

HOUSE BILL REPORT

2SSB 5311

As Passed House:
April 13, 2015

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

Brief Description: Requiring crisis intervention training for peace officers.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Rolfes, O'Ban, Frockt, Darneille, Keiser, McCoy, Kohl-Welles, Hasegawa and Jayapal).

Brief History:

Committee Activity:

Public Safety: 3/20/15, 3/26/15 [DP];

Appropriations: 4/6/15, 4/7/15 [DP].

Floor Activity:

Passed House: 4/13/15, 96-1.

Brief Summary of Second 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: (1) initially receive eight hours of training; and (2) receive two hours of annual retraining thereafter.
- Requires the CJTC, within any remaining appropriated funds, to make efforts to provide 40 hours of enhanced crisis intervention training to at least 25 percent of all officers on patrol duties.
- Requires the CJTC to: (1) establish by rule a program and standards by which to certify organizations, other than the CJTC, that may provide crisis intervention training; (2) provide grants to reimburse those agencies that send officers to crisis intervention training; and (3) establish by rule standards for successful completion of the annual training.

HOUSE COMMITTEE ON PUBLIC SAFETY

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Majority Report: Do pass. Signed by 9 members: Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton, Griffey, Moscoso, Pettigrew and Wilson.

Staff: Yvonne Walker (786-7841).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 29 members: Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Carlyle, Cody, Dent, Dunshee, Fagan, Haler, Hansen, Hudgins, S. Hunt, Jinkins, Kagi, Lytton, MacEwen, Magendanz, Pettigrew, Sawyer, Senn, Springer, Stokesbary, Sullivan, Tharinger, Van Werven and Walkinshaw.

Minority Report: Do not pass. Signed by 3 members: Representatives Condotta, G. Hunt and Taylor.

Staff: Derek Rutter (786-7157).

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.

Summary of 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 each general authority Washington peace officer certified:

- before July 1, 2017, complete a minimum of eight hours of training by July 1, 2021. 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
- after July 1, 2017, complete a two-hour online crisis intervention course that is part of the CJTC's annual training required for full-time, general authority Washington peace officers.

The CJTC must make efforts to provide at least 25 percent of all general authority peace officers assigned to patrol duties with enhanced crisis intervention training which may be: (1) comprised of 40 hours of commission-certified training; and (2) accomplished within any funds remaining after appropriation is made for purposes of this act.

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

1. 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: (1) consider geographic training needs when considering programs and standards; and (2) provide grants to law enforcement agencies to reimburse those agencies for the cost of sending officers to the crisis intervention training.
2. Standards for law enforcement officers' successful completion of the annual two hours of crisis intervention training that 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 full-time, general authority Washington peace 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 availability of the crisis intervention training is subject to funding appropriated for this purpose.

The act may be known and cited as the Douglas M. Ostling Act.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony (Public Safety):

(In support) The bill directs the CJTC to put together a two-hour online annual training course and includes backfill funding to provide grants to local law enforcement agencies that send officers to training. If the state is going to mandate training then they should help provide backfill funding for those agencies. The goal is to have police departments have a quarter of their officers on the streets highly certified with crisis intervention training.

Law enforcement officers often deal with people with untreated mental illness and many of those are often suffering with some type of crisis. Every officer should have the minimal eight hours of training to understand persons in crisis and how to recognize mental illness. The culture changes when officers receive crisis intervention training. Studies have shown that training can result in reduced psychiatric commitments, reduced inpatient referrals from jails, reduced jail bookings, and there are fewer police officer and citizen injuries.

Human life should not have to be lost in order to mandate training. Crisis intervention training is critical, a necessity, and is an effective public safety tool. Crisis intervention training for law enforcement is not only a good idea but is needed to give officers the skills to keep fragile people safe. Training will also help officers to be better officers. This is not just a life or death bill but a bill with serious implications. Training will help law enforcement do their job better and is a powerful tool to divert persons from the criminal justice system in a way that pays dividends and can deescalate situations and reduce criminal justice costs.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) Police officers from around the state have noted the positive changes that have occurred as the result of crisis intervention training (CIT), including changes in an agency's culture when all officers were trained.

Federal judges are losing patience with the state's treatment of the mentally ill; keeping the mentally ill in jails does not work. One aspect of CIT is establishing a relationship between law enforcement and local health service providers. This creates another avenue for people in crisis, keeping them out of jails and courts and reducing costs.

More and more jurisdictions have been ordered by courts to provide CIT as a result of civil rights litigation. It is time to mandate and fund CIT for all officers before the issue comes before a court. This bill would stop loss of life and help those in crisis as well as police officers.

Studies have shown that CIT reduces psychiatric hospitalizations, reduces referrals to mental health institutions from jails and jail time served, reduces police officer and citizen injuries, reduces police time spent per incident, and reduces the number of SWAT team responses. Most studies do not consider the reduction in civil liabilities resulting from CIT; however, it does not take many lawsuits to offset the cost of training.

The training required by this bill not only gives law enforcement officers a better understanding of how to interact with individuals with mental illness and developmental disabilities, but also puts them in a general mindset of de-escalation. This helps with broader interactions with the community and reduces the kinds of community-police relationship issues that have been recently highlighted.

(Opposed) None.

Persons Testifying (Public Safety): Senator Rolfes, prime sponsor; William and Joyce Ostling; Joan Miller, Washington Community Mental Health Council; Kim Hendrickson, Islanders for Collaborative Policing; Seth Dawson, Washington Association for Substance Abuse and Violence Prevention, and National Alliance on Mental Illness; Mitch Barker, Washington Association of Sheriffs and Police Chiefs; Chris Kaasa, American Civil Liberties Union of Washington; and Bob Graham, Washington Criminal Justice Training Commission.

Persons Testifying (Appropriations): William and Joyce Ostling; Seth Dawson, National Alliance on Mental Illness; Diana Stadden, The Arc of Washington State; and Shankar Narayan, American Civil Liberties Union of Washington.

Persons Signed In To Testify But Not Testifying (Public Safety): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.