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**TESTIMONY 2013**

**H.B. 144**

Dear Members of the Committee,

Thank you for allowing me this opportunity to present testimony in favor of H.B. 144, an effective policy that safely reduces the number of youth in lockup while tackling the root causes of crime. If adopted, H.B. 144 will increase public safety, save taxpayer money, strengthen communities, and, most importantly, provide Texas' troubled youth with an avenue to become productive members of society.

### **BROAD CONSENSUS: TREATMENT IS THE MOST EFFECTIVE RESPONSE FOR CHEMICALLY DEPENDENT YOUTH**

Youth referred to the juvenile justice system often face many challenges, including trouble at school and home, mental illness, or substance abuse. Current Texas law allows juvenile probation departments to order youth in their care to be examined to determine whether the youth has a mental illness or intellectual disability, and juvenile probation departments are required to refer children with mental illness or intellectual disability to local providers for further evaluation and services.<sup>1</sup> However, current Texas law does not mandate a similar referral process for youth suffering from chemical dependency.

Research shows that community treatment programs are much more effective than incarceration in reducing recidivism among youth who suffer from chemical dependency.<sup>2</sup> As the *Dallas Morning News* Editorial Board recently wrote, "Drug courts and treatment programs have proved more effective than straight jail time in rehabilitating addicted offenders, and these approaches deserve more investment by the state."<sup>3</sup>

### **KEY FINDINGS**

- **Almost all youthful drug offenses are personal use, not drug dealing.** 95% of all juvenile drug arrests in Texas are for possession, not distribution. 77% of all juvenile drug possession arrests are for possession of marijuana.<sup>4</sup>
- **Treatment programs are more effective than incarceration at rehabilitating youth who suffer from chemical dependency.**<sup>5</sup> A drug intervention program for youth in Dallas successfully treated 70 percent of youth who otherwise would have required placement in a secure facility.
- **Many youth adjudicated for drug offenses do not receive chemical dependency treatment.** In 2011, 11,813 drug cases were adjudicated,<sup>6</sup> but only approximately 7,300 youth likely received substance abuse treatment through juvenile probation departments that year.<sup>7</sup> Approximately 9,000 youth participate annually in substance abuse prevention and intervention programs, such as drug education sessions, provided by juvenile probation departments.<sup>8</sup>

### **COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT H.B. 144 BY REPRESENTATIVE RAYMOND**

- H.B. 144 amends section 51.20 of the Texas Family Code to allow a juvenile court to order a child under its jurisdiction to be examined by an expert to determine whether the child suffers from chemical dependency. Currently, a juvenile court may only order this to determine mental illness or intellectual disability.

*Solution continued on reverse.*

## SOLUTION (CONTINUED)

- H.B. 144 similarly requires juvenile probation departments to refer any child found to suffer from chemical dependency to an appropriate and legally authorized agency or provider for further evaluation and services. Currently, juvenile probation departments are required to make these referrals only for mental illness or intellectual disability. This policy change will broaden access to treatment among youth in need, increasing their chances of living productive, self-sufficient lives in the community, and improving public safety.

## CONCLUSION

Thank you again for allowing me the opportunity to testify on this bill. H.B. 144 not only offers an effective solution for increasing public safety, it offers a solution for protecting the future of Texas' troubled youth, and the Texas Criminal Justice Coalition strongly urges you to support it.

## **Citations**

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<sup>1</sup> TEXAS FAMILY CODE, SECTION 51.20.

<sup>2</sup> Texas Public Policy Foundation (TPPF), "The Right Prescription for Juvenile Drug Offenders," 2009, <http://www.texaspolicy.com/sites/default/files/documents/2009-02-PP01-juveniledrugoffenders-ml.pdf>.

<sup>3</sup> *Dallas Morning News*, "Editorial: More sensible drug laws," 2013, <http://www.dallasnews.com/opinion/editorials/20130118-editorial-more-sensible-drug-laws.ece>.

<sup>4</sup> Texas Department of Public Safety, "The Texas Crime Report for 2011," 2012, <http://www.txdps.state.tx.us/crimereports/11/citCh9.pdf>.

<sup>5</sup> Texas Criminal Justice Coalition, "Effective Approaches to Drug Crimes in Texas: Strategies to Reduce Crime, Save Money, and Treat Addiction," 2013, <http://www.texascjc.org/effective-approaches-reducing-addiction>; TPPF, "The Right Prescription for Juvenile Drug Offenders"; *Dallas Morning News* "Editorial: More sensible drug laws."

<sup>6</sup> Texas Juvenile Probation Commission, "The State of Juvenile Probation Activity in Texas," 2011, <http://www.tjpd.texas.gov/publications/reports/RPTSTAT2010.pdf>.

<sup>7</sup> Texas Juvenile Justice Department, "Program Registry," 2013, <https://www.tjpd.texas.gov/programregistryexternal/members/searchprograms.aspx>.

<sup>8</sup> *Ibid.*