

**SUBJECT:** Creating the Sexual Assault Survivors' Task Force

**COMMITTEE:** Homeland Security and Public Safety — committee substitute recommended

**VOTE:** 9 ayes — Nevárez, Paul, Burns, Calanni, Clardy, Goodwin, Israel, Lang, Tinderholt

0 nays

**WITNESSES:** For — Christina Green, Children's Advocacy Centers of Texas, Inc.; Chris Kaiser, Texas Association Against Sexual Assault; Jimmie Chatham; (*Registered, but did not testify:* Donald Baker, Austin Police Department; Jason Sabo, Children at Risk, Mental Health America of Greater Houston; David Sinclair, Game Warden Peace Officers Association; Kristen Lenau, Survivor Justice Project; Amy Meredith, Travis County District Attorney; Katherine Wright, Wright Family Foundation; Vanessa MacDougal; Elva Mendoza; Maria Person)

Against — None

On — Peter Stout, Houston Forensic Science Center and Texas Association of Crime Lab Directors; Kaye Hotz, Office of the Attorney General; (*Registered, but did not testify:* Kenny Merchant, Texas Commission on Law Enforcement)

**BACKGROUND:** Some have suggested that greater coordination and cooperation among service providers is needed to help ensure the adequacy of services provided to address the needs of sexual assault survivors in Texas.

**DIGEST:** CSHB 1590 would create the Sexual Assault Survivors' Task Force in the Office of the Governor's Criminal Justice Division and establish its duties and membership. The task force would have to use any available federal or state funding to implement the bill.

**Task force.** The bill would require the governor to establish the Sexual

Assault Survivors' Task Force to develop policy recommendations to allow the state to effectively coordinate funding for services to child and adult survivors and better prevent, investigate, and prosecute incidents of sexual assault and other sex offenses.

**Duties.** The task force would:

- facilitate communication and cooperation between state agencies;
- collect, analyze, and make publicly available information on the prevention, investigation, and prosecution of sex offenses and on services provided to survivors, including a list of designated sexual assault forensic exam-ready facilities;
- provide resources to the Texas Commission on Law Enforcement and other law enforcement organizations to improve officer training related to investigating and documenting sex offenses, with a focus on interactions between officers and survivors;
- provide law enforcement, prosecutors, and judges resources to maximize effective and empathetic investigation, prosecution, and hearings;
- biennially contract for a survey of the resources provided to survivors by nonprofits, health care facilities, institutions of higher education, sexual assault response teams, and other governmental entities in each region of the state;
- make recommendations to improve the collecting and reporting of data on the investigation and prosecution of sex offenses; and
- develop statewide best practices in the funding and provision of services to survivors by various entities.

The task force also would have to make recommendations on the collection, preservation, tracking, analysis, and destruction of evidence to the attorney general and other individuals or organizations.

**Steering committee.** The task force's presiding body would be a steering committee composed of the governor, the president of the Texas Association Against Sexual Assault, and the president of the Children's Advocacy Centers of Texas.

The steering committee would have to create working groups focusing on child and adult survivors; ensure that the task force identified systemic issues and solutions and did not duplicate existing standards, information, or protocols; and review and approve all task force products before release.

The work group focusing on child survivors would have to collect data on the rate of pregnancy among children 14 years or younger.

**Membership.** The task force would be composed of the governor, an appointed senator and House member, a sexual assault nurse examiner, and specific representatives of certain state agencies, including the Office of the Attorney General, the Health and Human Services Commission, the Texas Commission on Law Enforcement, the Texas Forensic Science Commission, and the Department of Public Safety.

The presidents of the following entities also would be members:

- the Texas Association of Crime Laboratory Directors;
- the Texas District and County Attorney's Association;
- the Texas Municipal Police Association;
- the Texas Society of Pathologists;
- the International Association of Forensic Nurses Texas Chapter;
- the Children's Advocacy Centers of Texas; and
- the Texas Association Against Sexual Assault.

**Report.** The task force would have to submit to the Legislature by November 1 of each even-numbered year a report that included certain items listed in the bill, including a description of the differences between the resources provided to both child and adult survivors and the statewide standards, recommendations the state and each region could take to better comply with the standards, and a description of potential funding sources to implement those recommendations.

All recommendations, standards, and resource information provided by

the task force would have to be evidence-based and consistent with standards of practice and care.

**Other provisions.** The Texas Commission on Law Enforcement would be required to consult with the Sexual Assault Victims' Task Force regarding minimum curriculum requirements for training in the investigation and documentation of cases that involved sexual assault or other sex offenses.

To implement current law on sexual assault prevention and crisis services, the attorney general would have to consult with state sexual assault coalitions, certain state entities, forensic science experts, and others with knowledge and experience relating to the issues of sexual assault and other sex offenses.

The attorney general would have to consult with the above persons to develop an evidence collection protocol for law enforcement agencies and medical personnel that included procedures and requirements for the contents of an evidence collection kit.

The bill's provisions relating to the Sexual Assault Survivors' Task Force would expire September 1, 2023.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**NOTES:**

According to the Legislative Budget Board, the bill would have a negative impact of about \$1.4 million to general revenue related funds through fiscal 2020-21.