

# HOUSE BILL REPORT

## HB 1348

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**As Reported by House Committee On:**  
Public Safety

**Title:** An act relating to requiring crisis intervention training for peace officers.

**Brief Description:** Requiring crisis intervention training for peace officers.

**Sponsors:** Representatives Appleton, Goodman, Tharinger, McBride, Walkinshaw, Clibborn, Sawyer, Riccelli, S. Hunt, Peterson, Tarleton, Robinson, Pollet, Senn, Ryu, Cody, Orwall, Kilduff, Lytton, Jinkins, Blake, Reykdal, Moscoso, Ormsby and Gregerson.

**Brief History:**

**Committee Activity:**

Public Safety: 1/27/15, 1/30/15 [DPS].

**Brief Summary of Substitute Bill**

- Requires the Criminal Justice Training Commission (CJTC) to provide crisis intervention training to all full-time law enforcement officers.
- Requires new full-time law enforcement officers to receive eight hours of training at the Basic Law Enforcement Academy.
- Requires certified officers to initially receive eight hours of training.
- Imposes a goal of having at least 25 percent of officers on patrol duties receive 40 hours of intensive training.
- Requires all officers to receive two hours of annual retraining each year.
- Requires the CJTC to establish by rule a program and standards by which to certify organizations, other than the CJTC, that may provide crisis intervention training.

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### HOUSE COMMITTEE ON PUBLIC SAFETY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Goodman, Chair; Orwall, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton, Griffey, Moscoso, Pettigrew and Wilson.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Do not pass. Signed by 1 member: Representative Klippert, Ranking Minority Member.

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

**Background:**

The Criminal Justice Training Commission (CJTC) provides basic law enforcement training, and educational programs for law enforcement, corrections, and other public safety professionals in Washington.

Basic law enforcement officer training is generally required of all law enforcement officers, with the exception of volunteers, and reserve officers employed in Washington. The Basic Law Enforcement Academy (BLEA) consists of a 720-hour program covering a wide variety of subjects including: criminal law and procedures, traffic enforcement, cultural awareness, communication and writing skills, emergency vehicle operations, firearms, crisis intervention, patrol procedures, and criminal investigation and defensive tactics.

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.

In addition to the BLEA, the CJTC provides specialized training to:

- persons responsible for investigating and interviewing children for child sexual abuse and neglect cases;
- law enforcement officers on vehicular pursuits;
- law enforcement officers on how to interact with persons with developmental disabilities or mental illnesses;
- law enforcement officers on how to identify, respond to, and report malicious harassment crimes and other crimes of bigotry or bias;
- law enforcement officers on investigating and interviewing techniques for cases involving child abuse and neglect;
- law enforcement and corrections officers hired or promoted to first level supervisors and middle management positions; and
- criminal justice, correctional personnel, and other public safety employees on personal crisis recognition and crisis intervention services.

The CJTC contracts with King County to provide crisis intervention training to only King County law enforcement officers. The training is funded by the Mental Illness Drug Dependency tax (known as MIDD) which is levied in King County. This crisis intervention training provides a combination of a 40-hour course, an eight-hour retraining class, and some defensive tactics training taught in combination with the crisis intervention training.

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**Summary of Substitute Bill:**

The CJTC must provide all new full-time law enforcement officers that are hired after July 1, 2017, with a minimum of eight hours of crisis intervention training as part of the BLEA. In addition, the CJTC must ensure that:

- law enforcement officers certified before July 1, 2017, complete a minimum of eight hours of training by July 1, 2019. That training must be similar in hours and content as the training offered in the BLEA and each officer must obtain written proof showing completion of the program as provided by the CJTC's rules; and
- law enforcement officers certified after July 1, 2017, complete a two-hour online crisis intervention course that is incorporated in the CJTC's annual training.

The goal of the CJTC is to have at least 25 percent of all certified officers on patrol duties receive 40 hours of commission-certified enhanced crisis intervention training by December 1, 2019. Any funds appropriated must be used to train personnel implementing the training on a geographically diverse basis.

By July 1, 2017, the CJTC must establish by rule:

- A program and standards to certify other outside entities that may provide crisis intervention training. Those organizations must use a CJTC-certified training or curriculum to facilitate the training. The CJTC must also consider geographic training needs when considering programs and standards and provide grants to law enforcement agencies with fewer than 300 commissioned officers to assist with costs of sending officers to crisis intervention training.
- Standards for law enforcement officers' successful completion of the annual two hours of crisis intervention training which must include, at a minimum, the requirement of successful completion of a written exam.

"Crisis intervention training" means training designed to provide tools and resources to law enforcement officers in order to respond effectively to individuals who may be experiencing an emotional, mental, physical, behavioral, or chemical dependency crisis, distress, or problem and that are designed to increase the safety of both law enforcement and individuals in crisis.

The act may be known as the Douglas M. Ostling Act. The act becomes null and void unless funded in the budget.

#### **Substitute Bill Compared to Original Bill:**

The substitute bill establishes a minimum requirement for the CJTC to aim for "at least" 25 percent of all patrol officers to receive enhanced crisis intervention training.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony:**

(In support) One night, Mr. and Mrs. Ostling's son, who had struggled with mental illness for many years, began having a delusional episode. The police arrived and asked for access to their son's room. Although law enforcement officers were told that their son was mentally ill, the police shot and killed their son. These officers did not know how to deal with a mentally ill person. The Ostlings won a federal civil rights lawsuit against the City of Bainbridge Island for failing to properly train officers. This situation proved that law enforcement officers need skills to deal with mentally ill persons during crisis situations.

There has been countless times when officers have had encounters with people with mental illness. In fact, there have been instances where persons have been shot or seriously injured because the officer didn't recognize that the person was mentally ill. Teachers receive training on how to deal with special needs children and how to de-escalate crisis situations, and police officers should get similar training.

A lot is asked of law enforcement officers and proper training is essential. Ideally, all officers would be required to have 40 hours of training and eight hours of retraining each year. However, due to the economic recession, one of the cuts in law enforcements' budgets was training. Some jurisdictions are doing crisis intervention training but it is not centralized. This bill would give the CJTC resources to take the training statewide. The CJTC now provides all new officers that attend the BLEA with eight hours of training. This new training will not only help reduce liability claims that cities are paying out, but will also train officers how to handle the mentally ill.

Law enforcement is a very complex job. In those situations where officers take the time to recognize a person with a mental illness, they can often de-escalate situations by directing such person to services, assisted housing, and crisis intervention. Such training can help reduce the unfortunate instances that often take place between law enforcement and the mentally ill. Crisis intervention training is an effective public safety tool. Law enforcement are often the first responders to encounter a person with mental illness and it is vital that they are given the tools they need to handle the situation safely. The passage of this legislation will ensure the safety of our officers and those in the community in crisis.

(Opposed) None.

**Persons Testifying:** Representative Appleton, prime sponsor; Joyce and William Ostling; Claudia Wark; Frank Shaw, Bremerton Police Department; Mitch Barker, Washington Association of Sheriffs and Police Chiefs; David Bales, Criminal Justice Training Commission; Joan Miller, Washington Community Mental Health Council; Seth Dawson, National Alliance on Mental Illness; Chris Kaasa, American Civil Liberties Union of Washington; and Mary Jane Thomas.

**Persons Signed In To Testify But Not Testifying:** None.