

SUBJECT: Requiring defendant to pay restitution to children's advocacy center

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 5 ayes — Hinojosa, Keel, Talton, Garcia, Shields

0 nays

4 absent — Dunnam, Green, Kitchen, Martinez Fischer

WITNESSES: None

BACKGROUND: Children's advocacy centers, established under Family Code, chapter 264, coordinate the efforts of professionals who investigate and prosecute child-abuse cases and provide services to the victims. Their purpose is to make the investigative process less traumatic for child victims, to aid the effective prosecution of perpetrators, and to educate the public about child abuse. In fiscal 2000, the 48 advocacy centers in Texas served about 22,400 children, providing forensic interviews, medical evaluations and assessments, and therapeutic and social services. The estimated cost was \$12.5 million, of which local communities generated \$6.7 million. Another \$5 million came from the Crime Victims' Compensation Fund, administered by the Office of the Attorney General.

Code of Criminal Procedure, art. 42.037 sets forth restitution that a court may require a defendant to pay as part of his or her sentence.

DIGEST: HB 558 would allow a court to order a defendant to pay restitution to a children's advocacy center that provided services to the victim, in addition to other required restitution. The center would have to prove to the court that it provided services to the victim and would have to document the actual cost of those services.

The bill would take effect on September 1, 2001, and would apply only to an order of restitution issued on or after that date.