

SUBJECT: Allowing two counties or cities to form regional drug courts

COMMITTEE: Corrections — favorable, without amendment

VOTE: 10 ayes — McReynolds, Madden, England, Hodge, Kolkhorst, Marquez, Martinez, S. Miller, Ortiz, Sheffield

0 nays

1 absent — Dutton

SENATE VOTE: On final passage, March 19 — 31-0, on Local and Uncontested Calendar

WITNESSES: (*On House companion bill , HB 1048:*)
For — Marc Levin, Texas Public Policy Foundation Center for Effective Justice; Ana Yanez-Correa, Texas Criminal Justice Coalition; (*Registered, but did not testify:* Clifford Gay; Christine Gendron, Texas Network of Youth Services; Justin Marlin, Texans Care for Children; Matthew Simpson, The ACLU of Texas

Against — None

BACKGROUND: Health and Safety Code, sec. 469.002 authorizes counties to establish drug courts for persons arrested for or convicted of alcohol or drug offenses or other non-violent offenses in which alcohol or drugs contributed to the offense. Sec. 469.0025 authorizes the commissioners courts of three or more counties or the governing bodies of three or more cities to establish a regional drug court.

DIGEST: SB 633 would reduce the number of counties and cities that could join together to form a regional drug court from three to two.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

SUPPORTERS SB 633 would help extend the state’s drug court program into additional

SAY: small counties so Texans in these areas could benefit from this innovative approach to handling non-violent drug users. Current law requires a minimum of three cities or counties to join together to form a regional drug court. However, in some areas, two cities or counties may want to launch such an effort, and there is no reason to prohibit these highly successful and popular courts in such circumstances.

Drug courts give offenders closer supervision to ensure public safety and treatment to reduce addiction and recidivism. National studies have shown that drug courts reduce recidivism by up to 44 percent. SB 633 could help equalize access to this resource.

SB 633 would not require any jurisdiction to establish a drug court. The courts that could be created under SB 633 could be set up only with the agreement of the counties or cities involved.

OPPONENTS
SAY: No apparent opposition.

NOTES: The House companion bill, HB 1048 by Madden, was considered in a public hearing by the Corrections Committee on March 26 and left pending.