

Creating clemency review panel for offenses committed by trafficking victims

HB 3078 by S. Thompson (Zaffirini)

Digest

HB 3078 would have required the Board of Pardons and Paroles (BPP) to appoint a panel of experts to review clemency applications from individuals convicted of an offense committed while under duress or coercion as a result of being a victim of human trafficking or certain offenses that involve family or dating violence. On receipt of an application for clemency described by the bill, BPP would have had to submit it to the panel for review. The panel would have had to review the application and, within six months of receiving it, advise BPP on making a recommendation to the governor about whether to grant clemency to the applicant.

Governor's reason for veto

"I have signed into law this session a number of important bills that will help Texas continue to lead on the issue of human trafficking. This is a priority for me, and I applaud the author's contribution to this effort. But adding a thick layer of bureaucracy to the Board of Pardons and Paroles, as House Bill 3078 would have done, is not the way to help victims of human trafficking."

Response

Rep. Senfronia Thompson, the bill's author, said, "I look forward to working with the governor's office to address the issue that we sought to fix with HB 3078. This bill would have added a clemency review panel of experts in human trafficking under the Board of Pardons and Parole to review evidence of trafficking for victims who have been convicted of crimes while being trafficked but that evidence was not available or considered at the time of trial.

"Clemency would allow these victims to recover from the abuse they have suffered at the hands of traffickers and to re-enter society without the stigma of a criminal record

so that they may obtain employment and housing that will give them the independence to free themselves from their past. I have continuously fought to end the scourges of human trafficking, and I will continue to fight for these survivors to give them a second chance of life."

Sen. Judith Zaffirini, the Senate sponsor, said: "HB 3078 would address directly the plight of persons seeking clemency because they committed a crime due to coercion related to human trafficking. These victims sometimes are overlooked under the current system, not only because the Board of Pardons and Paroles (BPP) lacks the expertise to identify coercion cases that merit clemency but also because some victims lack information about this option. Rather than creating an additional layer of bureaucracy, the bill would have created an alternative panel of trafficking experts that could develop an application for clemency and more expeditiously and effectively advise BPP and the governor."

Notes

[HB 3078](#) was digested in Part Three of the April 30 *Daily Floor Report*.