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**TESTIMONY 2013**  
**H.B. 3057**

Dear Members of the Committee,

Thank you for allowing me this opportunity to present testimony in favor of H.B. 3057, which 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), H.B. 3057 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,<sup>1</sup> greater numbers of expulsions,<sup>2</sup> and a path to future juvenile justice system involvement.<sup>3</sup> Furthermore, schools' use of School Resource Officers (on-campus law enforcement officers) have led to a dramatic uptick in Class C misdemeanor citations among youth.<sup>4</sup>

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.<sup>5</sup>
- Ticketing practices within Texas' schools are highly disproportionate, with both African-American and Hispanic students being overrepresented among those disciplined.<sup>6</sup>
- Texas' school disciplinary practices increase the likelihood of future juvenile justice involvement,<sup>7</sup> 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.**<sup>8</sup>

### **COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT H.B. 3057 BY REPRESENTATIVE HERRERO**

- **H.B. 3057 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, students will have the opportunity to address their misbehavior through counseling and avoid justice system involvement.

*Continued on reverse.*

## SOLUTION (CONTINUED)

- **H.B. 3057 will allow school districts to alternatively sanction youth who engage in behavior that is punishable by a Class C misdemeanor.** 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 H.B. 3057. 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**

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

<sup>2</sup> Ibid.

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

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

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

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

<sup>8</sup> Advancement Project, *Ending the Schoolhouse to Jailhouse Track* (2012),

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