

BILL ANALYSIS

Senate Research Center

S.B. 1814
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Criminal Justice
4/28/2003
As Filed

DIGEST AND PURPOSE

The Harris County District Attorney's office reviewed numerous cases in which DNA evidence testing and examination were done by the Houston Police Department (HPD). The results found approximately 65 cases in which DNA evidence testing were flawed and these cases are scheduled for re-testing. However, this is a small percentage of the cases which may have flawed DNA evidence as processed through the HPD crime labs. As proposed, S.B. 1814 sets up a process for the director of public safety to supervise any post-conviction review of DNA laboratory evidence in a criminal case, requested by the prosecution, allows the director of public safety to employ a third party consultant to conduct the review, and allows for a fee to be collected for the review.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 411.144, Government Code, by adding Subsection (i), to require any post-conviction review of DNA laboratory evidence in a criminal case, requested by the prosecution, to be under the supervision of the director of public safety (director), and requires the director to employ a third-party consultant(s).

SECTION 2. Amends Section 411.145, Government Code, by adding Subsection (a)(3) , to authorize the director to collect a reasonable fee under this subchapter for supervising post-conviction reviews as required by Section 411.144(i).

SECTION 3. Effective date: upon passage or September 1, 2003.