

- SUBJECT:** Executing certain search warrants for DNA specimens in any county
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 5 ayes — Herrero, Moody, Canales, Hunter, Leach
- 1 nay — Simpson
- 1 absent — Shaheen
- WITNESSES:** For — Lon Craft, Texas Municipal Police Association; (*Registered, but did not testify*: Justin Wood, Harris County District Attorney's Office; Tiana Sanford, Montgomery County District Attorney's Office; Gary Chandler, Texas Department of Public Safety Officers Association; Frederick Frazier)
- Against — (*Registered, but did not testify*: Patricia Cummings, Texas Criminal Defense Lawyers Association)
- BACKGROUND:** Code of Criminal Procedure, art. 18.01(b) prohibits the issuance of a search warrant unless sufficient facts are first presented to satisfy the issuing magistrate that probable cause exists for the warrant.
- Code of Criminal Procedure, art. 18.02 (10) allows search warrants to be issued for property or items constituting evidence of an offense or constituting evidence tending to show that a particular person committed an offense.
- DIGEST:** HB 2185 would allow search warrants issued to collect DNA specimens for the purpose of connecting an individual to a criminal offense to be executed in any county, regardless of whether the issuing court's jurisdiction extended outside of the county in which the court was located.
- The bill would take effect September 1, 2015, and would apply only to warrants issued on or after that date.