

## **BILL ANALYSIS**

H.B. 3845  
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Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been noted that forensic analysts are often required to travel to various cities and counties to deliver in-person testimony in judicial proceedings, which takes time away from important casework such as processing rape kits. There have been calls to allow forensic analysts to provide testimony by means of video teleconferencing technology to give these analysts more time to focus on that casework. H.B. 3845 seeks to provide for that authorization under certain circumstances.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3845 amends the Code of Criminal Procedure to authorize the testimony of a forensic analyst required to testify in a criminal prosecution proceeding to be conducted by video teleconferencing if:

- the use of video teleconferencing is approved by the court after providing notice to all parties;
- the video teleconferencing is coordinated in advance to ensure proper scheduling and equipment compatibility and reliability; and
- a method of electronically transmitting documents related to the proceeding is available at both the location at which the witness is testifying and in the court.

The bill requires the video teleconferencing system to provide an encrypted, simultaneous, compressed full motion video and interactive communication of image and sound between the judge, the state's attorney, the defense attorney, and the witness.

### **EFFECTIVE DATE**

September 1, 2019.