

**STATE OF TEXAS**

**RESOLUTION**

**of the**

**TEXAS JUDICIAL COUNCIL**

**Eligibility for Specialty Courts**

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, there are 165 specialty courts in Texas, operating as drug courts, DWI courts, veterans courts, family drug treatment courts and similar programs; and

WHEREAS, national research has consistently shown that treating drug-involved offenders in the intensive specialty court format results in much better outcomes than other traditional forms of rehabilitation or punishment; and

WHEREAS, national best practice standards indicate that when using proper screening and assessment tools, specialty courts can be very effective in meeting the treatment needs of high-risk and high-need offenders<sup>1</sup> without compromising public safety; and

WHEREAS, Texas law currently prohibits drug courts and DWI courts from admitting individuals arrested for, charged with, or convicted of certain violent offenses<sup>2</sup>; and

WHEREAS, individuals arrested for, charged with, or convicted of certain violent offenses are eligible for other less-intensive forms of community supervision and could benefit from the intensive specialty court format; and

WHEREAS, other types of specialty courts are able to admit individuals arrested for, charged with, or convicted of certain violent offenses<sup>3</sup>; and

WHEREAS, appropriate measures to protect the public and serve the public interest could be put into place to allow the participation of violent offenders; and

WHEREAS, the Council believes that specialty courts should be an option, when appropriate, for violent offenders.

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<sup>1</sup> Adult Drug Court Best Practices Standards, Volume I. (2013). *National Association of Drug Court Professionals*.

<sup>2</sup> Government Code §§ 123.002(1)(B); 123.002(2)(B)

<sup>3</sup> Government Code §§ 122.002; 124.002(a); 125.002

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council urges the Legislature enact legislation to remove the prohibition for admitting violent offenders to drug courts and DWI courts, subject to certain provisions to protect the public and serve the public interest.

A handwritten signature in black ink, appearing to read "Nathan L. Hecht", written over a horizontal line.

Honorable Nathan L. Hecht  
Chair, Texas Judicial Council

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