

BILL ANALYSIS

C.S.H.B. 2756
By: Thompson
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

On November 13, 2023, Jovian Motley, a 27-year-old correctional officer serving at the Texas Department of Criminal Justice's (TDCJ) Wainwright Unit, lost his life in the line of duty. As reported by Houston Public Media, Mr. Motley was sent into a highly obstructed, dark cell as part of an extraction team tasked with restraining an incarcerated person within the cell. Mr. Motley was the only officer from the team who did not survive the encounter. The bill author has informed the committee that it is important for all correctional officers to receive training on de-escalation, crisis intervention, and behavioral health so that they can employ those skills to mitigate escalation of dangerous circumstances encountered in the line of duty. C.S.H.B. 2756, cited as the Jovian Motley Act, seeks to honor Mr. Motley by requiring TDCJ correctional officers, and TDCJ employees responsible for the direct supervision of correctional officers, to receive de-escalation, crisis intervention techniques, and behavioral health training.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2756 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ), for the purpose of facilitating interaction with inmates, to provide training on the following to correctional officers employed by TDCJ and TDCJ employees responsible for the direct supervision of such correctional officers:

- de-escalation and crisis intervention techniques, which must include information regarding the following:
 - effective communication;
 - employing alternatives to physical restraints, including the availability and proper use of tools such as shields, chemical dispensing devices, and less-lethal force weapons;
 - techniques for limiting the use of force resulting in bodily injury;
 - proper utilization of necessary resources, including lighting;
 - safety techniques during cell extractions;
 - fundamental lifesaving procedures; and
 - necessary personnel involvement; and
- behavioral health, which must include information regarding the following:
 - effective communication and intervention;

- increased awareness of persons with behavioral health concerns, substance use disorders, or intellectual and developmental disabilities;
- crisis recognition, prevention, and response;
- suicide risk and prevention; and
- access to employee assistance programs available to correctional officers.

The bill requires the training to be included in TDCJ's preservice training for correctional officers and completed annually by employees described by the bill's provisions. The bill requires TDCJ to make the training available to those employees as soon as practicable after the bill's effective date but not later than December 1, 2025.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2756 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute omits the provision from the introduced that required TDCJ to provide the training on de-escalation and crisis intervention and behavioral health to any TDCJ employee whose duties involve contact with inmates.

With respect to the requirement in both the introduced and the substitute for TDCJ to provide training on de-escalation and crisis intervention techniques, the substitute includes information regarding the following among the information that the training must include, whereas the introduced did not:

- proper utilization of necessary resources, including lighting;
- safety techniques during cell extractions;
- fundamental lifesaving procedures; and
- necessary personnel involvement.

Additionally, with respect to the requirement in both the introduced and substitute for the training on de-escalation and crisis intervention techniques to include information regarding employing alternatives to physical restraints, the substitute specifies that such information includes information regarding the availability and proper use of tools such as shields, chemical dispensing devices, and less-lethal force weapons, whereas the introduced did not.