

BILL ANALYSIS

Senate Research Center

S.B. 2085
By: Whitmire
Criminal Justice
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

BACKGROUND

The use of new technologies has enabled law enforcement to improve communication, information sharing, and transparency between their agencies and the communities they serve. However, many citizens struggle with 911 call centers and with long wait times for law enforcement agencies to respond to service calls. Although the Rights of Crime Victims Act was passed by the Texas Legislature in 1985, which created a statutory framework to ensure that victims of crime were afforded certain rights under Texas law, staffing issues and a lack of funding for many agencies further exacerbate delays that prevent crime victims from receiving important information relevant to their individual matters.

PURPOSE

Law enforcement's efforts to engage more with the public could be enhanced if a program existed to provide financial assistance to these agencies toward the purchase or development of a crime victim electronic notification system. Crime victim electronic notification systems can provide citizens with immediate and important information for their requests, such as estimated response times and electronic means of filing reports. Other information could also be programmed into an electronic notification system, which would be provided automatically upon completion of a 911 call. Crime victim electronic notification systems can also provide important feedback data to help law enforcement agencies improve services, track initiatives, and identify and resolve performance issues.

A crime victim electronic notification system would be a valuable resource to both the public and law enforcement. By automating the process for notification of relevant information regarding a victim's case, citizens would be better informed and law enforcement could better utilize existing resources.

SOLUTION

S.B. 2085 would establish a grant fund in the Office of the Governor's Criminal Justice Division to help law enforcement agencies implement an electronic notification system that would inform victims of their rights and provide them with important data related to their matter. The bill sets forth the parameters of what information the automated system would have to provide and the guidelines for how the Criminal Justice Division would establish and administer the program, including requiring the Criminal Justice Division to provide an annual report to the legislature with certain information.

The grant program would be an optional participation program for law enforcement agencies.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original by removing lines 21-23 on page 2 of the bill regarding biological evidence, including the results of a sexual assault examination kit. Currently, the Department of Public Safety of the State of Texas has a sexual assault evidence tracking system, making the above referenced language unnecessary.

S.B. 2085 amends current law relating to a grant program for crime victim notification systems.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 772, Government Code, by adding Section 772.0079, as follows:

Sec. 772.0079. GRANT PROGRAM FOR CRIME VICTIM NOTIFICATION SYSTEMS. (a) Defines "criminal justice division," "law enforcement agency," and "victim."

(b) Requires the criminal justice division of the Office of the Governor (criminal justice division) to establish and administer a grant program to provide financial assistance to a law enforcement agency for purposes of purchasing or developing a crime victim notification system.

(c) Requires the criminal justice division to establish:

- (1) eligibility criteria for grant applicants;
- (2) grant application procedures;
- (3) criteria for evaluating grant applications and awarding grants;
- (4) guidelines related to grant amounts; and
- (5) procedures for monitoring the use of a grant awarded under this section and ensuring compliance with any conditions of the grant.

(d) Requires that a crime victim notification system for which a law enforcement agency seeks a grant under this section:

(1) notify a victim or relative of a deceased victim by e-mail or text message of all of the following regarding a victim's case:

- (A) the date on which the incident report is created;
- (B) the case number;
- (C) the name of investigators who are assigned to the case;
- (D) the date:
 - (i) an arrest is made; and
 - (ii) an affidavit alleging probable cause is presented to the attorney representing the state; and
- (E) any other information relevant to the case;

- (2) interface with the law enforcement agency's system of records;
- (3) provide configurable triggers to directly send messages;
- (4) provide the capability:

(A) to attach informational brochures or other electronic attachments to the messages; and

(B) for a person to check the status of the case with the law enforcement agency;

(5) monitor the number and types of messages sent and enable the law enforcement agency to visualize that data; and

(6) provide a survey tool so the law enforcement agency can solicit feedback on victims services.

(e) Provides that information in the crime victim notification system is confidential and not subject to disclosure under Chapter 552 (Public Information).

(f) Authorizes the criminal justice division to use any available revenue for purposes of this section.

(g) Requires a law enforcement agency, as a condition of receiving a grant under this section, to periodically report to the criminal justice division the number and types of notifications sent using the crime victim notification system.

(h) Requires the criminal justice division, not later than December 30 of each year, to compile the information described by Subsection (g) into a written report provided to the legislature.

SECTION 2. Effective date: September 1, 2023.