

BILL ANALYSIS

H.B. 1781
By: Driver
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Personnel involved in Texas' criminal justice system, including law enforcement personnel, attorneys, and judges, currently receive limited or fragmented forensic science training. As first responders to a crime scene, law enforcement personnel perform a vital first step in a criminal investigation through the collection and preservation of evidence. Attorneys and judges play key roles in the disposition of a criminal case resulting from such investigation through their courtroom presentation and court administration. Limited forensic training, however, has resulted in the accumulation of unprocessed evidence linked to criminal cases and a backlog in state crime labs and both situations potentially affect the accuracy and equity of the Texas criminal justice system.

One solution to this continuing problem is to provide Texas criminal justice system personnel statewide with voluntary training and education in proper crime scene investigation, evidence collection and preservation, and courtroom presentation. The expected results of such training include properly collected and preserved evidence, and the eventual reduction of backlogged evidence, and exonerations and convictions upheld through clear and convincing evidence will result in millions of saved state tax dollars.

H.B. 1781 establishes the Texas Forensic Science Academy as a law enforcement training extension program of the Texas Engineering Extension Service of The Texas A&M University System.

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.1781 amends the Education Code to establish the Texas Forensic Science Academy as a law enforcement extension training program of the Texas Engineering Extension Service, the purposes of which are to support the need for trained state and local law enforcement personnel, prosecutors, public defenders, and judges in the Texas criminal justice system and to achieve accuracy and equity in that system. The bill requires the academy to provide, through extension and online courses, workshops, seminars, and other appropriate means, comprehensive and technical training and education focused on science-based best practices for proper crime scene investigation and for the collection and preservation of forensic evidence and the presentation of that evidence in court. The bill requires the academy to consult with state and local law enforcement agencies, prosecutors, public defenders, and judges in Texas as necessary to ensure that the academy's curriculum and practices are consistent with the needs of the criminal justice system and authorizes the Texas Engineering Extension Service to employ a director and other personnel necessary to administer these provisions.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.