

House Committee Resources: Criminal Jurisprudence

Posted At : October 27, 2020 9:30 AM | Posted By : TexasLRL

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The committee has requested written submissions on the following topics. Below are resources related to those topics.

House Committee on [Criminal Jurisprudence](#)

Charge 1: Monitor the agencies and programs under the Committee's jurisdiction and oversee the implementation of relevant legislation passed by the 86th Legislature. Conduct active oversight of all associated rulemaking and other governmental actions taken to ensure intended legislative outcome of all legislation, including the following:

- [HB 1325](#), which relates to the production and transportation of hemp. Examine current procedures and resources used to determine the amount of tetrahydrocannabinol in a substance and prosecutorial impediments to ensuring existing state law can be enforced.
- [Is It Hemp or Marijuana? Scanning Technology May Provide an Instant Answer,](#) *Texas A&M Today*, Texas A&M University, April 8, 2020
- [Letter from Steven C. McCraw, Director, Texas Department of Public Safety, to DPS Laboratory Clients](#) (Regarding the new THC testing methodology), February 18, 2020
- [Hemp Regulations](#), Texas Department of Agriculture
- [Hemp Program](#), Texas Department of State Health Services

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Charge 2: Study current practices and enforcement of criminal laws for non-violent Class C Misdemeanors. Examine the benefits of citations in lieu of arrests and fine-only offenses, the nexus between recidivism and "debtors' prisons," and all programs within the criminal justice system that levy fines, fees, and related penalties.

- [The Steep Costs of Criminal Justice Fees and Fines: A Fiscal Analysis of Three States and Ten Counties](#), Brennan Center for Justice, November 21, 2019
- [Misdemeanor Sentencing Trends](#), National Conference of State Legislatures, January 29, 2019
- [Penal Code Offenses By Punishment Range: Including Updates from the 85th Legislative Session](#), Office of the Texas Attorney General, Revised March 2018

- *No Exit, Texas: Modern-Day Debtors' Prisons and the Poverty Trap*, American Civil Liberties Union of Texas, November 2016
- *Citation in Lieu of Arrest: Examining Law Enforcement's Use of Citation Across the United States*, International Association of Chiefs of Police, 2016
- *50-State Criminal Justice Debt Reform Builder* (Texas), Criminal Justice Policy Program, Harvard Law School

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Charge 3: Review the overall state of indigent defense and delivery of services to indigent defendants in Texas under the Fair Defense Act and other applicable laws. Examine the procedures for the appointment of counsel, including public defender options for rural communities, the monitoring of workloads and performance of attorneys, and the funding of those services. Examine counsel options for indigent defendants during magistrate proceedings and the administration and funding of county indigent defense systems. (Joint charge with the House Committee on County Affairs)

- *Fair Defense Laws 2019-2021*, Texas Indigent Defense Commission, May 2020
- *Indigent Defense Data for Texas*, Texas Indigent Defense Commission, FY 2019
- *A Fair Fight: Achieving Indigent Defense Resource Parity*, Brennan Center for Justice, September 9, 2019
- *Indigent Defense Spending and Cost Containment in Texas: A Report to the Texas Indigent Defense Commission, Pursuant to a Legislative Budget Rider FY 2018-2019, 85th Texas Legislature*, Public Policy Research Institute, Texas A&M University, December 2018
- *Interim Report to the 85th Texas Legislature* (Charge 4 – Indigent Defense and Innocence Projects), House Committee on Criminal Jurisprudence, January 2017
- *Indigent Defense* (Legislative Brief), Texas Association of Counties, January 2017
- *Fair Defense Law: A Primer for Texas Legislators and Staff: 85th Legislative Session*, Texas Indigent Defense Commission, 2017
- *Texas Indigent Defense Commission*

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Charge 4: Review trial court procedures in capital sentencing, and implementation applicable law in direct appeal and writ proceedings in capital cases, for compliance with constitutional protections and conflict of interest rules.

- *States and Capital Punishment*, National Conference of State Legislatures, March 24, 2020
- *Capital Punishment Enactment Database*, National Conference of State Legislatures, March 23, 2020

- *Evaluating Fairness and Accuracy in State Death Penalty Systems: The Texas Capital Punishment Assessment Report*, American Bar Association, September 2013
- *Texas Court Rules*, State Law Library
- *Texas Death Penalty Law*, Jamail Center for Legal Research, Tarlton Law Library, The University of Texas at Austin
- *Texas Code of Criminal Procedure Art. 37.071*, Procedure in Capital Case
- *Texas Code of Criminal Procedure Art. 37.0711*, Procedure in Capital Case for Offense Committed Before September 1, 1991
- *Texas Code of Criminal Procedure Art. 37.072*, Procedure In Repeat Sex Offender Capital Case
- *Texas Penal Code § 12.31*, Capital Felony

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Charge 5: Monitor the *State Auditor*'s review of agencies and programs under the Committee's jurisdiction. The Chair shall seek input and periodic briefings on completed audits for the 2019 and 2020 fiscal years and bring forth pertinent issues for full committee consideration.