88R8024 JCG-D

By:  Manuel H.B. No. 2097

A BILL TO BE ENTITLED

AN ACT

relating to the duties of peace officers investigating a family violence allegation or responding to a disturbance call that may involve family violence.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Article 5.04, Code of Criminal Procedure, is amended by adding Subsection (d) to read as follows:

(d)  A peace officer who investigates a family violence allegation or responds to a disturbance call that may involve family violence shall physically separate the individuals at the scene and conduct an interview of the potential victim in a manner that prevents the suspect from intimidating the victim while the victim is providing statements and other evidence to the investigating peace officer, including, at minimum, by:

(1)  preventing the suspect from being able to make eye contact with the victim or make any other nonverbal communication to the victim;

(2)  placing the suspect and victim into separate rooms, if both are detained indoors; and

(3)  to the extent practicable, preventing the suspect from making verbal communications to the victim by:

(A)  placing the suspect at a distance from the victim at which speech is not likely to be overheard or intelligible; or

(B)  using physical barriers.

SECTION 2.  This Act takes effect September 1, 2023.