

SUBJECT:	Establishing certain requirements for the emergency detention of children
COMMITTEE:	Youth Health & Safety, Select — favorable, without amendment
VOTE:	7 ayes — S. Thompson, Hull, Allison, Dutton, A. Johnson, T. King, Lozano 0 nays 2 absent — Capriglione, Landgraf
WITNESSES:	<p>For — Lee Spiller, Citizens Commission on Human Rights (<i>Registered, but did not testify</i>; Jacquie Benestante, Autism Society of Texas; Andrea Sparks, Buckner International; Aaryce Hayes, Disability Rights Texas; Paige Duggins-Clay, IDRA; Lesley Rivas, Mexican American School Boards Association; Hannah Gill, NAMI Texas; Abigail Findley, National Association of Social Workers- Texas Chapter; Martin Martinez, Texas Appleseed; Amanda Afifi, Texas Association of School Psychologists; Sarah Crockett, Texas CASA; Kate Murphy, Texans Care for Children; Jennifer Allmon, The Texas Catholic Conference of Bishops; Jennifer Fleck, Texas Education 911; Alycia Castillo, Texas Center for Justice and Equality; Lauren Rose, Texas Network of Youth Services; Suzi Kennon, Texas PTA; Chelbi Mims, Texas Public Charter Schools Association; Carl Jacob; Eve Margolis; Chris Masey)</p> <p>Against — (<i>Registered, but did not testify</i>: James Parnell, Dallas Police Association; Ray Hunt, HPOU; John Wilkerson, Texas Municipal Police Association; AJ Louderback, Texas Sheriffs Regional Alliance)</p> <p>On — (<i>Registered, but did not testify</i>: Amy Blakey, Eric Marin, Justin Porter, Texas Education Agency)</p>
BACKGROUND:	Some have suggested that parents and legal guardians should be notified if a peace officer initiates an emergency detention of their child in order to give the parents and guardians the opportunity to seek voluntary treatment or services for their child.

DIGEST: HB 1927 would require peace officers to use age-appropriate, trauma-informed practices when responding to situations involving emergency detentions. The bill would provide to a parent, guardian, or other conservator of a child that was placed under emergency detention the right to take custody of the child. The bill also would allow the person standing in parental relation to the child to voluntarily seek treatment or services from a provider of the person's choice.

A peace officer, including a peace officer commissioned by a school district, could not place a child under emergency detention without first attempting to contact the child's parent, guardian, conservator, or other person standing in parental relation to the child and informing the person of their right to take custody of their child.

If the peace officer transported a child to a facility, the officer would be required to include a statement describing the officer's attempt to contact the person standing in parental relation to the child in the emergency detention form filed with the appropriate facility, as established in statute. The bill also would require that the officer's attempt at contact be filed in the child's student records with the school district and that the district forward a copy onto the child's parent or guardian.

A peace officer could not use handcuffs, electrical devices, chemical agents, or any similar devices intended to control or manage detainees in order to apprehend a child 10 years of age or younger for the purposes of emergency detention.

This bill would apply only to an apprehension for emergency detention that occurred on or after the effective date of this bill.

This bill would take effect September 1, 2023