvenile Services; Lisa Tomlinson, Texas Probation Association)

**BACKGROUND:** Human Resources Code, ch. 261 establishes the Office of Independent Ombudsman, which is tasked with investigating, evaluating, and securing the rights of youths committed to the Texas Juvenile Justice Department. The office is independent of the Texas Juvenile Justice Department, and its duties include reviewing the department's procedures; evaluating delivery of services to youths; reviewing certain complaints; investigating

certain complaints, other than those alleging crimes; reviewing agency facilities and procedures; providing assistance to children and their families; and recommending agency changes.

Under current law, the office may only perform these essential functions in state-run juvenile facilities, and does not have oversight authority for other types of juvenile justice facilities.

**DIGEST:**

HB 3277 would expand the oversight authority of the Office of the Independent Ombudsman to include juvenile justice facilities beyond those that are operated by the Texas Juvenile Justice Department. This would include facilities operated wholly or in part by the Texas Juvenile Justice Board, another governmental unit, or by a private vendor under contract with the board, county, or certain other governmental units serving juveniles.

Under the bill, the Office of Independent Ombudsman would have oversight over a public or private juvenile pre-adjudication secure detention facility, including a holdover facility; a public or private juvenile post-adjudication secure correctional facility; and a public or private non-secure juvenile post-adjudication residential treatment facility not licensed by the Department of Family and Protective Services or the Department of State Health Services.

The bill would take effect September 1, 2015.