

By: Shapleigh

S.B. No. 1915

Substitute the following for S.B. No. 1915:

By: Dutton

C.S.S.B. No. 1915

A BILL TO BE ENTITLED

AN ACT

relating to local juvenile justice information systems.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 58.302, Family Code, is amended to read as follows:

Sec. 58.302. PURPOSES OF SYSTEM. The purposes of a local juvenile justice information system are to:

(1) provide accurate information at the county or regional level relating to children who come into contact with the juvenile justice system;

(2) assist in the development and delivery of services to children in the juvenile justice system;

(3) assist in the development and delivery of services to children:

(A) who school officials have reasonable cause to believe have committed an offense for which a report is required under Section 37.015, Education Code; or

(B) who have been expelled, the expulsion of which school officials are required to report under Section 52.041;

(4) provide for an efficient transmission of juvenile records from justice and municipal courts to county juvenile probation departments and the juvenile court and from county juvenile probation departments and juvenile court to the state juvenile justice information system created by Subchapter B;

1           (5) provide efficient computerized case management  
2 resources to juvenile courts, prosecutors, court clerks, county  
3 juvenile probation departments, and partner agencies authorized by  
4 this subchapter;

5           (6) provide a directory of services available to  
6 children to the partner agencies to facilitate the delivery of  
7 services to children;

8           (7) provide an efficient means for municipal and  
9 justice courts to report filing of charges, adjudications, and  
10 dispositions of juveniles to the juvenile court as required by  
11 Section 51.08; and

12           (8) provide a method for agencies to fulfill their  
13 duties under Section 58.108, including the electronic transmission  
14 of information required to be sent to the Department of Public  
15 Safety by Section 58.110(f).

16           SECTION 2. Section 58.303(b), Family Code, is amended to  
17 read as follows:

18           (b) A local juvenile justice information system may contain  
19 the following components:

20           (1) case management resources for juvenile courts,  
21 court clerks, prosecuting attorneys, and county juvenile probation  
22 departments;

23           (2) reporting systems to fulfill statutory  
24 requirements for reporting in the juvenile justice system;

25           (3) service provider directories and indexes of  
26 agencies providing services to children;

27           (4) victim-witness notices required under Chapter 57;

1           (5) electronic filing of complaints or petitions,  
2 court orders, and other documents filed with the court, including  
3 documents containing electronic signatures;

4           (6) electronic offense and intake processing;

5           (7) case docket management and calendaring;

6           (8) communications by email or other electronic  
7 communications between partner agencies;

8           (9) reporting of charges filed, adjudications and  
9 dispositions of juveniles by municipal and justice courts and the  
10 juvenile court, and transfers of cases to the juvenile court as  
11 authorized or required by Section 51.08;

12           (10) reporting to schools under Article 15.27, Code of  
13 Criminal Procedure, by law enforcement agencies, prosecuting  
14 attorneys, and juvenile courts;

15           (11) records of adjudications and dispositions,  
16 including probation conditions ordered by the juvenile court; and

17           (12) warrant management and confirmation  
18 capabilities.

19           SECTION 3. Section 58.304(b), Family Code, is amended to  
20 read as follows:

21           (b) To the extent possible and subject to Subsections (a)  
22 and (d), the local juvenile justice information system may include  
23 the following information for each juvenile taken into custody,  
24 detained, or referred under this title:

25           (1) the juvenile's name, including other names by  
26 which the juvenile is known;

27           (2) the juvenile's date and place of birth;

1           (3) the juvenile's physical description, including  
2 sex, weight, height, race, ethnicity, eye color, hair color, scars,  
3 marks, and tattoos;

4           (4) the juvenile's state identification number and  
5 other identifying information;

6           (5) the juvenile's fingerprints and photograph;

7           (6) the juvenile's last known residential address,  
8 including the census tract number designation for the address;

9           (7) the name, address, and phone number of the  
10 juvenile's parent, guardian, or custodian;

11           (8) the name and identifying number of the agency that  
12 took into custody or detained the juvenile;

13           (9) each date of custody or detention;

14           (10) a detailed description of the conduct for which  
15 the juvenile was taken into custody, detained, or referred,  
16 including the level and degree of the alleged offense;

17           (11) the name and identifying number of the juvenile  
18 intake agency or juvenile probation office;

19           (12) each disposition by the juvenile intake agency or  
20 juvenile probation office;

21           (13) the date of disposition by the juvenile intake  
22 agency or juvenile probation office;

23           (14) the name and identifying number of the  
24 prosecutor's office;

25           (15) each disposition by the prosecutor;

26           (16) the date of disposition by the prosecutor;

27           (17) the name and identifying number of the court;

1 (18) each disposition by the court, including  
2 information concerning custody of a juvenile by a juvenile justice  
3 agency or county juvenile probation department;

4 (19) the date of disposition by the court;

5 (20) any commitment or release under supervision by  
6 the Texas Youth Commission, including the date of the commitment or  
7 release; ~~and~~

8 (21) information concerning each appellate  
9 proceeding; and

10 (22) electronic copies of all documents filed with the  
11 court.

12 SECTION 4. Section 58.305(a), Family Code, is amended to  
13 read as follows:

14 (a) A local juvenile justice information system shall to the  
15 extent possible include the following partner agencies within that  
16 county:

17 (1) the juvenile court and court clerk;

18 (2) justice of the peace and municipal courts;

19 (3) the county juvenile probation department;

20 (4) the prosecuting attorneys who prosecute juvenile  
21 cases in juvenile court, municipal court, or justice court;

22 (5) law enforcement agencies;

23 (6) each public school district in the county;

24 (7) governmental service providers approved by the  
25 county juvenile board; and

26 (8) governmental placement facilities approved by the  
27 county juvenile board.

1 SECTION 5. Section 58.306(g), Family Code, is amended to  
2 read as follows:

3 (g) Level 3 Access is by:

4 (1) the juvenile court and court clerk;

5 (2) the prosecuting attorney;

6 (3) the county juvenile probation department;

7 (4) law enforcement agencies;

8 (5) governmental service providers that are partner  
9 agencies; and

10 (6) governmental placement facilities that are  
11 partner agencies.

12 SECTION 6. Sections 58.307(a) and (e), Family Code, are  
13 amended to read as follows:

14 (a) Information that is part of a local juvenile justice  
15 information system is not public information and may not be  
16 released to the public, except as authorized by law.

17 (e) Information in a local juvenile justice information  
18 system, including electronic signature systems, shall be protected  
19 from unauthorized access by a system of access security and any  
20 access to information in a local juvenile information system  
21 performed by browser software shall be at the level of at least  
22 128-bit encryption. A juvenile board or a regional juvenile board  
23 committee shall require all partner agencies to maintain security  
24 and restrict access in accordance with the requirements of this  
25 title.

26 SECTION 7. This Act applies to information and documents  
27 relating to juvenile court cases without regard to whether the

1 conduct that is the basis of the case occurred before, on, or after  
2 the effective date of this Act.

3 SECTION 8. This Act takes effect September 1, 2007.