

SUBJECT: Reporting child abuse in juvenile facilities

COMMITTEE: Juvenile Justice and Family Issues — committee substitute recommended

VOTE: 6 ayes — Goodman, J. Jones, McClendon, McReynolds, Smith, Williams
0 nays
3 absent — Staples, Naishtat, A. Reyna

WITNESSES: None

BACKGROUND : Under Family Code section 261.101, professionals who have cause to believe that a child has been or may be abused or neglected are required to make a report to designated authorities within 48 hours after they first suspect the abuse or neglect. The code defines “professional” to mean an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children, including teachers, nurses, doctors and day-care employees.

Family Code section 261.405 requires a report of alleged abuse or neglect in a county juvenile detention facility to be made to a local law enforcement agency for investigation.

DIGEST: CSHB 1929 would amend the Family Code to add juvenile probation officers and juvenile detention or correctional officers to the list of persons designated as professionals required to report suspected child abuse or neglect under section 261.101.

The bill would replace references to county juvenile detention facilities in section 261.405 with references to public or private juvenile pre-adjudication secure detention and post-adjudication secure correctional facilities. When a report of alleged abuse or neglect at one of those facilities was made to a local law enforcement agency, the agency would have to immediately notify the Texas Juvenile Probation Commission (TJPC).

The bill would take effect September 1, 1997.

**SUPPORTERS
SAY:**

CSHB 1929 would help protect juveniles in secure facilities by strengthening reporting and investigating requirements for suspected child abuse or neglect in those facilities. Under current law, reports of alleged abuse in juvenile facilities often fall through the cracks. The Texas Department of Protective and Regulatory Services, which usually investigates reports of child abuse or neglect, does not have the authority to investigate alleged child abuse or neglect in secure juvenile facilities because it does not license them. CSHB 1929 would remedy this problem by requiring juvenile probation officers and juvenile detention or correctional officers to report suspected child abuse or neglect to a local law enforcement agency and requiring local law enforcement agencies to immediately notify the TJPC of any report it receives regarding a juvenile facility.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

The committee substitute required reports of abuse in juvenile correctional as well as detention facilities.