

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Criminal Jurisprudence
For HB 3073

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Hearing Date: April 1, 2025 10:30 AM - or upon final adjourn./recess or bill referral if permission granted

Tracy Matheson
self
Fort Worth, TX

Dear Chairman Smithee, Vice Chairman Wu and members of the Criminal Jurisprudence Committee,

My name is Tracy Matheson, and I am providing written testimony in support of SB 1432/HB 3073 and am representing myself.

Since the preventable rape and murder of my daughter, Molly Jane (Molly Jane's Law/HB3106/86th Legislative Session and HB 4628/88th Legislative Session), in April 2017, I have devoted my life to using our story to bring change to the system as it relates to the care and rights of sexual assault victims, the investigation of sexual assault, and our response to those who report being sexually assaulted. In short, we can do better.

The crime of sexual assault is under reported and statistics show offenders are rarely held accountable. RAINN shares that out of 1000 rapists, a mere 25 will ever go to jail.

Very likely one of the key challenges in a case that actually makes it to law enforcement is the determination of whether there was consent. So often, it is a case that is referred to as "he said/she said" which often translates to a case which lacks the evidence needed to proceed.

Additionally, it is a well known fact that drug facilitated sexual assault is a pervasive problem. The most commonly used drug is alcohol. According to RAINN, "There are two main ways that drug-facilitated sexual assault occurs: 1) when the perpetrator takes advantage of a someone's voluntary use of drugs or alcohol and, 2) when the perpetrator intentionally forces a victim to consume drugs or alcohol with or without their knowledge."

I cannot stress how important it is to survivors of sexual assault in the state of Texas that we make this much needed change to statute. If a person does not have the capacity to give consent, we must expect the actor to recognize this and behave accordingly. To ignore the signs that a reasonable person would and should recognize and proceed with sexual activity under these circumstances is rape. It should not matter whether the actor intentionally impaired the other person by administering a substance.

We can do better. SB 1432/HB 3073 is one way to do better...for all of Texas.

I implore you to give SB 1432/HB 3073 a swift and favorable vote and send it to the House floor.

Thank you for the opportunity to provide this testimony. Please reach out to me should you have any questions. I can be reached at 817.789.2115 or tracy@projectbeloved.org

Chris Donofrio

Self

The Woodlands, TX

I STRONGLY SUPPORT HB 3073.

Thank you, Representative Howard.

The changes you propose for the text are much better and more effective than the current version of the Penal Code, Section 22.011 (b).

Please, pass it out of Committee.

Respectfully, Chris J Donofrio

Thomas Parkinson

Self

San Antonio, TX

Legislation pertaining to this type of sexual assault was proposed during the 87th and the 88th legislative sessions. Neither of these measures passed due to an apparent "fiscal" issues. Notwithstanding this State's enormous budget; I do hope the fiscal issue(s) has been rectified.