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Editorial: Legislature, pass these bills

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Legislation of keen interest to North Texas is moving in Austin this week. The Dallas-area delegation should push to take these bills up without delay and secure passage.

Shoring up criminal justice

No other county has been so exposed and humbled as Dallas by breakdowns in the criminal justice system. A nation-leading 19 wrongly convicted and imprisoned men have been exonerated here after DNA tests proved their innocence.

One thread running through nearly all cases was the faulty ways that investigators presented photo lineups to crime victims. Invariably, their memories were impaired if they had a memory at all. Yet each one of them picked out the wrong man's photo and provided testimony critical to conviction.

Despite advances in lineup techniques in recent years, many Texas police agencies have failed even to adopt internal guidelines or practices. That leaves the court system vulnerable to more cruel but avoidable outcomes.

A bill to provide safeguards (SB 117) has cleared the Senate, and House members are duty bound to pass it as well. Authored by Sen. Rodney Ellis of Houston and sponsored by Rep. Pete Gallego of Alpine, it requires police to adopt written lineup policies based on best practices established by outside experts. The Dallas House delegation should be the fiercest advocates of this proposal.

A related bill (SB 116) by Ellis, national chairman of the New York-based Innocence Project, addresses the bewildering fact that 25 percent of exonerated men had given false confessions. His bill pushes police agencies to electronically record their suspect interviews as another safeguard on wrongful convictions. It, too, deserves House approval.

Lawmakers should be commended for one bill to safeguard against fatal error. Passed by both House and Senate, it establishes a new office to provide qualified counsel to death row prisoners for state habeas corpus appeals, which may involve constitutional rights and matters of prosecutorial conduct.

Considering Texas' experience with wrongful convictions and active death chamber, we hope both houses also pass a strong version of a pending capital punishment bill (SB 1976). It would ensure access to the courts when a death sentence should be reviewed anew in light of advances in science. Texas must do everything possible to avert fatal error in its courts.

Finally, lawmakers should put the final touches on another long-standing Ellis proposal, that of a so-called innocence commission to analyze the breakdowns exposed by DNA exonerations and recommend ways to address them. HB 498 has cleared the House and awaits Senate approval.

Texas justice has been subject of too much unwanted attention for its weaknesses. Lawmakers should make a strong statement that justice in Texas should be air-tight as well as tough.

Moving ahead on transportation

Top legislative leaders will have a fresh opportunity to show resolve to attack urban traffic congestion. In a legislative maneuver yesterday, Sen. John Carona did an end-around a sluggish House with his proposal to let North Texas vote on new transportation revenue to build roads and rail. Good.

The House had failed to act on the plan for more than five weeks, despite clamor from major metro areas that are tired of corrosive, time-wasting, jobs-killing traffic. Now the proposal to give people their say on new gas taxes and fees is on another bill and has a good chance of ending up on the table between House and Senate negotiators.

That's where Lt. Gov. David Dewhurst and House Speaker Joe Straus come in. They need to name negotiators who understand the toll that traffic congestion takes on Texas' economy. They need to name negotiators who are willing to let the public decide whether to spend more money on proposed new roads and rail lines. Let our people vote.