

BILL ANALYSIS

S.B. 601
By: Rodriguez
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The El Paso County Hospital District (district) serves the approximately 800,000 residents of El Paso County and the larger West Texas region. Notably, the district is the only Level 1 trauma center for the area. The district is located directly on the United States-Mexico border and neighbors Ciudad Juarez, Mexico, which continues to suffer from unprecedented violence arising from drug trafficking. Over the last three years, the district has provided medical care to over 200 people who were shot or otherwise assaulted in Ciudad Juarez and then transported to the district's hospital for treatment of their wounds. The majority of these patients have been either United States citizens or legal residents. In some cases, these patients have been specifically targeted by the warring drug cartels, which made their presence in the district's hospital a security risk for other patients, visitors, medical staff members, hospital employees, and the general public.

The district has actively coordinated with local law enforcement, including the county sheriff, the city police, and federal agencies to identify security risks in a timely manner and arrange for heightened security as needed. To date, all security risks have been appropriately handled with no harm occurring to patients, staff, or the general public.

On a national level, violent crimes in health care institutions are increasing each year. According to a Sentinel Event Alert issued earlier this year by The Joint Commission (formerly The Joint Commission on Accreditation of Hospitals), hospitals and other health care institutions are experiencing increased rates of violent crime, including assault, rape, and homicide. In 2008, three people including a nurse, another hospital employee, and a visitor were killed in a shooting spree at Doctors Hospital in Columbus, Georgia. In February 2010, a gunman walked into the emergency department of Scotland Memorial Hospital in Laurinburg, North Carolina, and shot two patients before being subdued by police. A patient at Johns Hopkins in Baltimore shot and wounded an orthopedic surgeon before barricading himself in a room and killing his mother and himself. Recently, a shooting occurred at the University of New Mexico pediatric ward on January 4, 2011.

Prudence dictates that the district be authorized to employ peace officers in the event the situation continues or worsens. Authority to employ peace officers would allow the district the option to develop an on campus law enforcement presence to maintain order and provide for public safety.

S.B. 601 adds the district to the list of hospital districts that are currently authorized to employ peace officers. Those districts are the Dallas County Hospital District, the Bexar County Hospital District, and the Tarrant County Hospital District. The jurisdiction of a peace officer commissioned by the district would include the property owned or controlled by the district and any abutting streets, rights of way, or easements to the property. The peace officer would have the authority to arrest as granted by Chapter 14 (Arrest Without Warrant), Code of Criminal Procedure.

As proposed, S.B. 601 amends current law relating to the authority of the El Paso County Hospital District to employ and commission peace officers.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 281.057(a), Health and Safety Code, as follows:

(a) Authorizes the board of the Dallas County Hospital District, the Tarrant County Hospital District, the Bexar County Hospital District, or the El Paso County Hospital District to employ and commission peace officers for the district.

SECTION 2. Amends Article 2.12, Code of Criminal Procedure, as follows:

Art. 2.12. WHO ARE PEACE OFFICERS. Provides that certain persons are peace officers, including officers commissioned by the board of managers of the Dallas County Hospital District, the Tarrant County Hospital District, the Bexar County Hospital District, or the El Paso County Hospital District under Section 281.057 (Employment of District Peace Officers), Health and Safety Code.

EFFECTIVE DATE

Effective date: upon passage or September 1, 2011.