

SUBJECT: Victim notification if offenders escape from prison

COMMITTEE: Corrections — favorable, without amendment

VOTE: 7 ayes — Hightower, Gray, Allen, Culberson, Longoria, Pitts, Telford
0 nays
4 absent — Farrar, Serna

SENATE VOTE: On final passage, February 21 — 30-0

WITNESSES: None

DIGEST: SB 46 would require the Texas Department of Criminal Justice (TDCJ) to immediately make a reasonable attempt to notify a crime victim, the victim's guardian, or, if the victim is deceased, the victim's close relative if the person who committed the offense against the victim escaped from a TDCJ institutional division facility and the victim has registered with TDCJ. Victims, guardians or close relatives would have to notify TDCJ that they want notification of an escape and of any address change. An attempt by TDCJ to notify the victim, guardian or close relative at the last known telephone number or address in the department's records would be considered a reasonable attempt.

The bill would take immediate effect if approved by two-thirds of the membership of each house.

SUPPORTERS SAY: SB 46 would enhance crime victims' rights and ensure that victims who want to be informed if an offender escapes from prison are notified by TDCJ. This would allow victims to be kept informed of any important information that could subject them to a potentially dangerous situation. Victims deserve to be kept apprised of important events concerning their case.

SB 46 would codify a current policy under which TDCJ notifies persons registered in a victims notification database if an offender escapes. This bill would make the notification program a state law that could not be

subject to changes in TDCJ personnel. SB 46 would not be a burden on TDCJ because it already has a system set up to let victims know about the program, to register victims and to notify victims of escapes. Also, escapes are relatively rare.

SB 46 would require victims to supply current information to TDCJ and ensures that the department would only be responsible for notifying a victim at the latest known address in its files. SB 46 would not require TDCJ to track down a victim who has moved and not informed the department or who is unavailable.

OPPONENTS
SAY:

No apparent opposition.