

- SUBJECT:** Expanding uses of the child safety check alert list
- COMMITTEE:** Juvenile Justice and Family Issues — favorable, without amendment
- VOTE:** 6 ayes — Dutton, Riddle, Peña, Rose, Sanford, J. White  
0 nays  
1 absent — Hughes
- SENATE VOTE:** On final passage, April 20 — 30-0
- WITNESSES:** No public hearing
- BACKGROUND:** Under Family Code, sec. 261.301, the Department of Family and Protective Services (DFPS) is required to conduct a prompt and thorough investigation of a report of child abuse or neglect allegedly committed by a person responsible for the child’s care, custody, or welfare.
- If during the course of the investigation DFPS cannot locate the child or the family of a child who is the subject of a report being investigated, the agency — after exhausting all available means — may initiate a process to receive a court order to place the family members on the Texas Crime Information Center’s child safety check alert list. The alert list must include certain information including the name of the family member alleged to have abused or neglected the child and other identifying information.
- Some have noted that while the child safety check alert list is considered an important tool in locating families for the purposes of investigating reports of child abuse or neglect, it currently is not available for certain potentially serious cases, including those in which a family is receiving certain services from DFPS or when a child is in the conservatorship of the department.
- DIGEST:** SB 1406 would expand the permissible cases in which DFPS could place

a family on the Texas Crime Information Center's child safety check alert list beyond cases in which DFPS was investigating a report of child abuse or neglect. The bill would permit DFPS, after exhausting all other means of finding the child or the child's family, to seek a court order to place a child or the family on the safety check alert list in cases where DFPS:

- was providing protective services to a family receiving family-based support services; or
- was providing protective services to the family of a child in a managing conservatorship of the department.

The application for the court order would have to contain information on the circumstances of a case if the family or child added to the list was receiving family-based support services or the child was in DFPS conservatorship.

The bill would allow a child or family to be added to the safety check alert list when a court determined after a hearing that the child was at substantial risk of harm because the family could not be located, in addition to situations in which the family could not be located during a child abuse or neglect investigation.

The safety check alert list would list the name of the child as well as the names of any parent, managing conservator, or guardian of the child who could not be located. If law enforcement officers encountered a person on the alert list, including a child, they would have to request information regarding the child's well-being.

The bill would take effect September 1, 2015.