

HOUSE BILL REPORT

HB 1931

As Reported by House Committee On:

Criminal Justice & Corrections

Title: An act relating to providing law enforcement officers with training in interaction with people with developmental disabilities and mental illness.

Brief Description: Regarding the training of law enforcement officers.

Sponsors: Representatives Lantz, Hankins, Chase, Dunshee, Flannigan, Veloria and Haigh.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/26/03, 2/28/03 [DPS].

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.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill 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.

Summary of Substitute 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, and agencies that have expertise in the area of mental illness and developmental disabilities, and with appropriate consumer 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 consist of classroom instruction or internet instruction that 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 deescalation 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.

Substitute Bill Compared to Original Bill:

A provision is added that authorizes the CJTC to utilize internet training methods (instead of only classroom instruction) as a means for teaching law enforcement officers how to interact with people with mental illness or developmental disabilities.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of

session in which bill is passed.

Testimony For: There have been instances where there has been an accident between a person with cerebral palsy and an able-bodied person. When the police arrive to investigate and take a report, they usually always take statements from the able-bodied person first before he or she talks to the person with a disability. This can be quite offensive to persons with disabilities.

Currently there is none or very little training offered to law enforcement officers relating to dealing with people with developmental disabilities. The problem is that law enforcement officers need to be able to identify a person's behavior that may be explained by a mental illness as well as learn how conflict resolution and deescalation techniques can be used when dealing with people with mental illness or developmental disabilities.

Sometimes a law enforcement officer's actions or language towards a person with a disability could perpetuate more negative energy. Some disabilities are often mistaken for public drunkenness or a person on drugs. As a result, these vulnerable persons often end up locked in a local jail or institutionalized due to no fault of their own.

(In support with concerns) This bill should be modified to allow the CJTC to offer this class via the internet as a two-hour course. This amendment to the bill would help the agency keep the fiscal costs down to a minimum of \$35,000. (The substitute bill makes this amendment.)

In addition, the last section of the bill should be modified so that the CJTC is not directly responsible for identifying community and state resources available to serve people with mental illness or developmental disabilities. This same task could be accomplished by adding links onto an internet page so that people could research the resources on their own.

Testimony Against: None.

Testified: (In support) Representative Lantz, prime sponsor; Michael Parsons, Criminal Justice Training Commission; Eric Black, citizen; Tracy Vanderwall, Pierce County Parent Coalition for Developmental Disabilities.

(In support with concerns) Diana Robishaw, citizen.