

BILL ANALYSIS

S.B. 1517
By: Van de Putte
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that county juvenile detention facilities are currently permitted to place children in disciplinary seclusion for an unlimited amount of time for violating one of the facility's major rules and further note that each facility has the discretion to determine exactly what constitutes such a violation. Consequently, facilities may place children in seclusion for 24 hours or longer for what some consider to be minor infractions, such as a disrespectful attitude. Interested parties cite research demonstrating that this can be counterproductive to rehabilitation and especially harmful to traumatized youth and youth with mental health concerns. S.B. 1517 seeks to provide for a better understanding of the use of disciplinary seclusion by requiring the collection of certain data regarding the placement of a child in disciplinary seclusion in a juvenile facility.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1517 amends the Human Resources Code to require the Texas Juvenile Justice Department, during the annual registration of juvenile facilities, to collect and make publicly available data on the number of placements in disciplinary seclusion lasting at least 90 minutes but less than 24 hours, the number of placements in disciplinary seclusion lasting 24 hours or more but less than 48 hours, and the number of placements in disciplinary seclusion lasting 48 hours or more. The bill defines "disciplinary seclusion" for such purposes to mean the separation of a resident from other residents for disciplinary reasons and the placement of the resident alone in an area from which egress is prevented for more than 90 minutes and defines "juvenile facility" to mean a facility that serves juveniles under juvenile court jurisdiction and that is operated as a pre-adjudication secure detention facility, a short-term detention facility, or a post-adjudication secure correctional facility.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.