

BILL ANALYSIS

Senate Research Center

S.B. 586
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Criminal Justice
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 586 improves the training Texas peace officers are already required to receive regarding sexual assault, child abuse, and family violence by ensuring it is up-to-date and trauma-informed. Under current law, Texas peace officers who hold only a basic proficiency certificate are required to take not more than 20 hours of education and training every four years. The training covers a variety of topics, with courses developed by the Texas Commission on Law Enforcement (TCOLE) on civil rights, cultural diversity, and de-escalation techniques. This training is required to also address the recognition and documentation of child abuse or neglect, family violence, and sexual assault, unless the officer's department decides this training is inconsistent with the officer's duties.

The legislature has required TCOLE to develop 13 new peace officer courses in the last two legislative sessions. As a result, TCOLE has not been able to update all of its existing courses. TCOLE's course on child abuse, family violence, and sexual assault is particularly in need of an update, since it has not been changed since 2010. Further, the course needs to incorporate best practices and trauma-informed techniques to ensure that Texas peace officers are fully prepared to investigate these troubling crimes. These crimes tend to be difficult to investigate, particularly if officers are not aware of trauma and the way it can affect survivors.

S.B. 586 requires TCOLE to ensure that the existing peace officer training on child abuse, family violence, and sexual assault includes the use of best practices and trauma-informed techniques to effectively recognize, document, and investigate these cases.

S.B. 586 also codifies an existing certification for officers who specialize in family violence and sexual assault cases that TCOLE has adopted via rule. (Original Author's/Sponsor's Statement of Intent)

S.B. 586 amends current law relating to the training of peace officers for family violence and sexual assault assignments.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 3 (Section 1701.4045, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1701.253(b), Occupations Code, as follows:

(b) Makes nonsubstantive changes to Subdivision (b)(1). Requires the Texas Commission on Law Enforcement (TCOLE), in establishing requirements under this section (School Curriculum), to require courses and programs to provide training in:

(1) the recognition, investigation, and documentation of cases that involve child abuse and neglect, family violence, and sexual assault, including the use of best practices and trauma-informed response techniques to effectively recognize, investigate, and document those cases, rather than the investigation and

documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(2) and (3) makes no changes to these subdivisions.

SECTION 2. Amends Section 1701.352(b), Occupations Code, as follows:

(b) Requires TCOLE to require certain agencies that appoint or employ peace officers to provide each peace officer with a training program at least once every 48 months that is approved by TCOLE and consists of:

(1) makes no changes to this subdivision; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by TCOLE regarding:

(A)-(C) makes no changes to these paragraphs;

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition, documentation, and investigation of cases that involve child abuse or neglect, family violence, and sexual assault, including the use of best practices and trauma-informed techniques to effectively recognize, document, and investigate those cases, rather than the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(ii) makes no changes to this subparagraph.

SECTION 3. Amends Subchapter I, Chapter 1701, Occupations Code, by adding Section 1701.4045, as follows:

Sec. 1701.4045. CERTIFICATION OF OFFICERS FOR FAMILY VIOLENCE AND SEXUAL ASSAULT ASSIGNMENTS. (a) Requires TCOLE by rule to establish minimum requirements for the training, testing, and certification of special officers for responding to allegations of family violence or sexual assault.

(b) Authorizes TCOLE to certify a peace officer as a special officer for responding to allegations of family violence or sexual assault if the person:

(1) completes an advanced training course administered by TCOLE on recognizing, documenting, and investigating family violence and sexual assault using best practices and trauma-informed techniques; and

(2) passes an examination administered by TCOLE that is designed to test the person's:

(A) knowledge and recognition of the signs of family violence and sexual assault; and

(B) skill at documenting and investigating family violence and sexual assault using best practices and trauma-informed techniques.

(c) Authorizes TCOLE to issue a professional achievement or proficiency certificate to a peace officer who meets the requirements of Subsection (b).

SECTION 4. Requires TCOLE, not later than January 1, 2020, to establish the comprehensive education and training program required by Section 1701.253(b), Occupations Code, as amended by this Act.

SECTION 5. Requires TCOLE, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement Section 1701.4045, Occupations Code, as added by this Act.

SECTION 6. Effective date: September 1, 2019.