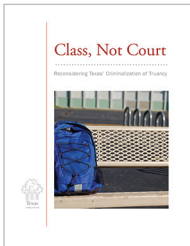




Truancy Reform Efforts



We have been working with other advocates to get meaningful truancy reform legislation passed in Texas this session. In March, we released a new report, *Class, Not Court: Reconsidering Texas' Criminalization of Truancy*. We analyzed data between 2010-2014 from various agencies—from the Texas Education Agency to the Texas Office of

Court Administration. We also observed courts in counties statewide to inform our understanding of practices. The report also features stories from real families about how Texas truancy laws have impacted their lives and introduces policy recommendations for truancy reform.

Top Findings

- African-American, Hispanic, and special education students are disproportionately represented among students charged with Failure to Attend School, compared with their enrollment numbers.
- There is no evidence to support the notion that children are simply “skipping class.” Factors that have led to truancy include chronic illness, taking care of a relative, homelessness, being a victim of bullying, and having undiagnosed special education needs.
- Judges’ responses to truancy vary widely, sometimes with alarming consequences, such as requesting students’ private social media passwords and requiring use of GPS ankle monitors.
- Judges also are permitted to order students to drop out of school and take the GED, a particular challenge for special education students who make up a significant percentage of students charged with truancy.

Our report is available at TexasAppleseed.net on the School-to-Prison Pipeline project page. To get regular updates on truancy in Texas, like our **new Facebook page**, “Texas Truancy Reform.”

DOJ Investigation

Texas Appleseed has long been involved in combatting how truancy is handled in Texas. In 2013, we and our partners filed a complaint with the U.S. Department of Justice against Dallas County Truancy Courts and four area school districts for violations of students’ constitutional and civil rights. The DOJ recently opened an investigation into the courts.

In Dallas? Contact the DOJ: Any individuals or groups can share their experiences with the DOJ about the Dallas Truancy Court, the Truancy Enforcement Center, or Juvenile District Court’s handling of truancy or contempt-of-court charges.

Email: Community.dallascounty@usdoj.gov

Phone: 1-855-258-1433

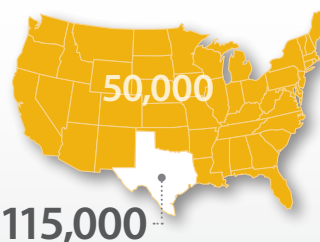
COURTS ARE ORDERING
thousands of students
TO DROP OUT & TAKE THE GED

BUT IN A 3-YEAR PERIOD
6,400 OF THESE STUDENTS
failed THE TEST.

Our video, featuring former Texas Supreme Court Chief Justice Wallace Jefferson, offers the latest truancy stats and is available at bit.ly/TxTruancyReformVideo.

THE FACTS:

These courts lack the protections of juvenile courts, such as appointment of counsel.



Texas files more than twice the number of truancy cases than all other states combined.

Texas Appleseed

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From the Executive Director's Desk

BY DEBORAH FOWLER

Texas Appleseed is in the midst of transition. Rebecca Lightsey, our Executive Director and my mentor for nine years, left Appleseed in January to pursue new and exciting endeavors. As she was leaving, we welcomed new staff members and four new board members. And all of us—existing and new staff and board—are rolling up our sleeves to realize organizational goals identified by a 2014 strategic planning process.

In the midst of this change, we remain steadfast in our overarching mission: to make social and economic justice a reality for all Texans. Too often, we see members of our community left behind by Texas' vibrant economy, failed or left unprotected by systems that ignore real need, or locked out of opportunities to get ahead.

Our 2015 legislative agenda reflected our core values. This session we worked to ensure that payday lenders did not roll back significant local-level gains that protect consumers. We prioritized decriminalizing truancy, with strong bipartisan support for research-based alternatives that actually work to achieve the goal of reconnecting kids with school. And we worked to identify common-sense methods to ensure school police interact with students in a way that promotes school safety and a healthy climate.

In addition to our long-standing projects, we have identified new issues with the help of an amazing team of pro bono partners. In conjunction with **Baker & McKenzie** and **General Electric**, we have begun working on an online handbook for homeless Texas youth that will assist them in finding resources and understanding their rights. Lawyers with **Hunton & Williams LLP**, **Vinson & Elkins LLP**, and **Sidley Austin LLP** are helping us develop new projects on a wide range of policy issues, including researching and drafting scoping memos that will help us identify the work that comes next.

John F. Kennedy once noted, "Change is the law of life. And those who look only to the past or present are certain to miss the future." I look forward to embracing the future with all of our partners and to working together to identify the systemic change needed to make Texas a more just place for all of us.

THE LATEST...

PEOPLE

■ The Texas Appleseed Board of Directors has made four exciting new appointments. We welcome these new members to our board: **E. Leon Carter** with Carter Scholer Arnett Hamada & Mockler, PLLC, in Dallas; **Edmundo O. Ramirez** with Ellis, Koeneke & Ramirez, L.L.P., in McAllen; **Dr. Gregory Vincent** with The University of Texas at Austin; and **Angela Zambrano** with Sidley Austin LLP in Dallas. *Organizations listed for identification only.*

■ We are pleased to welcome two new members to our team. **Maile Molin**, our new grant writer, has been involved in social justice issues for over

15 years. **Yamanda Wright**, our data analyst, worked as a doctoral researcher at UT-Austin before joining Texas Appleseed.

PROJECTS

■ Students can take the LSAT prep course on us, so spread the word. Through our Diversity Legal Scholars program, created to help diversify the legal profession, we award scholarships for LSAT prep assistance and mentoring for minority residents of Texas. The next **application deadline is June 26, 2015**. For more information and requirements, visit TexasAppleseed.net and click on the Diversity Legal Scholars project page.

Payday & Auto Title Lending Reform

Strong federal payday and auto title loan reform laws may soon be a reality. On March 26, the Consumer Financial Protection Bureau (CFPB) outlined a proposal of rules that addresses abusive small-dollar lending schemes, including payday, auto title, and high-cost installment lending. The CFPB proposal includes essential guiding principles for reform, including requirements to assess the borrower's ability to repay the loan and protections to ensure that loan payments do not take precedence over basic necessities, such as rent, utilities and food. What's up next is that the CFPB will seek input from a wide range of stakeholders before issuing proposed regulations that would undergo public comment.

Texas' unified ordinance, now adopted by 22 urban and rural Texas cities, will still remain necessary to protect borrowers until a federal law is in place. Additionally, city ordinances will be upheld if they offer stronger protections than federal law.



Galveston Makes It 22! Galveston was the first city in 2015 to adopt the ordinance, which sets basic affordability standards to control these predatory lending practices.

To view the **latest payday and auto title market trends** and how much these loans cost statewide and in major cities, visit TexasAppleseed.net and click on our Payday & Financial Services Reform project page.

Debt Collection Complaint

Texas Appleseed uncovered some startling data when we learned that payday businesses unlawfully filed more than 1,500 criminal complaints against Texas borrowers to collect money. From January 2012-May 2014, payday loan businesses abused the *criminal* court system by filing “theft by check” or “bad check” complaints against borrowers who had insufficient funds to repay the loan by check or debit. These illegal debt collection tactics included threats of criminal prosecution, arrest warrants, court appearances, jail time, and fines. This contravenes state and federal law, which eliminated debtor's prisons long ago. In fact, Texas' Bill of Rights states: “No person shall ever be imprisoned for debt.”

In December 2014, we filed a complaint with state and federal regulators documenting the issue and urging quick action to remedy the situation, as we believe it is much more pervasive than these 1,500 cases.

Join Us in Dallas on June 11



Judge Royal Furgeson, Jr., retired U.S. district judge and founding dean of the UNT Dallas College of Law, will be the guest speaker at our June Visionary Society reception. Judge Furgeson will discuss his mission to make the legal system more accessible and affordable, as well as how that intersects with Texas Appleseed's mission.

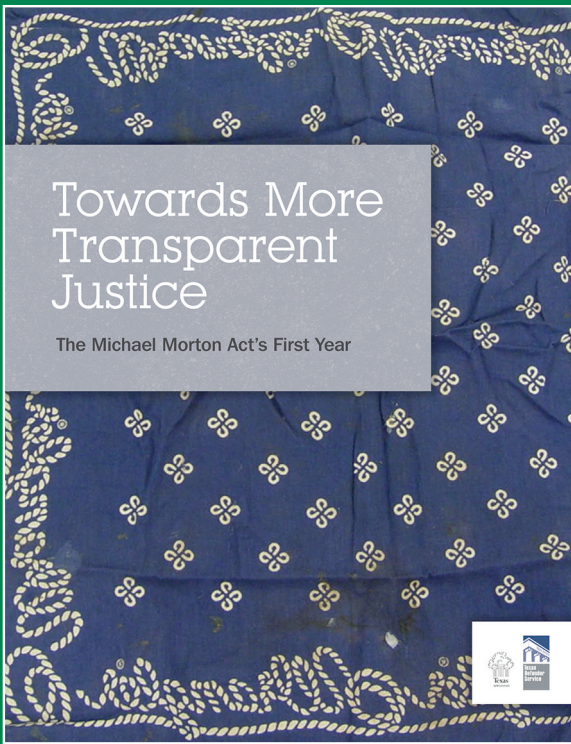
Please join us for this free event on Thursday, June 11, 2015, from 6 to 8 p.m. Drinks and hors d'oeuvres will be served. **For more information or to RSVP**, contact Jamie Sauer at jsauer@texasappleseed.net.

The Visionary Society is a group of individuals who are committed to ensuring justice for their fellow Texans through their generous gifts to Texas Appleseed.

Michael Morton Act is Working After its First Year

Landmark legislation is working after its first year of implementation. Texas Appleseed partnered with Texas Defender Service to evaluate the Michael Morton Act's first year in our report *Towards More Transparent Justice* (available at TexasAppleseed.net on our Criminal Discovery Reform project page).

When the Morton Act went into effect January 1, 2014, it marked the first time in Texas history that criminal defendants had a statutory right to review the State's evidence against them without a court order. Further, the State must "promptly disclose" any information that could be considered exculpatory (tending to negate the defendant's guilt), impeaching (grounds for challenging a witness's testimony or credibility) or mitigating (supporting a lesser punishment). The report outlines recommendations for prosecutors.



SEE INSIDE: Truancy Reform / CFPB's Proposal of Rules / Dallas Visionary Society Event / Other News