

## TESTIMONY OF DENISE HUERTAS

### PUBLIC HEARING JUDICIARY COMMITTEE APRIL 4, 2007

#### H.B. NO. 6285

#### AN ACT CONCERNING THE AGE OF A CHILD WITH RESPECT TO JUVENILE COURT JURISDICTION

My son was diagnosed with Bipolar Mania I when he was in eighth grade and had begun getting into trouble at school. He was angry, depressed, and suicidal. His therapist tried giving him several different drugs, one of which was Welbutrin, an anti-depressant. We discovered he was bipolar because the side effects of this drug on a bipolar person are mental breakdowns and hallucinations. He had been taking the medicine for only three days when he had an episode at school. He screamed and yelled that the walls were closing in on him, and punched the walls until his hands bled. The nurse called the office, who then alerted the police.

The principal knew that my son was in therapy and on a new drug. When the police got there they subdued and handcuffed him. The principal told them to take him to the hospital because of the medication, but the police ignored the principal and dragged my poor son out of the school kicking and screaming. Then they charged him with assaulting a police officer, resisting arrest, threatening school officials, and breach of the peace. All of this because he was having a reaction that he could not control to a drug given to treat an illness that he could not control.

The way that policeman treated my son just wasn't right. So I met with the commanding officer and told him that he should have reprimanded that officer and sent the police to a yearly seminar for handling mentally challenged juveniles. I took my son's story to the press and obtained a lawyer to sue the commanding officer, the city, the officer who handcuffed my son, and anyone else I could name. The officer ended up dropping all of the charges and it was erased from the juvenile court system. But that moment lives on for my son everyday and will for the rest of his life.

After he was transferred to another schooling program at the high school which didn't address his needs, my husband and I had him sent to a residential program, which he did well at. But as soon as he returned home, the police had him marked; every time something happened in our neighborhood they were there looking for him. Finally, my son reached the point that he decided he might as well do something wrong so when they came it was for a good reason and that's what he did. Through witnessing my son's experiences, I realized that when a person is treated like a criminal, that is what he becomes.

My son was arrested at age 17, tried as an adult, and sentenced to an adult prison, where he is now serving ten years. He is working on his GED which he never received because he was bounced around so much in the school system. Our current education system is not equipped to handle those with any health difficulties, either mental or physical.

Prison is doing nothing for my son except housing him with worse criminals than himself. I am not in any way saying he is innocent. He committed a crime and needs to be held accountable. But his situation never should have reached this point. If the school system, juvenile court system, and local police were better trained and had better programs to help my son and the many others just like him, he wouldn't be where he is today. I believe that, plain and simple. If my son had received treatment and programs that were suited for him, he would be graduating from a high school and not a prison cell.