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TESTIMONY 2013

S.B. 393

Dear Members of the Committee,

Thank you for allowing me this opportunity to present testimony in favor of S.B.393, an effective policy that will safely reduce the over-criminalization of misbehavior in Texas' public schools. By requiring the use of a more cost-effective and "common sense" approach to discipline (e.g., counseling and progressive sanctions), S.B. 393 will minimize the state's harmful school-to-prison pipeline.

CLASS C TICKETING IN TEXAS' PUBLIC SCHOOLS CREATES HARMFUL OUTCOMES

While well intentioned, school discipline practices in Texas – like "zero-tolerance policies" – have resulted in a multitude of negative consequences: the over-criminalization of adolescent behavior, disproportionate discipline among youth of color and youth with disabilities,¹ greater numbers of expulsions,² and a path to future juvenile justice system involvement.³ Furthermore, schools' uses of School Resource Officers (on-campus law enforcement officers) have led to a dramatic uptick in Class C misdemeanor citations among youth.⁴

Texas should more effectively address adolescent misbehavior within public schools through the use of counseling and alternative sanctions that do not result in costly, long-term collateral consequences (e.g., a criminal record and a hefty fine).

KEY FINDINGS

- Texas Appleseed reports that the use of **Class C misdemeanor tickets within the school setting are frequently issued for minor level offenses** (e.g., indecent language or an offensive gesture), which are behaviors that historically have been addressed by school administrators.⁵
- Ticketing practices within Texas' schools are highly disproportionate, with both African-American and Hispanic students being overrepresented among those disciplined.⁶
- Texas' school disciplinary practices increase the likelihood of future juvenile justice involvement,⁷ at great expense to taxpayers and to students saddled with the long-term collateral consequences of system involvement.
- **Implementing "common sense" discipline practices (e.g., behavioral therapy and progressive sanctions) rather than relying heavily on ticketing has resulted in success for multiple school districts across the nation.**⁸

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT S.B. 393 BY SENATOR WEST

- **S.B. 393 will allow certain courts, schools, or probation departments to provide at-risk youth with case managers and prevention and intervention services, to help them target the root causes of their misbehavior and improve their likelihood of graduating.** As opposed to receiving a Class C misdemeanor citation for certain conduct, students will have the opportunity to address their misbehavior through counseling and avoid justice system involvement.

Continued on reverse.

SOLUTION (CONTINUED)

- **S.B. 393 will allow school districts to alternatively sanction youth who engage in disorderly conduct, disruption of class, or disruption of transportation.** Rather than receiving citations for misbehavior, youth will be subject to progressive sanctions including a warning, a behavioral contract, school-based community service, or counseling or other services aimed at addressing behavioral problems.

CONCLUSION

Thank you again for allowing me the opportunity to testify in favor of S.B. 393. It is an effective policy that provides a safe, cost-effective solution for addressing Texas' school-to-prison pipeline, and it will help thousands of youth go on to become productive members of our communities. The Texas Criminal Justice Coalition strongly urges you to support this bill.

Citations

¹ Council of State Governments, *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (July 2011).

² Ibid.

³ Council of State Governments, *Breaking Schools' Rules* (July 2011).

⁴ Texas Appleseed, *Texas' School-to-Prison Pipeline: Ticketing, Arrest & Use of Force in Schools* (2010).

⁵ Ibid.

⁶ Ibid.

⁷ Council of State Governments, *Breaking Schools' Rules* (July 2011).

⁸ Advancement Project, *Ending the Schoolhouse to Jailhouse Track* (2012),

<http://www.advancementproject.org/issues/stopping-the-school-to-prison-pipeline/pages/stories-and-victories>.