

## **BILL ANALYSIS**

Senate Research Center  
88R5399 SCP-F

S.B. 1402  
By: Zaffirini; Paxton  
Criminal Justice  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Sexual assault cases are sensitive and complex in nature, and officers who lack specialized training may not be equipped to, for example, gather and preserve valuable DNA evidence or provide appropriate care to victims during the investigation process. An officer's failure to provide adequate emotional support may further traumatize victims and limit their willingness to report sexual assault crimes. Specialized training for police regarding sexual assault cases is essential to improve their investigation tactics and the overall outcomes for survivors.

Accordingly, S.B. 1402 would require to law enforcement officers to complete at least eight hours of specialized training about trauma-informed child sexual abuse and sexual assault investigations. This change would allow law enforcement to establish trust with victims, which would in turn encourage more victims to come forward.

As proposed, S.B. 1402 amends current law relating to the continuation and duties of the Sexual Assault Survivors' Task Force and establishment of a mandatory training program for peace officers on responding to reports of child sexual abuse and adult sexual assault.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 3 (Section 1701.272, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 772.0064(m), Government Code, as follows:

(m) Provides that Chapter 2110 (State Agency Advisory Committees) does not apply to the composition or duration of the Sexual Assault Survivors' Task Force (task force) or to the designation of the task force's presiding officer. Deletes existing text providing that Section 772.0064 (Sexual Assault Survivors' Task Force) expires September 1, 2023.

SECTION 2. Amends Section 1701.253, Occupations Code, by adding Subsection (q), as follows:

(q) Requires the Texas Commission on Law Enforcement (TCOLE) to require an officer to complete, as part of the minimum curriculum requirements, the basic education and training program developed under Section 1701.272. Requires an officer to complete the program not later than the second anniversary of the date the officer is licensed under Chapter 1701 (Law Enforcement Officers) unless the officer completes the program as part of the officer's basic training course.

SECTION 3. Amends Subchapter F, Chapter 1701, Occupations Code, by adding Section 1701.272, as follows:

Sec. 1701.272. TRAINING PROGRAM ON RESPONDING TO SEXUAL ABUSE OR ASSAULT. (a) Requires TCOLE, in consultation with the task force established under Section 772.0064, Government Code, to establish a basic education and training program on child sexual abuse and adult sexual assault, including the use of best practices and

trauma-informed response techniques to effectively recognize, investigate, and document those cases. Requires that the training program consist of at least eight hours of instruction.

(b) Requires TCOLE by rule to require an officer to complete the training program unless the officer has completed the training under Section 1701.253(q) or other training equivalent to the training program as determined by TCOLE.

SECTION 4. Repealer: Section 1701.253(b-2) (relating to the September 1, 2023, expiration of certain subsections concerning curriculum requirements for the task force), Occupations Code.

SECTION 5. Requires TCOLE, not later than January 1, 2024, to establish the training program required by Section 1701.272, Occupations Code, as added by this Act.

SECTION 6. Makes application of Section 1701.253(q), Occupations Code, as added by this Act, prospective to January 1, 2024.

SECTION 7. Effective date: September 1, 2023.