

PUBLIC COMMENTS

HB 976

HOUSE COMMITTEE ON JUDICIARY & CIVIL JURISPRUDENCE

Hearing Date: March 9, 2021 10:00 AM

John Board, Judge

Potter, Randall and Armstrong Counties Drug Court

Claude, TX

May it please this Honorable Committee: I am currently the presiding judge of the Potter, Randall and Armstrong Counties Drug Court - a regional drug court in Amarillo, Texas. I am also currently a board member on the Texas Association of Speciality Courts Board of Directors. I have presided over this court for over 10 years, since its inception. I am so grateful to Representative Price for this proposed Bill and want to voice my support. I recently retired and am grateful that I have been allowed to continue to preside over this speciality court. As I am sure you know, participating in an opportunity to watch people turn their lives around, reunite with family, maintain employment, further their education, and remain clean, sober, productive citizens is truly a blessing. All three branches of Texas state government were early and enthusiastic supporters of Speciality Courts and that is why Texas Courts are so successful. I am pleased that our legislature continues to look for ways to further enhance our efforts. Representative Price's bill will do just that by expanding the pool of judges to preside over regional drug courts. Obviously, not every judge wants to preside over a speciality court. Drug courts do not operate on the typical "adversarial" model and instead focus on a "collaborative" effort. For that reason, not every judge is comfortable participating. That is why this bill is so important because it will go a long way toward insuring that every jurisdiction has a judge - or judges - who are willing to take on this responsibility. Respectfully - John B. Board, Senior District Judge

Jason Howell

47th District Attorney's Office

Amarillo, TX

The 47th DA's Office proposed a Veterans Treatment Court and a Mental Health Treatment Court in Potter County. We were denied for lack of data. The DA, Randall Sims, started pilot programs to show viability and gather data. The 47th DA's Office Veterans Treatment and Intervention Program (VTAIP) and the Mental Health Treatment and Intervention Program (MHTAIP) was born in 2016.

Our programs were limited to Potter County felonies. The 47th DA's Office has two counties, Potter and Armstrong. Amarillo is the 47th's largest city, and covers Potter and Randall Counties. As our success grew, the defense bar and other prosecutor offices asked about expanding. In 2018, Mr. Sims and County Attorney, Scott Brumley, agreed to include misdemeanors to test multi-office cooperation. In 2019, Randall County DA Robert Love allowed VTAIP for felony and misdemeanor cases there. All 3 jurisdictions have celebrated graduates.

We are turning our DA's Office Programs into official Veterans Treatment Court and Mental Health Treatment Court. The Legislature created regional specialty courts in a prior session. While planning, we found regional judges didn't have the jurisdiction to meet all our needs. It became a problematic reality. Currently, Potter County CCL #1 Judge Walt Weaver oversees VTAIP. A veteran from Randall was having issues. VTAIP wanted jail time and a VA facility to help him get clean. Judge Weaver has Potter jurisdiction but could not sign Randall County orders for the VA facility and jail time. We had to involve the Randall County court and defense attorney to get orders signed so the veteran could receive his sanction and treatment. The jurisdiction problem cost us time and money, caused confusion, and added stress to a fragile veteran.

HB 976 corrects the problem. The Legislature was forward-thinking when it created regional specialty courts. The bill helps us, but also provides for the proper running of regional courts statewide. For example, Lubbock is starting Veterans Treatment Court. Garza County is nearby, but may lack the numbers to justify its own VTC. If the counties utilize HB 976's procedures and agree, veterans in Garza could access the Lubbock VTC services which would not otherwise be available. The Lubbock VTC Judge could sign needed orders to properly supervise and treat Garza veterans.

HB 976 has two prongs. Sec. 121.003 gives the judges in a jurisdiction access to specialty court services by granting expanded

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jurisdiction to the specialty court judge. Sec. 121.004 lays out the added powers the regional specialty court judge has. It streamlines the process and corrects problems we've had, without the need for future legislation. As Texas grows, specialty court options will increase. Texas's vision of regional courts needs HB 976 to function properly. It comes at no cost to the taxpayers, but saves judicial resources. Without it, people needing treatment won't have access to the specialty courts solely because of where they live.

Paul White, Judge

Self

Lufkin, TX

Honorable Committee Members:

This month I conclude my 20th year as a District Court Judge for a single-county Judicial District in rural East Texas. During such time, I have also presided over a weekly, Thursday night docket of Drug Court participants and after 16 years of doing so, the specialty court model has proven to be: 1) the most intensive community supervision available for any category of offender; 2) the most successful means of reducing recidivism for addicted offenders; and 3) an example of how the merging of treatment and accountability transforms lives from addiction into productive citizenry.

Regrettably, most rural jurisdictions as mine are unable to provide specialty courts due to the absence of funding. Addiction rates, though, are essentially the same in urban and rural communities. No Texan should be excluded from the benefits of specialty courts merely because of a residential address. That is why I support HB976 for enabling broader access to all citizens through regional specialty courts, as well as ensuring availability of presiding judges in jurisdictions where the "circuit", multi-district Judge cannot conduct weekly dockets that specialty courts require.

I applaud Representative Price for introduction of this Bill and respectfully ask the Committee to favorably report HB 976 to House for passage.

Hank Judin, Attorney

Texas Association of Specialty Courts

Dallas, TX

Honorable Committee,

Specialty Courts in the State of Texas, second to none, have been the most successful change in the criminal justice system over the last 40 years. A large part of that success has been the unselfish commitment by the magistrates and judiciary to these courts. If there exist a void in the system, it lies in providing this gift to the rural areas of Texas. Increasing the pool of judges and magistrates available to assist these existing and future courts is a simple, cost efficient, way to improve the specialty court system. The Texas Association of Specialty Courts is committed to the continued success of specialty courts in Texas. Having committed judiciary and magistrates is vital to this continued success. HB 976 is a good thing.

Respectfully,

Hank Judin

President

Texas Association of Specialty Courts

Julie Turnbull

Self - Assistant District Attorney Dallas County

Dallas, TX

Good morning to the Committee – I am currently the Chief of the Restorative Justice Division at the Dallas County District Attorney's Office and have served as a prosecutor in several drug courts over the last 20 years. I have also had the honor to serve as president of the Texas Association of Specialty Courts. Working in drug courts, I have seen countless individuals change their behavior and become successful, productive members of our community. This bill will expand the pool of judges to preside over regional drug courts. One of the key components of a drug court is the effective role that a judge plays in providing active court

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supervision for a participant. This bill will allow rural courts to have equal advantage that the urban courts currently have in filling this judicial role.

Respectfully – Julie Turnbull

Elizabeth Rainey, Hon.

Texas Association of Specialty Courts

Midland, TX

As one of the few magistrates in the State appointed under Texas Government Code section 54 GG to focus solely on specialty courts, I fully understand the benefit and need for regional specialty courts. I serve as the magistrate in Midland County where we're lucky enough to only have one county in our jurisdiction so it makes my job easier. However, I have colleagues who serve as District Judges who straddle multiple counties and attempting to start a specialty court has been difficult for them. Attempting to navigate jurisdictional issues has made their desire to serve the people of their multi-county district harder to achieve. Specialty Courts are needed and this amendment will help provide a path for establishing them in an area of Texas like Nolan County where resources are scarce and district and county lines blur. I urge you to support this bill because it supports the growth and expansion of specialty courts which is needed. Thank you for your time.

Lori Compton, Major / Jail Administrator

self

Kerens, TX

May it please this Honorable Committee:

I am currently the Jail Administrator for the Kaufman County Sheriff's Office – Detention Facility and a team member for 2 Specialty Courts. I have served as a team member since it's inception for both the 422nd District Court Drug & Mental Health Court (10 + years) and the North Texas Regional Veteran's Court (4 + years) in Kaufman, Texas. I also currently serve as a board member on the Texas Association of Specialty Courts Association. I am so grateful to Representative Price for this proposed Bill and want to voice my support. As I am sure you know, participating in both of these Specialty Courts gives me an opportunity to watch people turn their lives around, reunite with family, maintain employment, further their education, remain clean and sober, and become a productive citizen which is truly a blessing. All three branches of Texas State government were early and enthusiastic supporters of Specialty Courts and that is why Texas Courts are so successful. I am pleased that our legislature continues to look for ways to further enhance our efforts. Representative Price's bill will do just that by expanding the pool of Judges to preside over Regional Specialty Courts. Obviously, not every Judge wants to preside over a Specialty Court because these courts do not operate on the typical "adversarial" model and instead focus on a "collaborative" effort. For that reason, not everyone (sitting Judges, Law Enforcement, the community, etc.) is comfortable participating. That is why this bill is so important because it will go a long way toward ensuring that every jurisdiction has a Judge - or Judges - who are willing to take on this responsibility and fill in the gap.

Respectfully,

Major Lori Compton CJO, CJM
Kaufman County Sheriff's Office

Hector Garza, Judge

Texas Association of Specialty Courts - District Judge

Dallas, TX

May it please this Honorable Committee: I am currently the presiding judge of the 195th Judicial District Court in Dallas County. I also preside over D.I.V.E.R.T. – the Dallas County Adult Drug Court. Currently, I sit as a board member on the Board of Directors for the Texas Association of Specialty Courts. Throughout my legal career, and especially during my time as presiding judge over D.I.V.E.R.T., I have seen how specialty courts help individuals turn their lives around, reunite families, further their education, remain clean, sober, productive citizens, and most importantly, reduce recidivism. It is gratifying to see that our legislature continues to look for ways to further these objectives. HB 976 would facilitate access for Texans in rural jurisdictions to specialty courts that they would otherwise be precluded from due to funding limitations, limited caseloads, and the inability of

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multi-district judges to conduct weekly dockets. This bill would ensure that all Texans benefit from specialty courts.
Respectfully- Hector Garza, District Judge

Lesli Fitzpatrick

Texas Association of Specialty Courts

Austin, TX

My name is Lesli R. Fitzpatrick. I am the Vice-President of the Texas Association of Specialty Courts (TASC). I am writing today to encourage this body to vote yes and approve this bill related to appointing a Judge or Magistrate to preside over a regional specialty court program. TASC supports HB 976 because it facilitates access for Texans in rural jurisdictions to our specialty courts that are otherwise precluded due to funding limitations, limited caseloads, and inability of multi-district judges to conduct weekly dockets. Thank you for your time and consideration.

Joseph Gardzina

ADAPT Programs - www.adaptprograms.com

Angleton, TX

HB 976 is scheduled for public hearing March 9th at 10AM. Allows a judge or magistrate to preside over a regional specialty court program and the authority of that judge or magistrate in cases referred to the program.

ADAPT Programs supports HB 976 because it facilitates access for Texans in rural jurisdictions to our specialty courts that are otherwise precluded due to funding limitations, limited caseloads, and inability of multi-district judges to conduct weekly dockets.

Erica Dominguez

Bexar County Public Defender's Office

San Antonio, TX

I am a defense attorney at the Bexar County Public Defender's Office for the Bexar County Adult Drug Court- misdemeanor level specialty court. I am a huge supporter of specialty courts and watching how the courts have helped people turn their lives around. I have seen mothers/fathers being reunited with their children and a baby born without drugs in their system. With the specialty courts, this allows someone an opportunity to have the accountability to be and stay sober. Diversion into treatment instead of incarceration is the best practice of the drug court. Approve this bill so others in rural areas can have the same opportunities to get help. Respectfully, Erica Dominguez

Brandi Ford

Self/Community Supervision Officer

Lubbock, TX

As a member of a specialty DWI Court program, I am in favor of HB 976.

Brennan Jones

Self / Program Manager of North Texas Regional Veterans Court

McKinney, TX

As the Program Manager for the North Texas Regional Veterans Court, I see first-hand how beneficial and absolutely necessary regional programs are to rural communities. If not for our traveling team, which includes our presiding judge, Judge John Roach Jr. of the 296th District Court, four out of our five Veterans Courts would not be afforded the opportunities and resources

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provided by this specialty program. Because of our regional concept, we are able to meet the Veterans where they are to assist them in finding and utilizing resources located in their own communities.

Though I know not every judge is a Judge Roach or Judge Board, but if a bill appointing judges over regional specialty courts means that more specialty programs will be offered to those across invisible lines who could really benefit from the assistance, then I couldn't support this bill more. Please support this initiative. Thank you for this consideration!

Pamela Leary, Case Mgr
self-Case Mgr/Supervision Officer
Arlington, TX

Honorable Committee Members: First of all "thank you" for Rep. Price for introducing this bill. I have been a team member of the Tarrant County Mental Health Diversion Specialty Court since its inception (17 years). It is my pleasure to serve the community in this capacity. This bill offers the inclusion of jurisdictions that would otherwise not have a judge. Specialty Court Programs "work"!

Thank you for your time and service.

Pamela R. Leary, Case Manager/Supervision Officer

Ernie Glenn, Judge
Bexar County Criminal District Courts
SAN ANTONIO, TX

As a board member of the Texas Association of Specialty Courts, I have become keenly aware of the fact that rural areas do not have the same resources as we in urban areas do. Having a regional judge or magistrate that could preside over specialty court programs would go a long way toward helping less populous areas deal with drug and alcohol addiction. Consolidation of other resources between counties would then be easier to attain and everyone would save money in the process. With all the research that has been performed on how effective treatment courts are, there is no longer any question about the better results in both recidivism and dollar savings that these courts produce. This bill is definitely a winner for everyone.

Walter Theiss
None
Irving, TX

For the past 6-7 years I've participated as a CASA in the Dallas County specialty court, Legacy Family Court. I have worked with parents in 9 cases (for 15 children). The specialty court has helped many of the parents who had children removed be reunited with their children. The success rate has been quite a bit better than in regular family court. I support expanding this sort of program

Tania Vargas
Self, LCDR for Midland Adult probation and Drug Court
Midland, TX

I support this Bill.

Ashley Phillips, Case Manager
Bexar County Felony Drug Court
San Antonio, TX

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To this honorable committee: My name is Ashley Phillips and I am a Case Manager with the Bexar County Felony Drug Court. I'd like to voice my support of HB 976. I currently work for a judge that was appointed to his position. It is my belief that our program would not be as successful as it is without a judge like him. Having a judge that is dedicated, committed, and has a deep passion for the work is critical to the success of specialty court programs. As we all know specialty courts are unlike any other judiciary experience in that the goal is to work with offenders and keep them as part of our society as opposed to incarceration. Without having the right person at the helm a specialty court program could easily be destroyed. Not to mention continuity is key. Judge Ernie Glenn has been involved with the Felony Drug Court here in various capacities since 2003, he was there when the program was incepted and now as an appointed judge has grown the program to what it is today. This bill will allow for other areas to experience the same growth and success that we have had here which is why it garners my full support. Respectfully submitted, Ashley Phillips, M.Ed. Dual Diagnosis Case Manager at the Bexar County Felony Drug Court