

- SUBJECT:** Crime victims compensation fund benefits for disabled peace officers
- COMMITTEE:** Appropriations — committee substitute recommended
- VOTE:** 18 ayes — Junell, West, Cuellar, Delisi, Eiland, Farrar, Flores, Gallego, Giddings, Gutierrez, Heflin, Janek, Luna, McReynolds, Mowery, Staples, Tillery, S. Turner
- 0 nays
- 9 absent — Coleman, Glaze, Hartnett, Hochberg, P. Moreno, Pickett, Pitts, Puente, Van de Putte
- WITNESSES:** For — William Biles; Ronald Delord, Combined Law Enforcement Agencies of Texas
- Against — None
- On — Leslie Collier and Elly Del Prado Dietz, Office of the Attorney General
- BACKGROUND:** The Crime Victims Compensation Act, enacted in 1979, established a compensation fund to reimburse victims of violent crimes for certain expenses that are not recoverable from other sources. Reimbursement can go toward expenses for medical care, counseling, funerals, child care, or judicial proceedings. In general, a claimant must file an application for compensation not later than three years from the date of the criminally injurious conduct.
- Money from the fund comes primarily from court fees paid by criminal offenders. The Office of the Attorney General, which administers the fund, estimates that the fund will pay out \$67.7 million to victims during fiscal 2000-01, while revenue will total \$129 million.
- DIGEST:** CSHB 2298 would enact the “Bill Biles Law” and exempt from the filing-period limitation for reimbursement from the crime victims compensation fund peace officers who were injured on duty between August 31, 1989, and September 2, 1999.

These injured peace officers could file an application by September 1, 2000, if they otherwise met the criteria for compensation from the fund.

This bill would take effect September 1, 1999, and its provisions would expire September 2, 2000.

**SUPPORTERS
SAY:**

CSHB 2298 would help injured peace officers who receive little or no disability pay even though they were injured on the job. The bill simply would allow about five to 10 officers who were injured on the job within the past 10 years to have access to funds to help pay for expenses associated with the injury. Bill Biles is a 17-year veteran of the Waco police department who was shot in the line of duty in 1996 and now must lobby city officials on an annual basis to receive enough disability pay to meet his family expenses.

Current municipal and county provisions focus more on providing for the family when a peace officer is killed than on the almost equally devastating consequences of permanent disability. Each jurisdiction in Texas chooses the pension fund it offers to peace officers. This has resulted in multiple pension funds with different levels of benefits, most of which are not enough to support a family in the event of total disability. Benefits through the workers' compensation program do not come close to meeting a family's income requirements.

Peace officers can be victims of crimes like other injured crime victims. The fact that peace officers know when taking the job that their lives could be in danger should not prevent them from having access to assistance through the Crime Victims Compensation Fund.

**OPPONENTS
SAY:**

The Crime Victims Compensation Fund is intended to reimburse innocent victims for the cost of services they need as a result of crime. This bill would inappropriately make a special category for police officers who were injured within a specific time period to have access to these funds.

Reimbursements from the fund must be limited to pay for needed services for injured victims of crime, or else the availability of funds will be too low to provide much assistance to anyone. Several bills have been introduced this session that would authorize various victim groups, services, or expenses to qualify for reimbursement from the fund.

The fund was not created as an income supplement. As sad as Mr. Biles' circumstances are, local governments, not the state, should be changing benefits for peace officers to help Mr. Biles and other officers and to prevent similar circumstances from occurring.

OTHER
OPPONENTS
SAY:

This bill should do more than just pay for a few expenses for a few officers who have been injured in the past. Injured peace officers now and in the future need adequate income to support their families, and the Crime Victims Compensation Fund has more than enough resources to help them out and meet their annual income needs.

Injured peace officers should not have to beg for benefits from the government when they have put their lives on the line to protect the public. Funding for disabled peace officers should be a state responsibility, not a local government responsibility, because the officers mostly are enforcing state laws. Also, most cities and counties cannot afford to cover the expense of supporting disabled officers.

NOTES:

The committee substitute removed provisions from the original bill that would have entitled all permanently and totally disabled peace officers injured in the line of work after September 1, 1989, to an annual payment from the Crime Victims Compensation Fund equal to the difference between the officer's disability income and the officer's average annual salary, subject to an annual cost-of-living adjustment.