



TEXAS JUDICIAL COUNCIL

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CHAIR:
HON. NATHAN L. HECHT
Chief Justice, Supreme Court

EXECUTIVE DIRECTOR:
David Slayton

VICE CHAIR:
HON. SHARON KELLER
Presiding Judge, Court of Criminal Appeals

TIMOTHY COLE EXONERATION REVIEW COMMISSION

MINUTES OF MEETING

March 22, 2016
1:30 P.M.

SUPREME COURT OF TEXAS
Supreme Court
Building
201 W. 14th
Street
Austin, Texas 78701

COMMENCEMENT OF MEETING

On March 22, 2016, Representative John T Smithee called the meeting¹ of the [Timothy Cole Exoneration Review Commission](#) (TCERC) to order at approximately 1:30 p.m. in the courtroom of the [Supreme Court of Texas](#) (SCOT) in Austin, Texas

The following Commission members were present:

Representative John T Smithee, District 86, Amarillo
The Honorable Sharon Keller, Chair, Texas Indigent Defense Commission
Senator John Whitmire, District 15, Houston
Senator Joan Huffman, District 17, Houston
Representative Abel Herrero, District 34, Corpus Christi
Mr. Sam Bassett, President, Texas Criminal Defense Lawyers Association

¹ The meeting may be viewed on the State Bar of Texas website <http://www.texasbarcle.com/CLE/TSCSearchResults2.asp>

Mr. John Beauchamp, General Counsel, Texas Commission on Law Enforcement
Mr. Charles Eskridge, Quinn Emanuel Urquhart & Sullivan, LLP, Houston
Mr. Staley Heatley, President, Texas District and County Attorneys Association
Mr. Rene M Péna, Chairman, Texas District and County Attorneys Association
Mr. Carol Vance, Retired, Houston

Advisory Members in Attendance:

Mr. Anthony S. Haughton, Executive Director, Innocence Project at the Thurgood Marshall School of Law at Texas Southern University
Ms. Cassandra Jeu, Director, Texas Innocence Network, University of Houston Law Center
Mr. Mike Ware, Executive Director, the Innocence Project of Texas

Additional attendees:

David Slayton, Executive Director, Texas Judicial Council

Not in attendance: Member Dr. Vincent Di Maio, Presiding Officer, Texas Forensic Science Commission, and Advisory member Tiffany J. Dowling, Director, Texas Center for Actual Innocence, University of Texas School of Law

Minutes

Without objection, the [December 10, 2015](#) meeting minutes were approved as submitted.

Opening Remarks

Presiding Officer, Representative John Smithee welcomed and asked members to be recognized by the chair prior to speaking in an effort to make it easier to recognize who is speaking for those watching the webcast of the meeting.

Report on Electronic Recording of Interrogations

Christopher Ochoa provided testimony regarding the events that led up to his arrest and conviction in 1988 of a murder he did not commit.

Staff presented the results of surveys completed by law enforcement, defense attorneys and prosecutors across the state of Texas. Staff was asked to gather additional data and report back to the commission with its findings.

Consider recommendations on electronic recording of interrogations

Staff was asked to send a poll to members containing potential policy recommendations along with additional survey information once all data had been gathered. Commission members will review this data and provide feedback on their policy preferences which could potentially be voted on at the next commission meeting.

Review Timeline for Commission Activities

Staff presented a potential timeline for future meetings and research topics.

Review Advisory Board Actual Innocence Exoneration Nomination

Advisory member Mike Ware presented information on the wrongful conviction of Christopher Scott and Claude Simmons for the Commission to consider as their actual innocence case study. Exoneree Christopher Scott provided testimony on the events leading up to his wrongful conviction.

Next Meeting

The next meeting will be held in June 2016, staff will send out a poll with possible meeting dates.

Adjournment

The meeting was adjourned at approximately 3:40 PM.