

# HOUSE BILL REPORT

## SSB 5473

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### As Reported by House Committee On:

Criminal Justice & Corrections

**Title:** An act relating to providing law enforcement officers with training in interaction with persons with a developmental disability or mental illness.

**Brief Description:** Requiring the criminal justice training commission to train officers on interacting with persons with a developmental disability or mental illness.

**Sponsors:** Senate Committee on Judiciary (originally sponsored by Senators Regala, B. Sheldon, Johnson, Kohl-Welles, Winsley and Rasmussen).

### Brief History:

#### Committee Activity:

Criminal Justice & Corrections: 3/25/03, 4/2/03 [DP].

#### Brief Summary of Substitute Bill

- Directs the Criminal Justice Training Commission (CJTC) to offer a training session on how law enforcement officers should interact with people with developmental disabilities or mental illness.

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## HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 7 members: Representatives O'Brien, Chair; Darneille, Vice Chair; Mielke, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kagi, Lovick and Pearson.

**Staff:** Yvonne Walker (786-7841).

### Background:

The CJTC was established in 1974 for the primary purpose of providing basic law enforcement training, corrections training, and educational programs for criminal justice personnel, including commissioned officers, corrections officers, fire marshals, and prosecuting attorneys.

Basic law enforcement officer training is generally required of all full-time commissioned

law enforcement employees employed in Washington. The training consists of a 720-hour program covering a wide variety of subjects, including constitutional and criminal law and procedures, criminal investigation, firearms training, and communication and writing skills. All law enforcement personnel hired, transferred, or promoted, are required to complete the core training requirements within six months unless the employee receives a waiver from the CJTC.

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**Summary of Bill:**

The CJTC must offer a training session on how law enforcement officers should interact with people that have developmental disabilities or a mental illness. The training must be developed by the CJTC in consultation with appropriate community, local and state organizations, agencies that have expertise in the area of mental illness and developmental disabilities, and with appropriate self advocate and family advocate groups. In developing the course, the CJTC must also examine existing courses certified by the CJTC that relate to mental illness and developmental disabilities.

The training must emphasize nonclassroom availability of the offerings when appropriate as well as replicate likely field situations to the maximum extent. In addition, the training must include, at a minimum, core instruction in all of the following:

- The cause and nature of mental illnesses and developmental disabilities;
- how to identify indicators of mental illness and developmental disabilities and how to respond appropriately in a variety of common situations;
- conflict resolution and de-escalation techniques for potentially dangerous situations involving people with mental illness or a developmental disability;
- appropriate language usage when interacting with people with mental illness or a developmental disability;
- alternatives to lethal force when interacting with potentially dangerous people with mental illness or a developmental disability; and
- community and state resources available to serve people with mental illness or developmental disabilities and how these resources can be best used by law enforcement to benefit people with mental illness or a developmental disability.

The training must be made available to law enforcement agencies, through electronic means, for use at their convenience and determined by the internal training needs and resources of each agency.

The CJTC must make all reasonable efforts to secure private and nonstate public funds to implement this act.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** There have been a number of situations where a person with a developmental disability or mental illness has had an interaction with a law enforcement officer that ended badly. At other times, some situations have become confusing just because the officer did not understand what a particular person was asking or saying because he or she had a developmental disability or mental illness. Many officers just do not know how to deal with people with developmental disabilities or a mental illness.

Currently other states are providing training on developmental disabilities and mental illness to their law enforcement officers. It was decided in the Senate to limit the training in this particular bill to electronic training only. The reason for this was to limit the time officers would have to return to the CJTC for the training and that it would also add time onto the core classes that new officers are already mandated to take. If the training is done electronically then it would be available to everyone including those officers that have already graduated from the CJTC. If this new training is made part of the 720-hour core training currently required of new officers then either the core training hours would have to be expanded and funded or another currently mandated course would have to be eliminated in order to fit in this new class.

A video was once shown to Pierce County law enforcement officers on the subject of autism. Following the video the officers were asked how they felt about the video. The officers stated that the video was the most training they had ever had. The tape has since been distributed to other county law enforcement agencies.

The other advantages to this bill are the costs associated with: 1) Future law suits; and 2) unnecessary jailing or hospitalization of individuals that may have been misunderstood due to their disability.

The cost for this Internet training is approximately \$35,000. There are federal dollars available for the training in this bill and the Senate plans to work with the CJTC to see about how to access some of those federal funds.

**Testimony Against:** None.

**Testified:** Senator Regala, prime sponsor; Diana Stadden, Autism Society of Washington; Robert M. Wardell, People First; Ted Genengels, National Alliance for the Mentally Ill; and Michael Parsons, Criminal Justice Training Commission.