

SUBJECT: Separation of children from adult offenders held in the same building

COMMITTEE: Corrections — favorable, without amendment

VOTE: 6 ayes — Parker, White, Allen, Rose, J.D. Sheffield, Toth
0 nays
1 absent — Riddle

SENATE VOTE: On final passage, April 25 — 30-0, on Local & Uncontested Calendar

WITNESSES: No public hearing

BACKGROUND: Family Code, sec. 51.12(f) requires that children detained in a building that contains a jail, lockup, or other place of secure confinement be separated by sight and sounds from adults confined in the same building.

Family Code, sec. 51.12(g) requires that a child detained in a building that contains a jail or lockup may not have any contact with part-time or full-time security staff, including management, or direct-care staff who have contact with adults detained in the same building.

DIGEST: SB 1839 would repeal sec. 51.12(g). It would require that staff directly supervise a child during all times incidental contact was possible between a child and an adult in a facility governed by sec. 51.12(f).

The bill would require that a person under 17 years of age who was ordered to be detained in a juvenile detention facility be considered a child for purposes of sec. 51.12.

The bill would take effect September 1, 2013, and would apply to a child detained on or after that date.