



Right on Crime Priorities for the 88th Texas Legislative Session

Raise the burden of proof in civil asset forfeiture proceedings. Current civil asset forfeiture laws allow law enforcement to seize an arrested individual’s assets without proving a crime was actually committed. Once useful, this practice now endangers individual rights and the integrity of law enforcement. Texas should raise the burden of proof in these proceedings to help improve police-community relations and protect individual rights.

Allow judges the ability to deny bail when there is a serious threat to public safety. Despite recent reforms, dangerous criminals can still be released on bail—even for violent crimes such as murder—because judges are prohibited from denying them bail. Texas must prioritize public safety by passing a constitutional amendment to allow judges the option to deny bail in these serious, high-risk cases.

Prohibit arrests for non-jailable offenses. Texas should improve public safety and protect taxpayers by allowing law enforcement to focus on higher risk individuals instead of wasting critical time and money on booking and holding individuals for minor offenses.

Protect constitutional rights in grand jury proceedings. Grand jury proceedings are ripe for abuse and inconsistent outcomes, and very few of the same constitutional protections afforded to an individual post-indictment are provided at the grand jury. To prevent unnecessary criminal charges, Texas should allow counsel in the grand jury room, require full transcription of proceedings, and limit prosecutors’ ability to resubmit failed cases with no new evidence.

Limit the application of the “Law of Parties” doctrine. The law of parties allows courts to convict individuals of crimes they neither committed nor intended for anyone else to commit. Texas should limit its application, particularly in murder cases and capital murder cases where the rule allows juries to convict an individual of a crime that is more serious than they contemplated and carries the state’s severest punishments.

Provide juvenile offenders a “Second Look” and a meaningful opportunity to re-enter society. Texas has the harshest parole eligibility guidelines for juvenile offenders in the nation, though young people are likely to be rehabilitated long before their current parole eligibility date. Texas should lower the time to parole eligibility for juvenile offenders to save taxpayer dollars while continuing to protect public safety.

Remove governmental barriers to reentering the workforce. Any type of criminal record can hinder an individual’s ability to obtain employment, housing, and education—leading to long-lasting instability. Texas should improve eligibility and access to criminal record relief, particularly by leveraging modern technology to automate the process for those already entitled to an expunged or sealed record.

Improve no-knock warrant procedures to protect law enforcement and the community. It has been suggested that warrants authorizing the use of a no-knock entry conflict with ‘stand your ground’ laws and the Texan philosophy that homeowners have a right to defend their property against intrusion. Texas should protect law enforcement and the community by limiting the issuance of these warrants to limited circumstances and improving no-knock procedures.



Raise the age of the juvenile court jurisdiction to improve public safety. Texas currently prosecutes 17-year-old offenders in the adult criminal court and houses them in adult correctional facilities—despite evidence showing the juvenile system is the most effective venue to punish youthful offenders. Texas should raise the age of the juvenile court jurisdiction in Texas from 17 to 18 to reduce re-offending by placing youth in the most appropriate setting.