

Committee on Criminal Jurisprudence  
Old Supreme Court Room

March 18, 1981  
3:35 p.m.

Public Notice having been posted on March 13, 1981 at 10:30 a.m., the Committee on Criminal Jurisprudence met in a Public Hearing in the Old Supreme Court Room at 3:35 p.m. on March 18, 1981 and was called to order by the Chair, Ms. Cofer.

The roll was answered as follows:

Present: Cofer, Hernandez, Browder, Burnett, Hudson, Maloney, Waldrop (7)

Absent: Nabers, Jones, Smith, Uher (4)

A quorum was present.

H.B. 32 by Hartung and H.B. 361 by Rudd

The Chair laid out H.B. 32 and H.B. 361 and recognized Mr. Hartung to explain his bill.

The Chair recognized George Secrest, Jr., Assistant District Attorney, Harris County, Houston, representing the Harris County District Attorney's Office, to speak for H.B. 361.

The Chair recognized Ray Speece, Assistant D.A., Harris County, representing Harris County D.A.'s Office, to speak for H.B. 361.

Mr. Uher now present.

The Chair recognized Phil Peeples, Detective, Harris County Sheriff's Office, Houston, representing the Harris County Sheriff's Department, to speak for H.B. 32 and H.B. 361.

The Chair recognized Bill Elkin, Police Officer, Houston, representing the Houston Police Officers Association, to speak for H.B. 32.

The Chair recognized Bud Schauerte, Houston, representing the Houston Chamber of Commerce, to speak for H.B. 32 and H.B. 361.

The Chair recongized Mr. Rudd to explain H.B. 361.

The Chair recognized Mr. Willis Whatley, Deputy General Counsel, Governor's Office, to speak as a Resource Witness regarding H.B. 361.

The Chair recognized G. F. Rose, Deputy Sheriff, Dallas, representing Dallas County Sheriff's Office, to speak for H.B. 361.

Mr. Smith now present.

Mr. Jones now present.

The Chair recognized Phyllis Morrow, Housewife, President of C.R.I.M.E., representing C.R.I.M.E., to speak for H.B. 361.

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The Chair recognized Mrs. Annie Pearl Baird, Homemaker, Houston, representing herself, to speak for H.B. 361.

The Chair recognized Mr. Roy Minton, Attorney, Austin, representing the Criminal Defense Lawyers Association, to speak against H.B. 32 and H.B. 361.

TAPE 2, SIDE A BEGINS  
IN THE  
MIDDLE OF  
MR. MINTON'S  
TESTIMONY

The Chair recognized Mr. Jack Beech, Lawyer, Fort Worth, representing Criminal Defense Lawyers Association, to speak against H.B. 32 and H.B. 361.

The Chair recognized John Duncan, Executive Director, Texas Civil Liberties Union, representing T.C.L.U., to speak against H.B. 32 and H.B. 361.

The Chair recognized Mr. Rudd to close on the bills.

Mr. Browder moved H.B. 32 and H.B. 361 be referred to a subcommittee to be named by the Chair.

There being no objection, it was so ordered.

Mr. Browder now in Chair.

H.B. 649 by Washington

The Chair laid out H.B. 649 and recognized Mr. Washington to explain it.

Ms. Cofer back in Chair.

The Chair recognized Andy Shuval, Executive Director, Prosecutor's Council, representing the Prosecutor's Council, to speak as a Resource Witness regarding H.B. 649.

Mr. Hudson moved H.B. 649 be reported back to the House with a favorable recommendation.

Mr. Smith moved to table Mr. Hudson's motion.

The motion to table prevailed in a roll call vote (Record Vote #1) reflected as follows:

Ayes: Browder, Jones, Maloney, Smith, Waldrop (5)

Nays: Cofer, Hudson (2)

Mr. Smith moved H.B. 649 be referred to a subcommittee to be named by the Chair.

There being no objection, it was so ordered.



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H.B. 54 by Polumbo and H.B. 1160 by Lewis

The Chair laid out H.B. 54 and H.B. 1160 and recognized Mr. Polumbo to explain H.B. 54.

The Chair recognized Mrs. Sue Glover, Convention Display Supervisor, Richardson, representing herself, to speak for H.B. 54.

The Chair recognized Dick Hickman, Police Officer, DeSoto, representing Texas Municipal Police Association, to speak for H.B. 54. *(BEGINS SHORTLY INTO TAPE 3, SIDE A)*

The Chair recognized Mr. Polumbo to close.

The Chair recognized Mr. Lewis to explain his bill.

Mr. Hudson moved H.B. 54 and H.B. 1160 be referred to a subcommittee to report back to the full Committee on March 25th.

Ms. Cofer moved H.B. 54 and H.B. 1160 be referred to a subcommittee to be named by the Chair.

Mr. Hudson withdrew his motion.

There being no objection to Ms. Cofer's motion, it was so ordered.

H.B. 75 by Hudson

The Chair laid out H.B. 75 and recognized Mr. Hudson to explain it. *(CONTINUES ONTO TAPE 3, SIDE B)*

Mr. Hudson moved H.B. 75 be referred to a subcommittee to be named by the Chair.

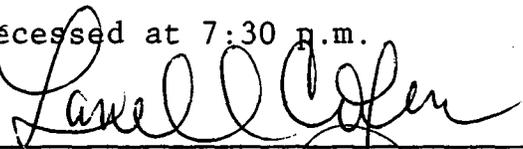
There being no objection, it was so ordered.

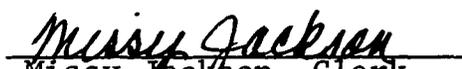
H.B. 149 by Green

At the request of the author, H.B. 149 was referred to the same subcommittee as the other peace officer bills.

Mr. Browder moved the Committee stand recessed subject to the call of the Chair.

There being no objection, the Committee recessed at 7:30 p.m.

  
LANELL COFER, CHAIRMAN

  
Missy Jackson, Clerk

