

- SUBJECT:** Expanding crime of improper contact with a victim to all victims
- COMMITTEE:** Corrections — favorable, without amendment
- VOTE:** 9 ayes — White, Allen, Bailes, Bowers, Dean, Morales, Neave, Sherman, Stephenson
0 nays
- WITNESSES:** For — (*Registered, but did not testify:* Jennifer Tharp, Comal County Criminal District Attorney; Jimmie Chatham)
Against — None
On — (*Registered, but did not testify:* Angie McCown, Texas Department of Criminal Justice)
- BACKGROUND:** Penal Code sec. 38.111 creates an offense for improper contact with a victim if a person confined in a correctional facility and charged with a sex offense against a victim younger than 17 years old contacts a victim of the offense or a member of the victim's family. As an exception to this, contact may be made if the director of the correctional facility received consent for the contact from the victim's parent, legal guardian, member of the victim's family, or the victim, if the victim was at least 17 years old at the time the victim consented to being contacted.

Offenses are class A misdemeanors (up to one year in jail and/or a maximum fine of \$4,000) unless the person is confined for a felony, in which case offenses are third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000).

Some have suggested that current law does not give all victims of sex crimes protection from unwanted contact with their assailants.
- DIGEST:** HB 1343 would expand the offense of improper contact with a victim to include contact with all victims, not only those who were under 17 years

old at the time of the offense. If the victim was older than 17 years old, the director of the correctional facility would have to receive consent for the contact from the victim.

The bill would take effect September 1, 2019, and would apply only to offenses of improper contact with a victim committed on or after that date.