

## GOVERNMENT CODE

## TITLE 4. EXECUTIVE BRANCH

## SUBTITLE B. LAW ENFORCEMENT AND PUBLIC PROTECTION

## CHAPTER 414. TEXAS CRIME STOPPERS COUNCIL

Sec. 414.001. DEFINITIONS. In this chapter:

(1) "Council" means the Texas Crime Stoppers Council.

(2) "Crime stoppers organization" means:

(A) a private, nonprofit organization that is operated on a local or statewide level, that accepts donations and expends funds for rewards to persons who submit tips under Section 414.0015(a), and that forwards the information received from tips to the appropriate law enforcement agency, school district, or open-enrollment charter school as provided by Section 414.0015(b); or

(B) a public organization that is operated on a local or statewide level, that pays rewards to persons who submit tips under Section 414.0015(a), and that forwards the information received from tips to the appropriate law enforcement agency, school district, or open-enrollment charter school as provided by Section 414.0015(b).

(3) "Open-enrollment charter school" means a school that has been granted a charter under Subchapter D, Chapter 12, Education Code.

(4) "School district" means a public school district created under the laws of this state.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 700, Sec. 2, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 168 (H.B. 590), Sec. 2, eff. May 27, 2009.

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. 3316), Sec. 1, eff. September 1, 2019.

Sec. 414.0015. CRIME STOPPERS TIPS. (a) The council, a crime stoppers organization, or a person accepting information on behalf of the council or a crime stoppers organization may accept tips submitted by any person regarding:

- (1) criminal activity;
- (2) conduct or threatened conduct that constitutes a danger to public safety or an individual; or
- (3) conduct or threatened conduct that would disrupt the efficient and effective operations of a school district or open-enrollment charter school.

(b) A crime stoppers organization may forward a tip submitted under Subsection (a) to the appropriate law enforcement agency, school district, or open-enrollment charter school, except that a tip regarding conduct or threatened conduct described only by Subsection (a) (3) may be forwarded only to the appropriate school district or open-enrollment charter school.

Added by Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. [3316](#)), Sec. 2, eff. September 1, 2019.

Sec. 414.002. ORGANIZATION OF COUNCIL. (a) The Texas Crime Stoppers Council is within the criminal justice division of the governor's office.

(b) The council consists of five voting members appointed by the governor with the advice and consent of the senate. At least three members must be:

- (1) a current or former official or employee of a school district or open-enrollment charter school; or
- (2) a person who has participated in a crime stoppers organization in any of the following capacities:
  - (A) as a law enforcement coordinator;
  - (B) as a member of the board of directors;
  - (C) as a media representative; or
  - (D) as an administrative officer.

(c) The term of office of a voting member is four years.

(d) At its first meeting after the beginning of each fiscal year the council shall elect from among its voting members a chairman and other officers that the council considers necessary.

(e) In addition to the voting members appointed under Subsection (b), the council may annually appoint a current student of a public school in this state who participates in the Texas Crime Stoppers Ambassador Program as a nonvoting student advisor to the council.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1991, 72nd Leg., 1st C.S., ch. 17, Sec. 7.01(9), eff. Nov. 12, 1991; Acts 1997, 75th Leg., ch. 700, Sec. 3, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 940, Sec. 1, eff. Aug. 30, 1999; Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 168 (H.B. 590), Sec. 3, eff. May 27, 2009.

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. 3316), Sec. 3, eff. September 1, 2019.

Sec. 414.003. PER DIEM AND EXPENSES. A voting member of the council is entitled to:

- (1) a per diem as determined by appropriation; and
- (2) reimbursement for actual and necessary expenses incurred in performing duties as a member.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. 3316), Sec. 4, eff. September 1, 2019.

Sec. 414.004. DIRECTOR. The executive director of the criminal justice division of the governor's office, with input from the council, shall designate a person to serve as director. The executive director shall consult with the council to define the director's authority and responsibilities.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 707 (H.B. 3690), Sec. 1, eff. September 1, 2017.

Sec. 414.005. DUTIES. The council shall:

- (1) encourage, advise, and assist in the creation of crime stoppers organizations;
- (2) foster the detection of crime and encourage persons to submit tips under Section 414.0015(a);
- (3) encourage news and other media to inform the public of the functions of crime stoppers organizations' operations and programs;
- (4) promote the process of crime stoppers organizations to forward information from tips submitted under Section 414.0015(a) to the appropriate law enforcement agencies, school districts, and open-enrollment charter schools;
- (5) help law enforcement agencies detect and combat crime by increasing the flow of information to and between law enforcement agencies;
- (6) create specialized programs targeted at detecting specific crimes or types of crimes identified as priorities by the council, including at least one program that:
  - (A) encourages individuals to submit tips regarding sex offenders who have failed to register under Chapter 62, Code of Criminal Procedure;
  - (B) encourages individuals to submit tips regarding criminal activity relating to the trafficking of persons, as described under Chapter 20A, Penal Code; and
  - (C) financially rewards each individual who submits a tip described by Paragraph (A) or (B) that leads or substantially contributes to the arrest or apprehension:
    - (i) of a sex offender who has failed to register under Chapter 62, Code of Criminal Procedure; or
    - (ii) of a person suspected of engaging in conduct that constitutes an offense under Chapter 20A, Penal Code;
- (7) encourage, advise, and assist crime stoppers organizations in implementing any programs created under Subdivision (6), including a program specifically described by Subdivision (6); and

(8) encourage, advise, and assist in the creation of campus-based crime stoppers organizations to increase the detection of criminal activity and other conduct or threatened conduct that may be submitted to a crime stoppers organization under Section [414.0015](#) (a).

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 700, Sec. 4, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1291 (S.B. [6](#)), Sec. 5, eff. September 1, 2007.

Acts 2013, 83rd Leg., R.S., Ch. 900 (H.B. [1120](#)), Sec. 1, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1351 (S.B. [1356](#)), Sec. 5, eff. September 1, 2013.

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. [3316](#)), Sec. 5, eff. September 1, 2019.

Sec. 414.006. RULES. The council may adopt rules to carry out its functions under this chapter. The rules adopted by the council shall not conflict with rules relating to grants adopted by the criminal justice division of the governor's office.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Sec. 414.007. CONFIDENTIALITY OF CRIME STOPPERS RECORDS. A record relating to a tip received under Section [414.0015](#)(a) maintained by the council, a crime stoppers organization, a law enforcement agency, a school district, or an open-enrollment charter school, including the identity of the person who submitted the tip, is confidential and is not subject to disclosure under Chapter [552](#).

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. 3316), Sec. 6, eff. September 1, 2019.

Sec. 414.008. PRIVILEGED INFORMATION. (a) Except as otherwise provided by this section, evidence relating to a communication between a person submitting a tip under Section 414.0015(a) and a person who accepted the tip under that subsection is not admissible in a court or an administrative proceeding and may not be considered in a hearing regarding the expulsion of a student under Subchapter A, Chapter 37, Education Code, or any other student disciplinary proceeding.

(b) A record of the council, a crime stoppers organization, a law enforcement agency, a school district, or an open-enrollment charter school concerning a tip submitted under Section 414.0015(a) may not be compelled to be produced before a court or other tribunal except on a motion:

(1) filed in a criminal trial court by a defendant who alleges that the record contains evidence that is exculpatory to the defendant in the trial of that offense; or

(2) filed in a civil case by a plaintiff who alleges that denial of access to the record concerning the tip abrogates any part of a cognizable common law cause of action, if the plaintiff alleging abrogation:

(A) was charged with or convicted of a criminal offense based at least partially on the tip and the charges were dismissed, the plaintiff was acquitted, or the conviction was overturned, as applicable; and

(B) in the motion establishes a prima facie case that the plaintiff's abrogated claim is based on injuries from the criminal charge or conviction caused by the wrongful acts of another performed in connection with the tip.

(c) On motion of a movant under Subsection (b), the court may subpoena the records or report. The court shall conduct an in camera inspection of materials produced under subpoena to determine whether the materials contain:

(1) evidence that is exculpatory to the defendant; or

(2) information necessary to a plaintiff as described by Subsection (b) (2).

(d) If the court determines that the materials produced contain evidence that is exculpatory to the defendant or information necessary to a plaintiff as described by Subsection (b)(2), the court shall present the evidence to the movant in a form that does not disclose the identity of the person who was the source of the evidence, unless the state or federal constitution requires the disclosure of that person's identity. The court shall execute an affidavit accompanying the disclosed materials swearing that, in the opinion of the court, the materials disclosed represent the evidence the movant is entitled to receive under this section.

(e) The court shall return to the council, crime stoppers organization, law enforcement agency, school district, or open-enrollment charter school the materials that are produced under this section but not disclosed to the movant. The council, crime stoppers organization, law enforcement agency, school district, or open-enrollment charter school shall store the materials at least until the first anniversary of the following appropriate date:

(1) the date of expiration of the time for all direct appeals in a criminal case; or

(2) the date a plaintiff's right to appeal in a civil case is exhausted.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 711, Sec. 1, eff. Sept. 1, 1993; Acts 1997, 75th Leg., ch. 700, Sec. 5, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999; Acts 2003, 78th Leg., ch. 233, Sec. 1, eff. Sept. 1, 2003.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. [3316](#)), Sec. 7, eff. September 1, 2019.

Sec. 414.009. MISUSE OF INFORMATION. (a) A person who is a member or employee of the council, a crime stoppers organization, a law enforcement agency, a school district, or an open-enrollment charter school or who accepts a tip under Section [414.0015\(a\)](#) on behalf of the council or a crime stoppers organization commits an offense if the person intentionally or knowingly discloses to a person not a member of or employed by the council, a crime stoppers

organization, a law enforcement agency, a school district, or an open-enrollment charter school the identity of a person who submitted a tip or the content of that tip without the person's consent, unless:

(1) the person disclosing the information has received authorization to disclose the information from the chief executive of the crime stoppers organization that originally received the tip, and the chief executive has reasonably determined that failing to disclose the identity of a person who submitted the tip creates a probability of imminent physical injury to another; or

(2) the disclosure is otherwise required by law or court order.

(b) An offense under this section is a Class A misdemeanor, except that an offense under this section is a third degree felony if the offense is committed with intent to obtain monetary gain or other benefit.

(c) A person convicted of an offense under this section is not eligible for state employment during the five-year period following the date that the conviction becomes final.

Acts 1987, 70th Leg., ch. 147, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 700, Sec. 6, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. [3316](#)), Sec. 8, eff. September 1, 2019.

Sec. 414.010. PAYMENTS FROM DEFENDANTS ON COMMUNITY SUPERVISION; REWARD REPAYMENTS. (a) Except as provided by Subsection (d), a crime stoppers organization certified by the council to receive money in the form of payments from defendants placed on community supervision under Chapter [42A](#), Code of Criminal Procedure, or money in the form of repayments of rewards under Articles [37.073](#) and [42.152](#), Code of Criminal Procedure, may transfer not more than 20 percent of the money received during each calendar year to accounts used solely to pay costs incurred in administering the organization and shall use the remainder of the money, including any interest earned on the money, only for the payment of rewards to

persons who submit tips under Section [414.0015](#)(a). Not later than January 31 of each year, a crime stoppers organization that receives or expends money under this section shall file a detailed report with the council.

(b) A crime stoppers organization shall establish a separate reward account for money received under this section.

(c) Not later than the 60th day after the date of dissolution or decertification of a crime stoppers organization, a dissolved or decertified organization shall forward all unexpended money received under this section to the comptroller. The comptroller shall deposit the money in the crime stoppers assistance account in the general revenue fund.

(d) A crime stoppers organization under this section may deposit excess funds, in an amount established by council rule, in separate accounts to be used by the organization solely for law enforcement or public safety purposes relating to crime stoppers or juvenile justice, as established by council rule. An organization that deposits excess funds in an account as provided by this subsection may use any interest earned on the funds to pay costs incurred in administering the organization.

Added by Acts 1989, 71st Leg., ch. 86, Sec. 2, eff. Aug. 28, 1989. Amended by Acts 1995, 74th Leg., ch. 321, Sec. 3.019, eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 756, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 700, Sec. 7, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1466, Sec. 1, eff. Sept. 1, 1999; Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999; Acts 2001, 77th Leg., ch. 390, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 770 (H.B. [2299](#)), Sec. 2.42, eff. January 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. [3316](#)), Sec. 9, eff. September 1, 2019.

Sec. 414.011. CERTIFICATION OF ORGANIZATIONS TO RECEIVE PAYMENTS AND REWARD REPAYMENTS. (a) The council shall, on application by a crime stoppers organization, determine whether the organization is qualified to receive repayments of rewards under

Articles 37.073 and 42.152, Code of Criminal Procedure, or payments from a defendant under Chapter 42A, Code of Criminal Procedure. The council shall certify a crime stoppers organization to receive those repayments or payments if, considering the organization, continuity, leadership, community support, and general conduct of the crime stoppers organization, the council determines that the repayments or payments will be spent to further the crime prevention purposes of the organization.

(b) Each crime stoppers organization certified by the council to receive repayments under Articles 37.073 and 42.152, Code of Criminal Procedure, or payments from a defendant under Chapter 42A, Code of Criminal Procedure, is subject to a review or audit, including financial and programmatic reviews or audits, of finances or programs at the direction of the criminal justice division of the governor's office or its designee. A copy of the review or audit report shall be submitted to the criminal justice division.

(c) The criminal justice division of the governor's office or its designee shall draft rules for adoption by the council relating to a review or audit requested pursuant to Subsection (b).

(d) A certification issued by the council is valid for a period of two years. During this two-year period, the council shall decertify a crime stoppers organization if it determines that the organization no longer meets the certification requirements.

(e) The council shall approve a crime stoppers organization for purposes of Subsection (a) of this section even if a judge has not requested a determination for that organization and shall maintain a current list of organizations approved for that purpose.

Added by Acts 1989, 71st Leg., ch. 611, Sec. 4, eff. Sept. 1, 1989. Renumbered from Sec. 414.010 by Acts 1990, 71st Leg., 6th C.S., ch. 12, Sec. 2(4), eff. Sept. 6, 1990. Amended by Acts 1993, 73rd Leg., ch. 711, Sec. 2, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 756, Sec. 2, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 700, Sec. 8, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 770 (H.B. 2299), Sec. 2.43, eff. January 1, 2017.

Sec. 414.012. STATEWIDE CRIME REPORTING SYSTEMS. The council shall establish a free statewide telephone service and other appropriate systems to allow tips under Section 414.0015(a) to be submitted to the council and shall make the telephone service and other reporting systems accessible at all times to persons residing in areas of the state not served by a crime stoppers organization. The council shall forward any information it receives to appropriate crime stoppers organizations, law enforcement agencies, school districts, or open-enrollment charter schools.

Added by Acts 1993, 73rd Leg., ch. 807, Sec. 1, eff. Aug. 30, 1993.  
Amended by Acts 1997, 75th Leg., ch. 700, Sec. 9, eff. Sept. 1, 1997;  
Acts 1999, 76th Leg., ch. 1560, Sec. 1, eff. June 19, 1999.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 707 (H.B. 3690), Sec. 2, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. 3316), Sec. 10, eff. September 1, 2019.

Sec. 414.013. IMMUNITY FROM CIVIL LIABILITY. (a) A person who submits to the council or a crime stoppers organization a tip under Section 414.0015(a) is immune from civil liability for damages resulting from the submission unless the submission was:

- (1) intentionally, wilfully, or wantonly negligent or false;
- (2) made with conscious indifference or reckless disregard for the safety of others; or
- (3) made to further the commission of a criminal act.

(b) A person who in the course and scope of the person's duties or functions receives, forwards, or acts on a tip submitted under Section 414.0015(a) is immune from civil liability for damages resulting from an act or omission in the performance of the person's duties or functions unless the act or omission was:

- (1) intentional or wilfully or wantonly negligent;
- (2) done with conscious indifference or reckless disregard for the safety of others; or
- (3) done to further the commission of a criminal act.

Added by Acts 2003, 78th Leg., ch. 233, Sec. 2, eff. Sept. 1, 2003.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1172 (H.B. [3316](#)), Sec. 11, eff. September 1, 2019.