



# House Bill 144

## 83<sup>rd</sup> Legislative Session

### Implementation Guide



**H.B. 144 (Raymond) [SP: Nelson]:** *Relating to a mental examination of a child subject to the juvenile justice system.*

#### Chemical Dependency Among Texas' Youth

Youth who come in contact with the juvenile justice system face a multitude of problems. Trouble at home, school, or attempting to deal with a mental illness, can often lead to unhealthy ways of coping, with excessive use of drugs or alcohol being one of those methods. Unfortunately many youth who are found guilty of a drug offense in Texas do not receive treatment for their substance abuse issues. In 2011, approximately 40 percent of youth went untreated for their chemical addictions.<sup>1</sup>

There is no denying that treatment programs are more effective than incarceration at rehabilitating youth who suffer from chemical dependency. In fact, a drug intervention program for youth in Dallas has successfully treated 70 percent of youth who otherwise would have required placement in a secure facility.<sup>2</sup> H.B. 144, recently passed during the 83rd legislative session, aims to address the state's gap in treatment for youth struggling with chemical dependency, by adding chemical dependency to mental illnesses and intellectual disabilities, as the third illness a youth may be examined for to determine appropriate treatment services.

#### What does H.B. 144 intend to do?

H.B. 144 permits courts, at their own discretion or at the request of a parent, to order a child to be examined by an expert to determine whether the child suffers from chemical dependency. Juvenile probation departments will be required to refer any child found to suffer from chemical dependency to an agency or provider for further evaluation and services. This bill will help juvenile system practitioners more quickly identify and treat youth with substance abuse issues.

#### How can you help implement H.B. 144?

##### ***Parents, Guardians, and Families***

H.B. 144 **does not require** the court to order an examination for chemical dependency. You can, however, request that the judge do so. If you believe that your child may suffer from substance abuse, addiction, or dependency, we urge you to make the request for an examination through your child's defense attorney, probation officer, or the judge appointed to his or her case.

##### ***Probation Departments***

If you believe that a child under your supervision may be suffering from substance abuse issues, please request for the judge assigned to his or her case to order an examination for chemical dependency. If that child is found to be struggling with addiction or abuse, he or she may then be redirected to the appropriate service provider where the child can receive the necessary treatment.

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### *Juvenile Courtroom Workgroup*

If a child is exhibiting behaviors that are associated with chemical dependency, we respectfully ask for you to recommend an examination that will make this determination. As key players in the system, it is imperative that every effort is made to ensure that youth struggling with addiction are given the treatment they require to become productive members of society.

**“At 13, I found myself using low-level drugs for fun. After about a year I had moved on to more serious drugs and found myself running with the wrong crowd. I didn’t get drug classes until probation, but I know it was those classes that helped me see when I was starting to slip again and ask for help.”**

~Arturo Alviter-Balderamma  
Youth Advocate, Del Valle High School

### Helpful Hints: Behaviors To Watch for Abuse and Dependency

#### **Abuse**

- Role impairment (e.g., poor performance in school or home)
- Hazardous use (e.g., operating a vehicle while under the influence)
- Trouble with the law
- Social or interpersonal problems (e.g., depression, isolation, aggressive outbursts)

#### **Dependency**

- A heightened tolerance
- Withdrawals
- Engaging in binge using
- Failed attempts to quit using
- Impaired social or school activities
- Use despite understanding the physical or psychological consequences



*Source: Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR)*

<sup>1</sup> Texas Juvenile Justice Department, “Program Registry,” 2013, <https://www.tjjd.texas.gov/programregistryexternal/members/searchprograms.aspx>.

<sup>2</sup> Texas Public Policy Foundation, “The Right Prescription for Juvenile Drug Offenders”; *Dallas Morning News* “Editorial: More sensible drug laws.”