

- SUBJECT:** Providing certain rights to victims of a criminal offense
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 7 ayes — Moody, Hunter, Canales, Gervin-Hawkins, Hefner, Lang, Wilson
0 nays
- WITNESSES:** For — Chris Kaiser, Texas Association Against Sexual Assault; Jana Kaspar; (*Registered, but did not testify*: Justin Wood, Travis County District Attorney; Maria Person)

Against — (*Registered, but did not testify*: Leah Lobsiger)
- BACKGROUND:** Government Code, sec. 498.0042 requires the Texas Department of Criminal Justice to adopt policies that prohibit an inmate from contacting a victim or a victim's family member without their written consent if the victim was younger than age 17 when the offense was committed. If an inmate violates that policy, the inmate forfeits all or part of any good-conduct time accrued, and it cannot be restored.
- DIGEST:** CSHB 3819 would establish that a crime victim, his or her guardian, or a close relative of the deceased victim had the right to consent to contact or to request no contact from an inmate who was the defendant in the victim's case or that inmate's representatives. The written consent would have to be dated.

The bill would require the Texas Department of Criminal Justice to adopt policies that prohibited inmates or their representatives from contacting victims or a victim's family members without their dated, written consent if the victim was 17 years of age or older if the inmate was convicted of a violent crime or was found by a court to have used or brandished a deadly weapon while committing an offense.

Violations of the policy would be documented and forwarded to any

parole panel considering the inmate's release.

The bill would take effect September 1, 2017, and would apply only to offenses committed on or after that date.

NOTES:

A companion bill, SB 1243 by Rodríguez, was referred to the Senate Criminal Justice Committee on March 13.