

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Youth Health & Safety, Select  
For HB 459

Compiled on: Monday, March 20, 2023 10:34 PM

Note: Comments received by the committee reflect only the view of the individual(s) submitting the comment, who retain sole responsibility for the content of the comment. Neither the committee nor the Texas House of Representatives takes a position on the views expressed in any comment. The committee compiles the comments received for informational purposes only and does not exercise any editorial control over comments.

---

Hearing Date: March 20, 2023 2:30 PM - or upon final adjourn./recess or bill referral if permission granted

Sandy Bagwell  
Self-Analyst  
Lubbock, TX

FOR. Chemicals should not be in the hands of educators. This is medical and for the parent and docs.

Sylvia Cardenas  
Self  
Kilgore, TX

I am in support of HB 459 a chemical irritants should be prohibited.

Ashley Cole, Mrs.  
self and teacher  
Fort Worth, TX

For, This bill prohibits chemical restraints for students with behavior issues.

Carolyn Parmer  
self  
Austin, TX

Please vote FOR this bill. Thank you.

EVE Margolis  
self  
Austin, TX

I completely support this bill. The fact that this needs to be said is unbelievable. It shows that students need protection from some "peace officers and school security personnel" who are not able to control themselves.

Susan Burek

Self: I am Parent and an advocate for people with disabilities

Austin, TX

Thank you for allowing me to testify regarding HB 459. My name is Sue Burek and I live in Austin, Texas. I'm a parent, an advocate for people with disabilities, and a member of several advocacy organizations that serve families with children with disabilities, including Texas Parent to Parent, Protect Texas Fragile Kids, and Loving Hearts for All.

I am testifying IN SUPPORT OF HB 459, which prohibits chemical restraints for students with behavior issues.

Please vote to APPROVE HB 459. Thank you very much for your consideration of my request.

Ana O'Quin

Girls Empowerment Network

Austin, TX

Chair Thompson, Vice Chair Lacey, and Youth Health and Safety Select Committee,

My name is Ana O'Quin, I am the policy fellow at Girls Empowerment Network. At GIRLS, we ignite the power in girls by teaching them the skills to thrive and believe in their ability to be unstoppable. Our programs serve more than 2,000 Texas girls in 3rd through 12th grade annually.???

Currently, students around the country are subjected to physical, chemical, and mechanical restraints in the place they should feel the safest: their schools. No Kids in Cuffs recognizes and prevents the detrimental effects restraints can have on elementary-aged children and allows for parents, educators, law enforcement officers, disability rights advocates, and juvenile justice advocates to come together and voice their concerns.

In the 2018-2019 school year, over 45,000 students were subjected to physical restraint; 90% of these students were students with disabilities. Restraint can trigger both short-term and long-term problems in sleep, learning, relationship and trust. Trauma developed as a part of being subjected to restraint can impede a child's development2 .

At GIRLS, we focus on curriculum around self-efficacy – a youth's belief in their ability to succeed. For our youth to recognize their own abilities, they must first feel safe, both at home and at school. For the first 18 years of a student's life, schools are places they not only spend eight hours a day, five days a week, but spaces in which they form the first close bonds of their lives, as well as start to form their own identities. To build self-efficacy and positively impact the trajectory of their lives, students must be protected from unnecessary trauma at school.??

It is imperative we recognize the harms that accompany restraints to ensure no additional child in elementary school faces the trauma of restraint. This resolution has been written in light of these considerations and with the perspective of all parties involved.

We are proud to express our strong support for No Kids in Cuffs and are confident in its positive impact!

Shariq Ghani, Executive Director  
Minaret Foundation  
Richmond, TX

My name is Shariq Abdul Ghani and I am in favor of HB459 also known as No Kids in Cuffs.

I am the Executive Director of Minaret Foundation - where we bring faith communities together through multi-faith and civic engagement

As our friend Chief Marlon Runnels of Klein ISD would tell you SROs and school police did not get into this career to police children - they entered this field to protect children and ensure a safe environment. Oftentimes, our law enforcement is not just their guardians, but their friends as well.

Researchers found a positive correlation among officers between cases involving restrained children and the development of PTSD.

This is not a situation they want to be in.

From the child's perspective, it's a trauma they will endure for the rest of their life.

This is not taking an arrow out of the quiver of our law enforcement - far from it. This bill allows for restraint if there is a serious threat to themselves or others.

In fact, we know many municipalities do not restrain children such as that of chief David Kimberly, the past president of the Texas School District Police Chiefs Association who has also endorsed this bill.

However, this is not the case in all school districts which is why we are asking for this UNIFORM policy measure that closes this loophole.

Last session, the House passed this bill without issues, but we ran out of time for the Senate.

Heather asked you a question earlier. What would You do, if the child in your life was placed in handcuffs?

Those restraints will cuff the self-esteem and confidence of any 7-year-old and further the space between them and law enforcement, and their teachers.

We ask that you provide a favorable report for HB459, and champion the mental health of our children, educators, and officers.

Margaret Heinkel-Wolfe  
self  
DENTON, TX  
FOR

---

Hearing Date: March 20, 2023 2:30 PM - or upon final adjourn./recess or bill referral if permission granted

Eric Mata  
Texas Organizing Project  
Dallas, TX

Dear Members of the Texas Legislative Committee,

I am writing to express my strong support for TXHB 459, which seeks to protect the safety and well-being of our students, educators, and officers in Texas schools. As someone who deeply cares about our children's welfare, I believe it is essential to relieving officers and educators from the choice to utilize restraints.

The No Kids in Cuff's initiative is an essential step in this direction. It ensures that elementary-aged children are not restrained unless there is a severe risk of harm or injury. The initiative recognizes that restraints can have significant physical and psychological effects on children, including trauma, anxiety, and loss of trust in authority figures.

As community members, we must work together to provide a safe and supportive environment for our children to learn and grow. The No Kids in Cuffs initiative is an essential step in this direction, as it will help ensure that our schools are safe and secure for all students, educators, and officers.

Therefore, I urge you to support TXHB 459 and the No Kids in Cuffs initiative. By doing so, we can take a vital step towards creating a safer, more nurturing environment for our children to learn and thrive.

Thank you for your attention to this critical matter.