

- SUBJECT:** Exempting firefighters and police officers from jury duty
- COMMITTEE:** Judiciary and Civil Jurisprudence — favorable, without amendment
- VOTE:** 7 ayes — Smithee, Farrar, Gutierrez, Hernandez, Laubenberg, Neave, Schofield
- 2 nays — Murr, Rinaldi
- WITNESSES:** For — Greg Shipley, Combined Law Enforcement Associations of Texas (CLEAT), Corpus Christi Police Officer's Association; Charley Wilkison, Combined Law Enforcement Associations of Texas, CLEAT; Scott Leeton, Corpus Christi Police Officers' Association; (*Registered, but did not testify*: Todd Harrison and Arianna Smith, Combined Law Enforcement Associations of Texas; Zindia Thomas, Texas Municipal League; Mike Gomez, Texas Municipal Police Association (TMPA); John Carlton, Texas State Association of Fire and Emergency Services Districts)
- Against — Lee Parsley, Texans for Lawsuit Reform
- BACKGROUND:** Government Code, sec. 62.106(a) establishes exemptions from jury service for certain people, such as people over 70 years of age and high school and college students.
- DIGEST:** HB 1226 would allow an exemption from jury service for firefighters who were permanent, paid employees of the fire department of a political subdivision and police officers who were permanent, paid employees of the police department of a political subdivision.
- The bill would take effect September 1, 2017, and would apply only to a person summoned for jury service and required to appear on or after that date.
- SUPPORTERS SAY:** HB 1226 would benefit communities by entitling certain firefighters and police officers to an exemption from jury duty. Police officers and

firefighters often are not selected for jury service, and responding to a jury summons removes these public safety employees from their important duties.

HB 1226 would help lift a burden from smaller municipalities that have fewer firefighters and police officers and cannot afford to lose the services of their public safety employees to jury service. The bill also could help reduce costs by freeing up firefighters from jury duty so municipalities did not have to fund replacements.

The bill would create an optional exemption, still allowing police officers and firefighters to participate in the jury selection process. Police and firefighters make up a small percentage of the total jury pool, so the bill would have a minimal effect on the selection and composition of juries but a significant effect for communities and their resources.

**OPPONENTS
SAY:**

HB 1226 would take good people out of the jury pool, exempting another set of people from jury duty when it is already difficult to get people to show up for service. Jury service in America is a privilege that is just as important to our system of government as voting. Texas needs all people to participate on juries; it is not something to be avoided but something to be anticipated.

The belief that police officers and firefighters rarely are selected for jury duty is not a reason to exempt them because this argument could apply to many different groups of people, such as lawyers. It is important for all Texans to do their civic duty and appear when summoned.