

Texas Administrative Code

Title 37 Public Safety and Corrections
Part 11 Texas Juvenile Justice Department
Chapter 342 Standards for Housing Non-Texas Juveniles in Texas Detention and Correctional Facilities

§342.1 Authority to House Out-of-State Juveniles Effective Date: 4/1/14

The only entities other than the state authorized to operate a pre-adjudication secure detention facility, post-adjudication secure correctional facility, or non-secure correctional facility in this state to house juveniles convicted of offenses committed against the laws of another state or the United States are:

- (1) a governmental unit in this state; or
- (2) a private vendor operating a pre-adjudication secure detention facility, post-adjudication secure correctional facility, or non-secure correctional facility under a contract with a governmental unit in this state.

§342.2 Registration and Standards Compliance Effective Date: 4/1/14

- (a) Prior to receiving out-of-state juveniles, each facility must:
 - (1) be registered with the Texas Juvenile Justice Department (TJJD) in accordance with the requirements in the Texas Family Code §§51.12, 51.125, and 51.126;
 - (2) possess written certification of suitability in accordance with the requirements in the Texas Family Code §§51.12, 51.125, and 51.126; and
 - (3) adhere to the rules (i.e., standards) in Chapters 343, 344, 345, 355, and 358 of this title.
- (b) A facility housing out-of-state juveniles must identify the out-of-state populations served when registering the facility with TJJD.

§342.3 Contracts with Other States for Housing Non-Texas Juveniles Effective Date: 4/1/14

The authorizing governmental unit must ensure that there is a written and fully executed annual contract with each out-of-state entity that sends juveniles to the Texas facility. At a minimum, the contract must:

- (1) require that all juveniles confined pursuant to the contract be released within the jurisdiction of the sending entity;
- (2) require the out-of-state entity to provide the following information before transferring the juvenile:
 - (A) the juvenile's record of institutional violence, escape, attempted escape, suicidal and self-harming behaviors, and sexually aggressive behaviors;
 - (B) all appropriate medical information of the juvenile, including certification for tuberculosis screening or treatment;
 - (C) all appropriate and available mental health information for the juvenile; and
 - (D) all appropriate and available education information for the juvenile.