

PUBLIC COMMENTS

HB 1906

HOUSE COMMITTEE ON COUNTY AFFAIRS

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Hearing Date: April 1, 2021 10:30 AM - or upon final adjourn./recess or bill referral if permission granted

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The Texas Council on Family Violence (TCFV) thanks the House Committee on County Affairs for their time and careful consideration of creating funding mechanisms to support the use of global positioning systems (GPS) for monitoring domestic violence offenders. TCFV registers strong support for HB 1906, authored by Representative Abel Herrero.

As a statewide coalition of family violence service providers and allied professionals, TCFV has worked on behalf of victims of family violence and their families for 40 years. TCFV stands strong with 1,000 individual members and nearly 100 family violence programs to provide a safer future for victims and their families.

Family violence in Texas is far too prevalent with 1 in 3 people experiencing intimate partner violence in their lifetime. While the lifesaving services of law enforcement and family violence centers are critical, family violence survivors in the process of fleeing are among those in the greatest danger. With the knowledge that family violence remains one of the leading causes of homicide, research in Texas has shown that of the 136 women murdered in 2017, 37% had made attempts to leave or were planning to end their relationship.

As survivors seek to leave abusive relationships and create safer homes for themselves and their families, the burden to create a safety plan and navigate it often rests solely on them. Survivors maintain constant vigilance over their home address, location of work, and other common places to keep safe while the offender moves freely.

In 2009, HB 1506 shifted this dynamic by creating a mechanism for courts to order defendants charged with the offense of domestic violence be monitored via GPS. The passage of this bill provided survivors movement and freedom and restricted the offender from causing further harm. It created a vital safety mechanism for survivors during the dangerous period of leaving an abusive relationship. GPS monitoring restricted offenders from going near certain locations and for the operator of the GPS technology to notify the court and law enforcement when a violation has occurred.

While the statutory addition of Articles 17.292 (c-1) and 17.49, Code of Criminal Procedure allowed for GPS monitoring as a condition of bond, the costs were to be paid by the offender and the original legislation offered no support to the county. For indigent offenders, a sliding scale can be utilized; however, the remaining costs were left to be determined with no support for counties to truly implement this measure.

The Texas Legislature recognized the seriousness of this issue by creating the ability of courts to place defendants charged with bond conditions on GPS in the 81st Legislative Session. TCFV asks the Legislature to provide counties with the funds needed to stand with survivors by passing HB 1906 in this committee.