

By: Reynolds, White, Wu, Allen, Miller

H.B. No. 3409

A BILL TO BE ENTITLED

AN ACT

relating to requirements for training regarding trauma for judges, prosecuting attorneys, correctional officers, and law enforcement officers.

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

SECTION 1. Subchapter B, Chapter 22, Government Code, is amended by adding Section 22.1102 to read as follows:

Sec. 22.1102. JUDICIAL TRAINING RELATED TO TRAUMA. (a) The court of criminal appeals shall assure that judicial training related to trauma is provided.

(b) The court of criminal appeals shall adopt the rules necessary to accomplish the purposes of this section. The rules must require each district judge, judge of a statutory county court, or judge of a county court to complete at least eight hours of the training within the judge's first term of office and provide a method for certification of completion of that training. The training must be dedicated to issues related to trauma and the impact of trauma to enable each judge to identify individuals who have experienced traumatic events, minimize re-traumatization, and refer those individuals to the appropriate medical or mental health care professional for treatment. The rules must exempt from the training requirement of this subsection each judge or judicial officer who files an affidavit stating that the judge or judicial officer does not hear any criminal cases.

1 (c) In adopting the rules, the court of criminal appeals may
2 consult with the supreme court and with professional groups and
3 associations in the state that have expertise in the subject matter
4 to obtain the recommendations of those groups or associations for
5 instruction content.

6 SECTION 2. Subchapter B, Chapter 22, Government Code, is
7 amended by adding Section 22.1115 to read as follows:

8 Sec. 22.1115. TRAINING FOR PROSECUTING ATTORNEYS RELATED TO
9 TRAUMA. The court of criminal appeals shall provide to prosecuting
10 attorneys training related to trauma and the impact of trauma to
11 enable each prosecuting attorney to identify individuals who have
12 experienced traumatic events, minimize re-traumatization, and
13 refer those individuals to the appropriate medical or mental health
14 care professional for treatment.

15 SECTION 3. Chapter 493, Government Code, is amended by
16 adding Section 493.032 to read as follows:

17 Sec. 493.032. TRAUMA-INFORMED TRAINING FOR CORRECTIONAL
18 OFFICERS. The department shall require each correctional officer
19 employed by the department to complete, during the officer's first
20 24 months of service, not less than 8 hours of training related to
21 trauma and the impact of trauma to enable each officer to identify
22 inmates who have experienced traumatic events, minimize
23 re-traumatization, and refer those inmates to the appropriate
24 medical or mental health care professional for treatment.

25 SECTION 4. Section 1701.253, Occupations Code, is amended
26 by adding Subsection (p) to read as follows:

27 (p) As part of the minimum curriculum requirements, the

1 commission shall require each officer to complete not less than
2 eight hours of training related to trauma and the impact of trauma
3 to enable each officer to identify individuals who have experienced
4 traumatic events, minimize re-traumatization, and refer those
5 individuals to the appropriate medical or mental health care
6 professional for treatment.

7 SECTION 5. (a) Not later than December 1, 2019, the court
8 of criminal appeals shall adopt the rules necessary to provide the
9 training required by Section 22.1102, Government Code, as added by
10 this Act.

11 (b) A judge who is in office on the effective date of this
12 Act must complete the training required by Section 22.1102,
13 Government Code, as added by this Act, not later than September 1,
14 2020.

15 SECTION 6. The court of criminal appeals shall make the
16 training described by Section 22.1115, Government Code, as added by
17 this Act, available to prosecuting attorneys not later than January
18 1, 2020.

19 SECTION 7. The Texas Department of Criminal Justice shall
20 make the training described by Section 493.032, Government Code, as
21 added by this Act, available to correctional officers not later
22 than January 1, 2020.

23 SECTION 8. Not later than December 1, 2019, the Texas
24 Commission on Law Enforcement shall establish the training program
25 required by Section 1701.253(p), Occupations Code, as added by this
26 Act.

27 SECTION 9. This Act takes effect September 1, 2019.