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Contact: Madison Kaigh, Communications Manager (512) 441-8123 ext. 108 | mkaigh@TexasCJC.org

Texas Criminal Justice Coalition Issues Statement on Bail Bill Rushed Through Senate Committee, Raises Concerns for Public Input During Special Texas Legislative Session

Senate Jurisprudence Hearing Sets Concerning Precedent as Second 2021 Special Session Begins

AUSTIN, TX -- On the first day of the Texas Legislature's second special session of 2021, the Senate suspended legislative 24-hour posting rules for the announcement of a public hearing. Just hours after the new special session began, the Senate Jurisprudence committee held a hearing on Senate Bill 6 and Senate Joint Resolution 3, bills that will affect hundreds of thousands of Texans. This bail legislation, which represents significant changes to the pretrial justice system in Texas, was rushed through the Senate Jurisprudence Committee with no meaningful public input.

In fact, among the advocates who were able to arrive at the Capitol on little notice, some were still prevented from testifying because of the 15-minute wait time for a negative COVID-19 test result, which was a requirement for entering the hearing room. There were no accommodations for this surprise requirement that ultimately locked out the voices of community members and subject-matter experts.

Advocates had raised concerns and even pointed out errors in the legislation each time it was brought to a hearing during the regular and previous special session. "It would be irresponsible for the Texas Legislature to rush such sweeping legislation through the legislative process without adhering to important democratic principles such as timely public input and meaningful policy debate," said Justin Martinez, Bexar County Justice Project Advocate at the Texas Criminal Justice Coalition (TCJC).

Advocates' concerns around SB 6 and SJR 3 center around the further entrenchment of a money bail system rooted in inequity, racism, and oppression. In Texas, the bail process traps tens of thousands of legally innocent people in jails yearly, sometimes for weeks or months, where they can lose jobs, housing, and more as they wait behind bars for their trial. Concerns around pretrial detention have been exacerbated by the COVID-19 crisis, which has swept through congregate settings including jails and worsened already dangerous jail conditions. The newly proposed legislation could increase the number of people in local jails, further disrupting families and communities at taxpayer expense.

The anti-democratic nature of the Senate's action yesterday raises extreme concerns about the public input process on important legislation, as the second special session continues.

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The Texas Criminal Justice Coalition (TCJC) advances solutions and builds coalitions to end mass incarceration and build safer Texas communities. To learn more about TCJC, visit www.TexasCJC.org.