

1-1 By: Shapleigh S.B. No. 1915
1-2 (In the Senate - Filed March 9, 2007; March 22, 2007, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 23, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; April 23, 2007,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1915 By: Harris

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to local juvenile justice information systems.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 58.302, Family Code, is amended to read
1-13 as follows:
1-14 Sec. 58.302. PURPOSES OF SYSTEM. The purposes of a local
1-15 juvenile justice information system are to:
1-16 (1) provide accurate information at the county or
1-17 regional level relating to children who come into contact with the
1-18 juvenile justice system;
1-19 (2) assist in the development and delivery of services
1-20 to children in the juvenile justice system;
1-21 (3) assist in the development and delivery of services
1-22 to children:
1-23 (A) who school officials have reasonable cause to
1-24 believe have committed an offense for which a report is required
1-25 under Section 37.015, Education Code; or
1-26 (B) who have been expelled, the expulsion of
1-27 which school officials are required to report under Section 52.041;
1-28 (4) provide for an efficient transmission of juvenile
1-29 records from justice and municipal courts to county juvenile
1-30 probation departments and the juvenile court and from county
1-31 juvenile probation departments and juvenile court to the state
1-32 juvenile justice information system created by Subchapter B;
1-33 (5) provide efficient computerized case management
1-34 resources to juvenile courts, prosecutors, court clerks, county
1-35 juvenile probation departments, and partner agencies authorized by
1-36 this subchapter;
1-37 (6) provide a directory of services available to
1-38 children to the partner agencies to facilitate the delivery of
1-39 services to children;
1-40 (7) provide an efficient means for municipal and
1-41 justice courts to report filing of charges, adjudications, and
1-42 dispositions of juveniles to the juvenile court as required by
1-43 Section 51.08; and
1-44 (8) provide a method for agencies to fulfill their
1-45 duties under Section 58.108, including the electronic transmission
1-46 of information required to be sent to the Department of Public
1-47 Safety by Section 58.110(f).
1-48 SECTION 2. Subsection (b), Section 58.303, Family Code, is
1-49 amended to read as follows:
1-50 (b) A local juvenile justice information system may contain
1-51 the following components:
1-52 (1) case management resources for juvenile courts,
1-53 court clerks, prosecuting attorneys, and county juvenile probation
1-54 departments;
1-55 (2) reporting systems to fulfill statutory
1-56 requirements for reporting in the juvenile justice system;
1-57 (3) service provider directories and indexes of
1-58 agencies providing services to children;
1-59 (4) victim-witness notices required under Chapter 57;
1-60 (5) electronic filing of complaints or petitions,
1-61 court orders, and other documents filed with the court, including
1-62 documents containing electronic signatures;
1-63 (6) electronic offense and intake processing;

- 2-1 (7) case docket management and calendaring;
- 2-2 (8) communications by email or other electronic
- 2-3 communications between partner agencies;
- 2-4 (9) reporting of charges filed, adjudications and
- 2-5 dispositions of juveniles by municipal and justice courts and the
- 2-6 juvenile court, and transfers of cases to the juvenile court as
- 2-7 authorized or required by Section 51.08;
- 2-8 (10) reporting to schools under Article 15.27, Code of
- 2-9 Criminal Procedure, by law enforcement agencies, prosecuting
- 2-10 attorneys, and juvenile courts;
- 2-11 (11) records of adjudications and dispositions,
- 2-12 including probation conditions ordered by the juvenile court; and
- 2-13 (12) warrant management and confirmation
- 2-14 capabilities.

2-15 SECTION 3. Subsection (b), Section 58.304, Family Code, is
2-16 amended to read as follows:

2-17 (b) To the extent possible and subject to Subsections (a)
2-18 and (d), the local juvenile justice information system may include
2-19 the following information for each juvenile taken into custody,
2-20 detained, or referred under this title:

- 2-21 (1) the juvenile's name, including other names by
- 2-22 which the juvenile is known;
- 2-23 (2) the juvenile's date and place of birth;
- 2-24 (3) the juvenile's physical description, including
- 2-25 sex, weight, height, race, ethnicity, eye color, hair color, scars,
- 2-26 marks, and tattoos;
- 2-27 (4) the juvenile's state identification number and
- 2-28 other identifying information;
- 2-29 (5) the juvenile's fingerprints and photograph;
- 2-30 (6) the juvenile's last known residential address,
- 2-31 including the census tract number designation for the address;
- 2-32 (7) the name, address, and phone number of the
- 2-33 juvenile's parent, guardian, or custodian;
- 2-34 (8) the name and identifying number of the agency that
- 2-35 took into custody or detained the juvenile;
- 2-36 (9) each date of custody or detention;
- 2-37 (10) a detailed description of the conduct for which
- 2-38 the juvenile was taken into custody, detained, or referred,
- 2-39 including the level and degree of the alleged offense;
- 2-40 (11) the name and identifying number of the juvenile
- 2-41 intake agency or juvenile probation office;
- 2-42 (12) each disposition by the juvenile intake agency or
- 2-43 juvenile probation office;
- 2-44 (13) the date of disposition by the juvenile intake
- 2-45 agency or juvenile probation office;
- 2-46 (14) the name and identifying number of the
- 2-47 prosecutor's office;
- 2-48 (15) each disposition by the prosecutor;
- 2-49 (16) the date of disposition by the prosecutor;
- 2-50 (17) the name and identifying number of the court;
- 2-51 (18) each disposition by the court, including
- 2-52 information concerning custody of a juvenile by a juvenile justice
- 2-53 agency or county juvenile probation department;
- 2-54 (19) the date of disposition by the court;
- 2-55 (20) any commitment or release under supervision by
- 2-56 the Texas Youth Commission, including the date of the commitment or
- 2-57 release; ~~and~~
- 2-58 (21) information concerning each appellate
- 2-59 proceeding; and
- 2-60 (22) electronic copies of all documents filed with the
- 2-61 court.

2-62 SECTION 4. Subsection (a), Section 58.305, Family Code, is
2-63 amended to read as follows:

2-64 (a) A local juvenile justice information system shall to the
2-65 extent possible include the following partner agencies within that
2-66 county:

- 2-67 (1) the juvenile court and court clerk;
- 2-68 (2) justice of the peace and municipal courts;
- 2-69 (3) the county juvenile probation department;

- 3-1 (4) the prosecuting attorneys who prosecute juvenile
- 3-2 cases in juvenile court, municipal court, or justice court;
- 3-3 (5) law enforcement agencies;
- 3-4 (6) each public school district in the county;
- 3-5 (7) governmental service providers approved by the
- 3-6 county juvenile board; and
- 3-7 (8) governmental placement facilities approved by the
- 3-8 county juvenile board.

3-9 SECTION 5. Subsection (g), Section 58.306, Family Code, is

- 3-10 amended to read as follows:
- 3-11 (g) Level 3 Access is by:
- 3-12 (1) the juvenile court and court clerk;
- 3-13 (2) the prosecuting attorney;
- 3-14 (3) the county juvenile probation department;
- 3-15 (4) law enforcement agencies;
- 3-16 (5) governmental service providers that are partner
- 3-17 agencies; and
- 3-18 (6) governmental placement facilities that are
- 3-19 partner agencies.

3-20 SECTION 6. Subsections (a) and (e), Section 58.307, Family

3-21 Code, are amended to read as follows:

- 3-22 (a) Information that is part of a local juvenile justice
- 3-23 information system is not public information and may not be
- 3-24 released to the public, except as authorized by law.
- 3-25 (e) Information in a local juvenile justice information
- 3-26 system, including electronic signature systems, shall be protected
- 3-27 from unauthorized access by a system of access security and any
- 3-28 access to information in a local juvenile justice information
- 3-29 system performed by browser software shall be at the level of at
- 3-30 least 128-bit encryption. A juvenile board or a regional juvenile
- 3-31 board committee shall require all partner agencies to maintain
- 3-32 security and restrict access in accordance with the requirements of
- 3-33 this title.

3-34 SECTION 7. This Act applies to information and documents

3-35 relating to juvenile court cases without regard to whether the

3-36 conduct that is the basis of the case occurred before, on, or after

3-37 the effective date of this Act.

3-38 SECTION 8. This Act takes effect September 1, 2007.

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