

By: Powell

S.B. No. 664

A BILL TO BE ENTITLED

AN ACT

relating to procedures for peace officers and emergency medical services personnel who respond to calls involving an alleged or suspected act of strangulation.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.33 to read as follows:

Art. 2.33. PROCEDURES FOR RESPONDING TO CALLS INVOLVING ALLEGED OR SUSPECTED ACT OF STRANGULATION. (a) In this article:

(1) "Emergency medical services personnel" has the meaning assigned by Section 773.003, Health and Safety Code.

(2) "Strangulation" means impeding the normal breathing or circulation of the blood of a person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth.

(b) A peace officer who responds to a call for service that involves an alleged or suspected act of strangulation shall:

(1) request assistance from emergency medical services personnel to evaluate and render aid to the victim of strangulation;

(2) use the checklist developed under Section 1701.165, Occupations Code, in providing appropriate assistance to the victim; and

(3) provide the victim with referral information to

1 the appropriate support agency for purposes of receiving additional
2 assistance.

3 (c) The peace officer's report regarding the incident must
4 thoroughly document the following:

5 (1) the name, identification number, employment
6 agency, and unit number of all emergency medical services personnel
7 providing assistance under Subsection (b);

8 (2) victim and witness accounts of the suspect's
9 behavior, actions, and any comments made during the act of
10 strangulation;

11 (3) the officer's observations regarding the suspect's
12 behavior, actions, and any comments made after the officer's
13 arrival on the scene; and

14 (4) the referral information given to the victim under
15 Subsection (b)(3).

16 (d) Emergency medical services personnel providing
17 assistance under Subsection (b) shall conduct a medical evaluation
18 and assessment of the victim.

19 SECTION 2. Subchapter D, Chapter 1701, Occupations Code, is
20 amended by adding Section 1701.165 to read as follows:

21 Sec. 1701.165. CHECKLIST FOR PEACE OFFICERS RESPONDING TO
22 CALLS INVOLVING ALLEGED OR SUSPECTED ACT OF STRANGULATION. (a) In
23 this section, "strangulation" has the meaning assigned by Article
24 2.33, Code of Criminal Procedure.

25 (b) The commission shall develop and make available to all
26 law enforcement agencies in this state a checklist to assist peace
27 officers in evaluating an alleged or suspected act of strangulation

1 and providing assistance to the victim of strangulation.

2 SECTION 3. (a) Not later than December 1, 2021, the Texas
3 Commission on Law Enforcement shall develop and make available the
4 checklist required by Section 1701.165, Occupations Code, as added
5 by this Act.

6 (b) A peace officer is not required to comply with Article
7 2.33(b)(2), Code of Criminal Procedure, as added by this Act, until
8 January 1, 2022.

9 SECTION 4. This Act takes effect September 1, 2021.