

BILL ANALYSIS

H.B. 1706
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 2019, there were over 18,000 incidents of sexual assault in the state according to the Texas Department of Public Safety. However, only around 1,500 cases of sexual assault of an adult were filed in district courts that year. Sexual assault survivors are sometimes reluctant to seek justice through the criminal justice system because they fear being retraumatized in the process or because they fear they will not be believed. It has been suggested that different types of specialty courts in Texas have been effective in addressing the unique needs of each population they serve and that the establishment of specialty courts for sexual assault survivors would be similarly effective in addressing survivors' needs. H.B. 1706 seeks to address this issue by authorizing counties to establish specialty sexual assault victim services court programs in which the judges and prosecutors specialize in sexual assault cases and in which services are made available for victims.

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. 1706 amends the Government Code to authorize a county commissioners court to establish a sexual assault victim services court program for participants who are victims of an alleged sexual assault in which a person is arrested for or charged with a sexual offense or an assaultive offense against the victim and who voluntarily agree to participate in the program. The bill authorizes the local administrative district and statutory county court judges of the county to designate a court in the county for assignment of the cases. The judge of the designated court must have experience hearing sexual assault cases, and the prosecuting attorney for the court must have experience in prosecuting sexual assault offenses. The bill establishes the following as essential characteristics of a sexual assault victim services court program:

- integration of services for sexual assault victims;
- early identification and prompt assignment of cases;
- victim access to counseling and other related services;
- development of partnerships with public agencies and community organizations;
- monitoring and evaluation of program goals and effectiveness;
- continuing interdisciplinary education to promote program planning, implementation, and operations;
- inclusion of a participant's family members;
- prosecution of sexual assault offenses;

- issuance of protective orders for victims; and
- continued monitoring of sexual assault defendants.

H.B. 1706 requires a sexual assault victim services court program to ensure that a victim eligible for participation in the program participates voluntarily and requires the program to allow participant withdrawal from the program at any time. The bill requires a program to make, establish, and publish local procedures to ensure maximum participation of eligible victims in the county. The bill authorizes a county to accept a gift, grant, donation, or bequest of money, services, equipment, goods, or other tangible or intangible property from any source for the program.

EFFECTIVE DATE

September 1, 2021.