



CITY OF HOUSTON

John Whitmire

Mayor

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February 11, 2025

Re: Support for Senate Joint Resolution 5

The Honorable Chairman Pete Flores and The Honorable Members of the Senate Committee on Criminal Justice:

I am writing to express my strong support for Senate Joint Resolution 5 (SJR 5), which would grant judges and magistrates the authority to deny bail under limited circumstances to a person accused of certain violent crimes. I believe this measure is critical to ensure public safety while preserving due process and it aligns with previous efforts by members of the Senate Committee on Criminal Justice to strengthen our judicial system's ability to address high-risk offenders.

Texas lacks viable options for detaining our most habitual violent felony offenders without bond. It has become clear that our local officials making bail determinations need this measure to protect the people of Texas from harm. SJR 5, if approved by the Texas voters, would amend Article I of the Texas Constitution to expand the options available to officials setting bail to include denial of bail under certain exceptional circumstances.

SJR 5 is a necessary step in protecting our communities from individuals accused of the most serious offenses, including first-degree sexual offenses, violent crimes, and continuous trafficking of people. By allowing courts to deny bail under these limited, but essential circumstances, we are prioritizing the safety of victims, law enforcement, and the public while ensuring that defendants' constitutional rights are upheld through clear and convincing evidentiary standards.

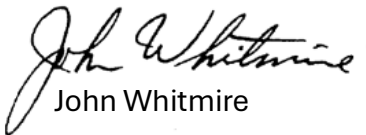
Furthermore, this legislation includes necessary safeguards, requiring a judge or magistrate to issue a written order justifying the denial of bail and ensuring that the least restrictive conditions are imposed when bail is granted. This balance between public safety and judicial discretion mirrors longstanding federal precedent, which has upheld the constitutionality of bail denial in extreme cases.

As Houston Mayor, I see firsthand the impact that violent crime has on our residents. Providing our judicial system with a way to hold the most dangerous offenders accountable while ensuring due process is critical to maintaining public trust and safety. I respectfully urge you and your colleagues to support the passage of SJR 5 and help strengthen the legal framework necessary to protect our communities.

The ability for judges and magistrates to deny bail in extreme circumstances and in situations where it could make a meaningful difference has been delayed for years and I believe that it has cost lives. I believe it's absolutely critical that this senate joint resolution passes.

Thank you for your leadership on this issue, and I look forward to working together to advance policies that enhance public safety across our state.

Sincerely,



John Whitmire
Mayor, City of Houston