

SENATE BILL REPORT

SB 5473

As Reported By Senate Committee On:
Judiciary, February 20, 2003

Title: An act relating to providing law enforcement officers with training in interaction with developmentally disabled and mentally ill persons.

Brief Description: Requiring the criminal justice training commission to train officers on interacting with developmentally disabled and mentally ill persons.

Revised for 1st Substitute: Requiring the criminal justice training commission to train officers on interacting with persons with a developmental disability or mental illness.

Sponsors: Senators Regala, B. Sheldon, Johnson, Kohl-Welles, Winsley and Rasmussen.

Brief History:

Committee Activity: Judiciary: 2/6/03, 2/20/03 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5473 be substituted therefor, and the substitute bill do pass.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Haugen, Johnson, Kline, Roach and Thibaudeau.

Staff: Jinnah Rose-McFadden (786-7421)

Background: All Washington State peace officers are required to complete basic law enforcement training. Pursuant to statutory requirements, the Criminal Justice Training Commission is responsible for establishing and providing basic law enforcement training. Currently, the basic law enforcement curriculum is composed of the following core subject areas: introduction to law enforcement, criminal law, criminal procedures, patrol procedures, communication skills, emergency vehicle operation, human relations, traffic law, firearms, defensive tactics, and criminal investigation.

Summary of Substitute Bill: The Criminal Justice Training Commission must develop, in consultation with appropriate organizations and agencies, a training session on law enforcement interaction with developmentally disabled and mentally ill persons. The training is made available to law enforcement agencies, through electronic means, for use at their convenience. At a minimum, the training must address the following areas: (a) the cause and nature of mental illnesses and developmental disabilities; (b) how to identify indicators of mental illness and developmental disabilities, as well as how to respond appropriately in a variety of common situations; (c) conflict resolution and de-escalation techniques for potentially dangerous situations involving mentally ill and developmentally disabled persons; (d) appropriate language usage when interacting with mentally ill and developmentally disabled persons; (e) alternatives to lethal force when interacting with potentially dangerous mentally ill and developmentally disabled persons; and (f) community and state resources

available to mentally ill and developmentally disabled persons, as well as how law enforcement can use these resources to benefit the mentally ill and developmentally disabled communities.

Substitute Bill Compared to Original Bill: The proposed substitute changes the language of the bill to "people first" language. Self and family advocate groups are added to the list of agencies to be included in the process of developing the training. The requirement that the training consist of classroom instruction and use interactive training methods is deleted. Instead, the proposed substitute clarifies that training is made available to law enforcement agencies, through electronic means, for use at their convenience. Additionally, a section is added requiring the Criminal Justice Training Commission to make efforts to secure private and nonstate public funds to implement this section.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Original Bill: Law enforcement officers are often faced with situations in which they must work closely with people in crisis. It is imperative that law enforcement be instructed in successful techniques for handling these crises. This is particularly important in the area of law enforcement interaction with people with developmental disabilities or mental illness. There is concern among parents of children with developmental disabilities that an officer's inability to recognize their child's disability places their child in danger. When law enforcement officers are unable to recognize that a person has a developmental disability, or is mentally ill, that officer is unable to appropriately communicate with that person and is unable to effectively handle a situation affecting that person.

Currently, basic law enforcement training is comprised of 720 classroom hours; four to 11 hours are spent in the area of law enforcement interaction with people with developmental disabilities and mental illness. Both law enforcement agencies and advocates, agree that more training is needed in this area. However, due to budgetary constraints, it is believed that supplemental instruction via the internet, or a video taped series, would be the most cost-effective means of delivering additional training to the broadest number of law enforcement officers.

Concerns were raised regarding the training of Department of Corrections personnel. It was agreed that DOC personnel should also be provided with this additional training.

Testimony Against: None.

Testified: PRO: Senator Regala, prime sponsor; Jean Wessman, Association of Counties; Leonora Tonks, President, Autism Society of Washington; Syndi Duehn, Ed.D., Vice President, Autism Society; Michael Parsons, Criminal Justice Training Commission; Cherie Tessier, TASLE; Mike Raymon, TASLE; Barbara D. Clark-Elliot, Asperger Society; Diana Robishaw; Diana Stadden, Autism Society of Washington.