BILL ANALYSIS

Senate Research Center
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S.B. 971
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In Texas, strangulation is the third leading case of homicide in domestic violence cases. In 2017, the murders of 12 Texas women were caused or directly precipitated by strangulation. Additionally, over two-thirds of family violence survivors will experience near-fatal strangulations by their partners, and these survivors are more than seven-and-a-half times more likely to be murdered in the future.

Although strangulation is one of the most lethal forms of family violence, causing lasting damage in seconds, first responders are often unable to identify it due to minimal visible injuries. Research shows that only 35 percent of strangulation victims are identified as such by law enforcement. Therefore, it is imperative that law enforcement officers know how to assess a family violence situation on the scene and subsequently provide emergency medical referrals to help survivors get the medical attention they need.

S.B. 971 requires training for law enforcement officers on how to recognize and record signs of strangulation to promote early detection and provide immediate support for survivors. This training will include knowledge on how to investigate strangulations, respond to strangulation victims, and collect evidence that will assist in prosecuting offenders.

As proposed, S.B. 971 amends current law relating to peace officer training on recognizing and recording circumstances that indicate strangulation in certain cases.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

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

> (d) Requires training in documentation of cases required by Subsection (b) (relating to the Texas Commission on Law Enforcement (TCOLE) requiring certain courses and programs) to include instruction in certain areas, including recognizing and recording circumstances indicating that a victim may have been assaulted in the manner described by Section 22.01.(b)(2)(B) (relating to establishing that an offense that would otherwise be a Class A misdemeanor is a felony of the third degree committed by intentionally, knowingly, or recklessly impeding normal breathing or circulation in certain circumstances), Penal Code.

SECTION 2. Amends Section 1701.352(f), Occupations Code, to include recognizing and recording circumstances indicating that a victim may have been assaulted in the manner described by Section 22.01.(b)(2)(B), Penal Code, among the instruction that is required to be included in training in documentation of cases required by Subsection (b) (relating to requiring TCOLE to require certain entities that appoint or employ peace officers to provide each peace officer with a certain training program once every 48 months).

SECTION 3. (a) Requires TCOLE, not later than January 1, 2020, to establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this Act.

(b) Provides that the minimum curriculum requirements under Sections 1701.253(d), Occupations Code, as amended by this Act, apply only to a peace officer who first begins to satisfy those requirements on or after January 1, 2020.

SECTION 4. Effective date: September 1, 2019.