

HOUSE BILL REPORT

HB 1559

As Reported by House Committee On:
Public Safety

Title: An act relating to requiring crisis intervention training for peace officers.

Brief Description: Requiring crisis intervention training for peace officers.

Sponsors: Representatives Appleton and Santos.

Brief History:

Committee Activity:

Public Safety: 2/19/13, 2/21/13 [DPS].

Brief Summary of Substitute Bill

- Requires the Criminal Justice Training Commission (CJTC) to provide crisis intervention training to all full-time law enforcement officers.
- Requires new full-time law enforcement officers to receive eight hours of training as part of the Basic Law Enforcement Academy.
- Requires certified veteran officers to receive eight hours of training.
- Requires 25 percent of officers on patrol duties to receive 40 hours of intensive training.
- Requires all officers to receive two hours of annual retraining each year.
- Requires the CJTC to establish by rule a program and standards by which to certify organizations, other than the CJTC, that may provide crisis intervention training.

HOUSE COMMITTEE ON PUBLIC SAFETY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Goodman, Chair; Roberts, Vice Chair; Appleton, Hope, Moscoso, Pettigrew, Ross and Takko.

Minority Report: Do not pass. Signed by 3 members: Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Yvonne Walker (786-7841).

Background:

The Criminal Justice Training Commission (CJTC) provides basic law enforcement training, and educational programs for law enforcement, corrections, and other public safety professionals in Washington.

Basic law enforcement officer training is generally required of all law enforcement officers, with the exception of volunteers, and reserve officers employed in Washington. The Basic Law Enforcement Academy (BLEA) consists of a 720-hour program covering a wide variety of subjects including: criminal law and procedures, traffic enforcement, cultural awareness, communication and writing skills, emergency vehicle operations, firearms, crisis intervention, patrol procedures, and criminal investigation and defensive tactics.

All law enforcement personnel hired, transferred, or promoted, are required to complete the core training requirements within six months, unless the employee receives a waiver from the CJTC.

In addition to the BLEA, the CJTC provides specialize training to:

- persons responsible for investigating and interviewing children for child sexual abuse and neglect cases;
- law enforcement officers on vehicular pursuits;
- law enforcement officers on how to interact with persons with developmental disabilities or mental illnesses;
- law enforcement officers on how to identify, respond to, and report malicious harassment crimes and other crimes of bigotry or bias;
- law enforcement officers on investigating and interviewing techniques for cases involving child abuse and neglect;
- law enforcement and corrections officers hired or promoted to first level supervisors and middle management positions; and
- criminal justice, correctional personnel, and other public safety employees on personal crisis recognition and crisis intervention services.

The CJTC contracts with King County to provide crisis intervention training to only King County law enforcement officers. The training is funded by the Mental Illness Drug Dependency tax (known as MIDD) which is levied in King County. This crisis intervention training provides a combination of a 40-hour course, an eight-hour retraining class, and some defensive tactics training taught in combination with the crisis intervention training.

Summary of Substitute Bill:

The CJTC must provide crisis intervention training to all full-time law enforcement officers. Subject to appropriation, the crisis intervention training must consist of the following:

- no less than eight hours of training, as part of the BLEA, for new full-time law enforcement officers employed after July 1, 2015;

- eight hours of training (which must be substantially similar to the training offered in the BLEA) for all officers by no later than December 1, 2017;
- a total of 40 hours of additional intensive crisis intervention training for 25 percent of currently certified law enforcement officers assigned to patrol duties by no later than December 1, 2017; and
- two hours of annual retraining which must be incorporated into the annual training required by the CJTC for all certified officers each year.

The CJTC must establish by rule:

- a program and standards by which to certify organizations, other than the CJTC, that may provide crisis intervention training. The CJTC must consider the geographic training needs when considering programs and standards and must also consider providing grants to law enforcement agencies with fewer than 300 commissioned officers to assist with the costs of sending officers to the crisis intervention training; and
- standards for each officer's successful completion of the annual two hours of crisis intervention retraining. The standards must include, at a minimum, the requirement of each officer successfully completing a written exam. Each officer must also obtain written proof showing completion of the crisis intervention training.

"Crisis intervention training" means training designed to provide tools and resources to law enforcement officers in order to respond more effectively to individuals who may be experiencing an emotional, mental, physical, behavioral, or chemical dependency crisis, distress or problem that are designed to increase the safety of both law enforcement and individuals in crisis.

Substitute Bill Compared to Original Bill:

The original 40 hours of mandated crisis intervention training required for all officers has been reduced to eight hours for all certified officers and limited to 40 hours of training for only 25 percent of those officers assigned to patrol duties. In addition, the annual retraining hours has been reduced from eight hours to two hours of crisis intervention training.

Appropriation: The sum of \$500,000.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Funding for mental health has been cut many times over the last few years and with that, training has also been reduced for police officers. It is important that police officers have training to learn how to handle mentally ill people.

One day in the Bainbridge Island area, the police arrived at the house of the Ostlings. The Ostling family was unaware of why they arrived. The police stated that they were responding to a 911 phone call. Unbeknownst to the family, the son of the Ostlings who is mentally ill, was having some delusions and had called 911. The Ostlings told the police there was nothing going on in their house but that they had a mentally ill son that lived in an apartment above the garage. The police asked to see the son. When the son did not open up the door to his apartment, the police used a key to open the door. The son, still in a delusional state, walked toward the door and reclosed the door. Without talking to the son or his family, the police shot the son directly through the door. Their son bled to death on the floor.

The Ostling family sued the city in civil and federal court and the family won the case based on the law enforcement agency's failure to train its officers. There is a real need for crisis intervention training for all officers.

Currently, a 911 call operator cannot request that a crisis intervention trained (CIT) officer be sent out on a call nor can an individual calling 911 request that a CIT officer be sent to an address. The state has a legal, moral, and ethical obligation to fill this gap in the lack of CIT officers. All first responders should have the necessary verbal skills in crisis intervention situations. Having a CIT officer arrive to a call, would be one of the most important tools in a responder's tool box.

The CJTC is fully capable of carrying out the training that is indicated in the bill. The training provided in this bill is a more specialized concentrated training helping police officers deal with some of the more difficult situations that they face. Because of the difficult fiscal constraints the state has been in, there have been many cuts in law enforcement training over the last three years. As of today, 25 percent of the BLEA training held at the CJTC has now been shifted back to local governments. Failure to fund the very basic training is an essential component in making this training work.

(Opposed) None.

Persons Testifying: Representative Appleton, prime sponsor; William Ostling; Joyce Ostling; Tamara Ostling; Wendy Burroughs; Sue Rahr, Criminal Justice Training Commission; and Don Pierce, Washington Association of Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: None.