



Texas Appleseed 2015 Legislative Agenda

Decriminalize Truancy

More than 100,000 Texas students are sent to adult criminal court each year for having unexcused absences from school. These court cases result in fines and criminal convictions for youth, but fail to provide them with the necessary interventions and services to improve their school attendance. Texas Appleseed supports legislation to stop treating truancy as a criminal offense, improve school-based interventions for truant students, and use court only as a last resort.

End Confinement of Status Offenders

Status offenses are actions that are only prohibited by law for individuals younger than a certain age, like running away, truancy, or breaking curfew laws. Under current state law, status offenders cannot be incarcerated as punishment for committing a status offense, but may be confined as punishment for violating a court order made in the underlying status offense case — commonly known as the Valid Court Order (VCO) exception. Texas Appleseed supports legislation that would ensure that status offenders are never confined by eliminating the VCO exception from current law.

Raise the Age of Juvenile Court Jurisdiction to 17

Currently, all 17-year-olds are sent to the adult criminal justice system in Texas, regardless of the crime committed. But every parent knows that 17-year-olds are still kids, common sense knowledge that is now supported by brain science. Research tells us that these youth would be better served by the juvenile justice system, where they could receive education and services more likely to result in rehabilitation. Texas Appleseed supports legislation that would keep 17-year-olds in the juvenile justice system and out of adult jails and prisons.

Improve School Policing Practices

School police need training to help them de-escalate and defuse tense situations on K-12 school campuses without resorting to using weapons on students. Better data collection and reporting about school policing practices on campuses is also needed, such as how often school police are arresting students or using force or weapons against students. Texas Appleseed supports legislation that would restrict the way that officers are allowed to use weapons like Tasers or pepper spray on students; provides for mandatory training of school police; and requires the collection and reporting of data on school policing incidents.

Promote Fair Small-Dollar Lending in Texas

Texans deserve reasonably priced small loans that are affordable and support family and community financial well-being. The Texas small-dollar loan market is currently dominated by payday and auto title loans that carry average rates well above state usury limits and consumer lending rate caps. The average payday loan is over 500% APR. Auto title loans — fully secured by a vehicle that has been paid in full — average 270% APR. Marketed as short-term loans, these high-cost loan products often keep borrowers in debt for six months or more. Borrowers can end up paying more in fees than the amount borrowed without ever reducing the loan principal. Some payday loan businesses are also engaging in abusive debt collections practices by wrongfully filing bad check or theft by check criminal charges to collect on delinquent loans. Texas Appleseed supports legislation that upholds the unified ordinance (local city ordinances that put basic affordability standards in place for payday

and auto title loans), supports using the city ordinances as a model for state law, and supports clarifications in state law regarding criminal bad check and theft by check charges to ensure payday loan businesses do not use state prosecutors as their debt collectors.

Eliminate the Practice of Civil Asset Forfeiture

Texas law enforcement agents seize millions of dollars every year during traffic stops, simply by asserting that they believe the money is connected to some illegal activity and without ever pursuing criminal charges. Their agencies are entitled under Texas law to keep most of the money and property they seize. We have seen heartbreaking stories of people stopped for infractions like using the left lane on a highway without passing, and then having their assets seized unless they have the time and resources to prove that their funds or belongings were not involved in criminal activity.

Texas Appleseed is supporting the efforts of the Texas Public Policy Foundation and the ACLU of Texas to limit the abuses that asset forfeiture allows. Some of the sensible solutions that we are asking legislators to consider include: better reporting, stronger protections for people whose assets have been seized, and putting the funds in a common statewide pool so that there are fewer incentives for abuse.

Texas Appleseed is a nonprofit, nonpartisan organization whose mission is to promote social and economic justice for all Texans. Our work helps the most vulnerable and the underprivileged in Texas, including children, low-income families, those with disabilities, among other groups. www.TexasAppleseed.net