

By: Rodríguez

S.B. No. 168

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the operations of the Department of Public Safety,  
3 Parks and Wildlife Department, and state military forces in the  
4 border region.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter A, Chapter 411, Government Code, is  
7 amended by adding Section 411.00711 to read as follows:

8 Sec. 411.00711. TRAINING FOR COMMISSIONED OFFICERS  
9 ASSIGNED TO BORDER REGION. Department officers assigned to a  
10 department region that includes one or more counties along the  
11 Texas-Mexico border must be certified regarding appropriate  
12 training, including academy and in-service training, in the  
13 following:

14 (1) immigration law related to protections for victims  
15 of crime or persecution;

16 (2) use of force and tactical withdrawal in reducing  
17 the need for lethal force;

18 (3) social and cultural sensitivity toward border  
19 communities and the impact of border operations on communities and  
20 residents;

21 (4) language and basic cultural awareness of major  
22 migrant-sending nations;

23 (5) best practices in community policing and civil and  
24 human rights;

1           (6) response to grievances and referral of complaints;

2 and

3           (7) identification of and response to vulnerable  
4 populations, including persons expressing potential grounds for  
5 asylum, children, victims of crime and human trafficking, and  
6 individuals fleeing persecution or torture.

7           SECTION 2. Subchapter A, Chapter 411, Government Code, is  
8 amended by adding Section 411.0198 to read as follows:

9           Sec. 411.0198. OMBUDSMAN FOR BORDER OPERATIONS-RELATED  
10 CONCERNS. (a) In this section, "ombudsman" means the ombudsman for  
11 border operations-related concerns established under this section.

12           (b) The director shall appoint an ombudsman for border  
13 operations-related concerns. The ombudsman shall report directly  
14 to the director.

15           (c) To serve as ombudsman, a person must be knowledgeable in  
16 civil and human rights law.

17           (d) The ombudsman shall receive and resolve complaints from  
18 individuals and employers and assist in resolving problems with the  
19 border operations components of the department.

20           SECTION 3. Subchapter D, Chapter 411, Government Code, is  
21 amended by adding Sections 411.055 and 411.056 to read as follows:

22           Sec. 411.055. PERFORMANCE MEASURES FOR ASSESSING BORDER  
23 OPERATIONS. The department shall develop and implement performance  
24 measures as part of the department's review of its border  
25 operations.

26           Sec. 411.056. ANNUAL REPORT ON BORDER OPERATIONS. Not  
27 later than January 30 of each year, the department shall report to

1 the legislature regarding the impact of the department's border  
2 operations on the protection of due process, the civil and human  
3 rights of border residents and visitors, the private property  
4 rights of landowners, and the economies of municipalities and  
5 counties along the Texas-Mexico border.

6 SECTION 4. Subchapter E, Chapter 437, Government Code, is  
7 amended by adding Section 437.233 to read as follows:

8 Sec. 437.233. TRAINING FOR MEMBERS OF TEXAS MILITARY FORCES  
9 ASSIGNED TO BORDER COUNTIES. A member of the Texas military forces  
10 serving on state active duty in a county along the Texas-Mexico  
11 border must be certified regarding appropriate training, including  
12 academy and in-service training, in the following:

13 (1) immigration law related to protections for victims  
14 of crime or persecution;

15 (2) use of force and tactical withdrawal in reducing  
16 the need for lethal force;

17 (3) social and cultural sensitivity toward border  
18 communities and the impact of border operations on communities and  
19 residents;

20 (4) language and basic cultural awareness of major  
21 migrant-sending nations;

22 (5) best practices in community policing and civil and  
23 human rights;

24 (6) response to grievances and referral of complaints;  
25 and

26 (7) identification of and response to vulnerable  
27 populations, including persons expressing potential grounds for

1 asylum, children, victims of crime and human trafficking, and  
2 individuals fleeing persecution or torture.

3 SECTION 5. Subchapter B, Chapter 11, Parks and Wildlife  
4 Code, is amended by adding Section 11.0196 to read as follows:

5 Sec. 11.0196. TRAINING FOR CERTAIN PEACE OFFICERS. A peace  
6 officer of the department assigned to a county along the  
7 Texas-Mexico border must be certified regarding appropriate  
8 training, including academy and in-service training, in the  
9 following:

10 (1) immigration law related to protections for victims  
11 of crime or persecution;

12 (2) use of force and tactical withdrawal in reducing  
13 the need for lethal force;

14 (3) social and cultural sensitivity toward border  
15 communities and the impact of border operations on communities and  
16 residents;

17 (4) language and basic cultural awareness of major  
18 migrant-sending nations;

19 (5) best practices in community policing and civil and  
20 human rights;

21 (6) response to grievances and referral of complaints;  
22 and

23 (7) identification of and response to vulnerable  
24 populations, including persons expressing potential grounds for  
25 asylum, children, victims of crime and human trafficking, and  
26 individuals fleeing persecution or torture.

27 SECTION 6. This Act takes effect September 1, 2017.