

BILL ANALYSIS

H.B. 1441
By: Hernandez
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that one method by which members of a grand jury in Texas are selected, known as the "key man" system, allows a judge to appoint jury commissioners to select the grand jurors. The second method of selecting a grand jury, the parties note, is what prosecutors would recognize as voir dire in which a judge directs a large pool of prospective grand jurors to be summoned for questioning regarding qualifications and willingness to serve.

According to recent studies, evidence suggests that this dual system lacks the necessary semi-random selection process. Reports have shown that sometimes over half of the jury commissioners selected in a given year are employed by the criminal justice system. The parties contend that using the "key man" system often results in the same individuals serving on more than one grand jury within a short span of time and that the grand juror information currently gathered by a court is not sufficient to ensure that the grand jury selection system is semi-random. H.B. 1441 aims to address these concerns.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 1441 amends the Code of Criminal Procedure to require a court in which a grand jury is impaneled to collect statistical information regarding each grand juror's race, gender, and age and make such information available to the public in aggregate form. The bill requires any identifying information about a grand juror collected under this requirement to be redacted before the disclosure of the statistical information.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.