

## **BILL ANALYSIS**

S.B. 2177

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Homeland Security, Public Safety & Veterans' Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill sponsor has informed the committee that, despite declining crime rates and rapid technological advancements, data reports from the FBI and state public safety departments indicate that law enforcement agencies across the country are failing to consistently solve crimes. According to the 2023 Crime in Texas report published by the Department of Public Safety, in 2023, law enforcement agencies in Texas cleared:

- 53.1 percent of murder and nonnegligent manslaughter cases;
- 36.8 percent of aggravated assault cases; and
- 14.7 percent of cases involving certain sexual offenses, including rape.

The bill sponsor has also informed the committee that when criminals are not held accountable, crime victims are denied justice and communities are left vulnerable to crime and violence. The bill sponsor has further informed the committee that while law enforcement agencies attempt to solve crime in communities across the state, they face many obstacles that make that goal difficult, primarily a lack of staffing and investigative resource capacity, and that law enforcement agencies need more resources to improve clearance rates and better serve their communities. S.B. 2177 seeks to address these issues and create safer communities for all Texans by establishing a grant program to assist local law enforcement agencies in solving violent and sexual offenses.

### **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**

S.B. 2177 amends the Government Code to require the criminal justice division in the governor's office to establish and administer a grant program through which a law enforcement agency employing one or more of the following peace officers may apply for a grant designed to improve clearance rates for violent and sexual offenses:

- a sheriff, sheriff's deputy, or a reserve deputy sheriff who holds a permanent peace officer license issued under applicable Occupations Code provisions; or
- a marshal or police officer of a municipality or a reserve municipal police officer who holds a permanent peace officer license issued under applicable Occupations Code provisions.

The bill defines the following terms:

- "clearance by arrest" means that, with respect to an offense reported to a law enforcement agency, the agency has done the following:

- arrested and charged at least one suspect with the commission of the offense and turned the suspect over to the court for prosecution; or
- cited an individual younger than 18 years of age and required the individual to appear in juvenile court or before another juvenile authority with respect to the offense, regardless of whether an arrest occurred;
- "clearance by exception" means that, with respect to an offense reported to a law enforcement agency, the agency:
  - has confirmed the suspect's identity;
  - has sufficient evidence for arrest;
  - knows the suspect's specific location; and
  - has encountered factors beyond law enforcement control that hinder the arrest, charging, and prosecution of the suspect;
- "clearance rate" as, with respect to an offense or category of offense reported to a law enforcement agency, a fraction:
  - the numerator of which is the number of offenses cleared by the agency through clearance by arrest and clearance by exception; and
  - the denominator of which is the total number of offenses reported to the agency;
- "sexual offense" as indecency with a child, sexual assault, or aggravated sexual assault; and
- "violent offense" as murder, capital murder, aggravated kidnapping, aggravated assault with a deadly weapon, or aggravated robbery.

S.B. 2177 requires the criminal justice division to establish the following:

- eligibility criteria for grant applications;
- grant application procedures;
- guidelines relating to grant amounts; and
- procedures for evaluating grant applications.

The bill restricts the use of grant money awarded under the bill's provisions to paying for the following:

- the hiring, training, and retaining of personnel to do the following:
  - investigate violent and sexual offenses;
  - collect, process, and forensically test evidence; or
  - analyze violent and sexual offenses, including temporal and geographical trends;
- the acquisition, upgrading, or replacement of technology or equipment related to evidence collection, evidence processing, or forensic testing; and
- the upgrading of record management systems to achieve compliance with the reporting requirements under the bill's provisions.

The bill requires a law enforcement agency that receives a grant awarded under the program annually to report the following:

- the clearance rate and the percentage of the clearance rate that is clearance by arrest and the percentage that is clearance by exception for violent offenses, sexual offenses, and each offense classified as a sexual offense or violent offense under the bill's provisions;
- the average duration between the date of the offense and the date of clearance for violent offenses, sexual offenses, and each offense classified as a violent offense or sexual offense under the bill's provisions; and
- the percentage of the grant amount used for each authorized use listed in these provisions.

S.B. 2177 requires the criminal justice division to periodically evaluate the practices employed by grant recipients to identify policies and procedures that have successfully improved clearance rates for violent and sexual offenses and authorizes the division to contract with a third party to conduct such an evaluation. The division must include a detailed reporting of the results and performance of the grant program administered under the bill's provisions in the biennial report submitted by the division to the legislature reporting the division's activities during the preceding biennium required by applicable state law. The bill prohibits a governmental entity

from reducing the amount of funds provided to an applicable law enforcement agency because the agency received a grant under the bill's provisions and authorizes the division to use any revenue available for purposes of the bill's provisions.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.