

SUBJECT: Creating an unsolved crimes investigation team within Texas Rangers

COMMITTEE: Public Safety — favorable, without amendment

VOTE: 9 ayes — B. Turner, Keel, Berman, Driver, Gutierrez, Hupp, Isett, King, Villarreal

0 nays

SENATE VOTE: On final passage, May 3 — voice vote

WITNESSES: No public hearing

DIGEST: SB 786 would establish an unsolved crimes investigation team within the Department of Public Safety (DPS), commanded by the chief of the Texas Rangers. Upon request by a prosecutor and approval by the DPS director, the team could help local law enforcement investigate crime. The bill would define an unsolved crime as an unsolved homicide or felony that was one offense arising out of the same criminal episode as other unsolved felonies and that required a level of expertise to investigate that was not readily available to local law enforcement agencies.

Peace officers and noncommissioned officers could be part of a team. Peace officers on the team would have to have at least four years' experience as a peace officer and either a degree from a higher education institution in law, accounting, or computer science or at least two years' experience in the investigation of homicides or other major felonies. Noncommissioned employees on the team would have to meet the experience, training, and educational requirements set by the DPS director.

SB 786 would take effect September 1, 2001.

SUPPORTERS SAY: SB 786 would allow the Texas Rangers to help local law enforcement agencies solve serious unsolved cases. About 30 percent of murders during the past decade have remained unsolved. Local law enforcement agencies often lack the manpower and resources to continue to investigate these and other serious cases. The state has an obligation to pursue murder and other

serious cases until they are solved or until leads are no longer viable. This is especially true in murder cases, for which there is no statute of limitations. SB 786 would implement an interim recommendation of the Senate Criminal Justice Committee.

A special investigative team would allow the use of the latest technological advances in these cases and could facilitate the identification of serial or linked crimes. The team would send a message to criminals and victims that cases will be pursued to the fullest extent of the law.

The Texas Rangers is the right group to house the team because of its expertise, technical capabilities, training, and good relations with local law enforcement authorities. The team would not infringe on the authority of local law enforcement authorities, because the team could be called in on a case only upon a prosecutor's request.

Many other states and local law enforcement agencies use "cold case" units and have reported success. Texas can well afford the cost of such a team to ensure that justice is served.

OPPONENTS
SAY:

It is unnecessary to spend more than \$1 million a year for a statewide office to look at unsolved crimes. Criminal investigations are handled best on the local level, and DPS and local law enforcement agencies already cooperate informally when necessary. Institutionalizing this informal cooperation might not be the best approach for cases that, by their nature, are unique and should be handled on an *ad hoc* basis.

NOTES:

The bill's fiscal note indicates that it would cost the state about \$1.1 million per year in general revenue and that DPS would need 11 additional employees.

The identical House companion bill, HB 1748 by Giddings, passed the House on May 11 and was reported favorably, without amendment, by the Senate Criminal Justice Committee, also on May 11.