

SUBJECT: E-mail notification to legislators of registered sex offenders information

COMMITTEE: Public Safety — favorable, without amendment

VOTE: 7 ayes — Merritt, Frost, Burnam, Driver, P. King, Rodriguez, Vo

0 nays

2 absent — Lewis, Mallory Caraway

WITNESSES: For — (*Registered, but did not testify*: James Jones, Houston Police Department; Charley Wilkison, Combined Law Enforcement Association of Texas)

Against — None

On — (*Registered, but did not testify*: David Gavin, Department of Public Safety)

BACKGROUND: Code of Criminal Procedure, art. 62.005 requires the Department of Public Safety (DPS) to maintain a computerized central database containing the information required from registered sex offenders and to make information about those registered, including photographs, available to the public through the agency's website.

DIGEST: HB 3068 would amend Code of Criminal Procedure, art. 62.005 to require DPS to create an electronic mail report service that would allow members of the Legislature to subscribe to receive information about registered sex offenders who moved into their legislative districts.

The electronic mail reporting system would:

- allow subscribing legislators to request information for each ZIP code included their district;
- provide notification that a registered sex offender residing or planning to reside in the legislative district had been released from prison, deferred adjudication, or community supervision or juvenile probation and would be placed on the sex offenders registry; and

- any change of address of a registered person residing within the legislative district.

DPS would be required to include all information on registered sex offenders already provided on its website and would have to deliver a report to each subscribing legislator on at least a monthly basis.

DPS would be required to establish the electronic mail report service and be able to receive legislators' subscriptions by January 1, 2010.

The bill would take effect September 1, 2009.

**SUPPORTERS
SAY:**

Legislators need ready access to information about registered sex offenders moving into or within their districts that HB 3068 would help provide. They should be aware of any potential threats to public safety in areas they represent in the Legislature. Additional macro information — such as clusters of registered sex offenders living near schools or parks — would be helpful in crafting public policy. While this information already is available, it can be difficult to find or to track monthly changes. Legislators should have an opportunity to receive updated information on a timely basis if they choose to subscribe to this e-mail report.

DPS already must update changes in the sex offender database on a routine basis to reflect new registrations or changes of address. Compiling this information for monthly electronic reports to legislators would be easy to accomplish as part of the required revisions to the website.

**OPPONENTS
SAY:**

Legislators, like any other members of the public, already can easily log onto the DPS sex offender registry and search for information by county or ZIP Code. HB 3068 could increase the workload of the DPS and would not necessarily make Texans any safer.

NOTES:

During the 2007 regular session, the House passed HB 1453 by Bohac, an identical bill, on the Local and Consent Calendar, but the bill died in the Senate Criminal Justice Committee.