

AMENDED IN SENATE AUGUST 4, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 23, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

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**ASSEMBLY BILL**

**No. 1598**

**Introduced by Assembly Member Rodriguez**

February 4, 2014

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An act to amend Section 8588.10 of the Government Code, to amend Sections 1797.116 and 1797.132 of the Health and Safety Code, and to amend Sections 13514.1 and 13519.12 of the Penal Code, relating to emergency response services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1598, as amended, Rodriguez. Emergency response services: active shooter incidents.

(1) Existing law requires the Director of Emergency Services to establish a Curriculum Development Advisory Committee (CDAC) to, among other things, provide advice on the development of terrorism awareness course curricula and response training. Existing law establishes in the Department of Justice the Commission on Peace Officer Standards and ~~Training (CPOST)~~, *Training*, which is required to, among other things, adopt rules establishing minimum standards relating to physical, mental, and moral fitness that govern the recruitment of peace officers and requires ~~CPOST~~ *the commission* to carry out various duties related to the education and training of peace officers.

This bill would require CDAC to consult with ~~CPOST~~ *the commission*.

(2) Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, establishes the Emergency Medical Services Authority (EMSA), which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Under existing law, EMSA is required to establish training standards that include the criteria for the curriculum content recommended by CDAC, involving the responsibilities of first responders to terrorism incidents and to address the training needs of those identified as first responders.

This bill would additionally require that those training standards include criteria for coordinating between different responding entities.

(3) Existing law establishes the Interdepartmental Committee on Emergency Medical Services (ICEMS), which is required to advise EMSA on the coordination and integration of all state activities concerning emergency medical services.

This bill would require ICEMS to consult with ~~CPOST~~ *the commission* regarding emergency medical services integration and coordination with peace officer training.

(4) Existing law requires ~~CPOST~~ *the commission* to develop and disseminate guidelines and standardized training recommendations for Special Weapons and Tactics (SWAT) teams, as specified, that would be available for use by law enforcement agencies that conduct SWAT operations. Under existing law, those guidelines are required, at a minimum, to address legal and practical issues of SWAT operations, personnel selection, fitness requirements, planning, hostage negotiation, tactical issues, safety, rescue methods, after-action evaluation of operations, logistical and resource needs, uniform and firearms requirements, risk assessment, policy considerations, and multijurisdictional SWAT operations. Existing law also directs ~~CPOST~~ *the commission* to establish training standards and develop a course of instruction involving the responsibilities of first responders to terrorism incidents, as specified.

This bill would ~~additionally require those~~ *authorize the above-described* guidelines and training standards *for SWAT teams to also address tactical casualty care. The bill would authorize the above-described training standards and course of instruction involving the responsibilities of first responders to terrorism incidents to also, if appropriate, include coordination with emergency medical services*

*providers that respond to an incident, tactical casualty care, and other standards of emergency care as established by EMSA.*

The bill would include legislative findings and declarations, and would make a related statement of legislative intent.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) (1) The Legislature finds and declares that  
2 since the Columbine High School shootings that occurred in 1999,  
3 more than 250 people have been killed in the United States during  
4 what has been classified as active shooter and mass casualty  
5 incidents. These incidents involve one or more suspects who  
6 participate in an ongoing, random, or systematic shooting spree,  
7 demonstrating the intent to harm others with the objective of mass  
8 murder.

9 (2) It has become evident that these events may take place in  
10 any community or venue and that they impact fire and police  
11 departments, regardless of their size or capacity. Local jurisdictions  
12 vary widely in available emergency response resources, staffing,  
13 and equipment allocations. Protocols and training for response to  
14 active shooter incidents must be established locally to work within  
15 the resource capabilities and limitations of each jurisdiction.

16 (b) It is therefore the intent of the Legislature to do all of the  
17 following:

18 (1) Require the development of collaborative protocols and  
19 relationships between local and state first response entities,  
20 including law enforcement agencies, fire departments, and  
21 emergency medical services providers and agencies, in order that  
22 those entities shall act effectively and in concert to address active  
23 shooter incidents across California.

24 (2) Require first response entities to seek collaborative training  
25 opportunities, including, but not limited to, table top or simulation  
26 exercises, to assess plan implementations, and to include other  
27 entities that may be involved in active shooter incidents in those  
28 trainings, such as schools, city or county personnel, and private  
29 businesses.

30 (3) Require basic and ongoing training for law enforcement  
31 agency personnel, fire department personnel, emergency medical

1 services personnel, and the personnel for other first responders  
2 include, as appropriate, training and education on active shooter  
3 incidents and tactical casualty care.

4 (c) It is further the intent of the Legislature that each first  
5 response entity, in collaboration with other law enforcement  
6 agencies, fire departments, and emergency medical services  
7 providers and agencies, develop protocols for responding to active  
8 shooter incidents. It is the intent of the Legislature that those  
9 protocols be reviewed annually to ensure that they are current, and  
10 address any policy, geographic, or demographic changes that  
11 warrant a response strategy review. The Legislature intends that  
12 the protocols address all of the following:

13 (1) The roles, responsibilities, and policies of each entity in  
14 responding to an active shooter incident.

15 (2) Preassessment and contingency planning that includes  
16 identification of potential targets within the jurisdiction.

17 (3) Implementation of an Incident Command System (ICS),  
18 including emergency protocols for a unified command structure  
19 for entities responding to an active shooter incident.

20 (4) Interagency communication issues and needs, including, but  
21 not limited to, radio interoperability and establishment of common  
22 language, terms, and definitions to be used on the scene of an  
23 active shooter incident.

24 (5) Identification of resources for responding to an active shooter  
25 incident, including, but not limited to, primary and secondary needs  
26 and hospitals.

27 (6) Tactical deployment of available resources for responding  
28 to an active shooter incident.

29 (7) Emergency treatment and extraction of persons injured in  
30 an active shooter incident.

31 SEC. 2. Section 8588.10 of the Government Code is amended  
32 to read:

33 8588.10. (a) The director shall establish a Curriculum  
34 Development Advisory Committee to advise the office on the  
35 development of course curricula, as specified by the director.

36 (b) The committee shall be chaired by the director, who will  
37 appoint members as appropriate. In appointing members to the  
38 committee, the director shall include representatives from the  
39 following:

1 (1) State public safety, health, first responder, and emergency  
2 services departments or agencies, as deemed appropriate by the  
3 director.

4 (2) Local first responder agencies.

5 (3) Local public safety agencies.

6 (4) Nonprofit organizations, as deemed appropriate by the  
7 director.

8 (5) Any other state, local, tribal, or nongovernmental  
9 organization determined by the director to be appropriate.

10 (c) The committee shall consult with the Commission on Peace  
11 Officer Standards and Training.

12 SEC. 3. Section 1797.116 of the Health and Safety Code is  
13 amended to read:

14 1797.116. (a) The authority shall establish additional training  
15 standards that include the criteria for the curriculum content  
16 recommended by the Curriculum Development Advisory  
17 Committee established pursuant to Section 8588.10 of the  
18 Government Code, involving the responsibilities of first responders  
19 to terrorism incidents and to address the training needs of those  
20 identified as first responders. Training standards shall include, but  
21 not be limited to, criteria for coordinating between different  
22 responding entities.

23 (b) Every EMT I, EMT II, and EMT-P, as defined in Sections  
24 1797.80, 1797.82, and 1797.84, may receive the appropriate  
25 training described in this section. Pertinent training previously  
26 completed by any jurisdiction's EMT I, EMT II, or EMT-P  
27 personnel and meeting the training requirements of this section  
28 may be submitted to the training program approving authority to  
29 assess its content and determine whether it meets the training  
30 standards prescribed by the authority.

31 SEC. 4. Section 1797.132 of the Health and Safety Code is  
32 amended to read:

33 1797.132. An Interdepartmental Committee on Emergency  
34 Medical Services is hereby established. This committee shall advise  
35 the authority on the coordination and integration of all state  
36 activities concerning emergency medical services. The committee  
37 shall include a representative from each of the following state  
38 agencies and departments: the Office of Emergency Services, the  
39 Department of the California Highway Patrol, the Department of  
40 Motor Vehicles, a representative of the administrator of the

1 California Traffic Safety Program as provided by Chapter 5  
2 (commencing with Section 2900) of Division 2 of the Vehicle  
3 Code, the Medical Board of California, the State Department of  
4 Public Health, the Board of Registered Nursing, the State  
5 Department of Education, the National Guard, the Office of  
6 Statewide Health Planning and Development, the State Fire  
7 Marshal, the California Conference of Local Health Officers, the  
8 Department of Forestry and Fire Protection, the Chancellor's Office  
9 of the California Community Colleges, and the Department of  
10 General Services. The committee shall consult with the  
11 Commission on Peace Officer Standards and Training regarding  
12 emergency medical services integration and coordination with  
13 peace officer training.

14 SEC. 5. Section 13514.1 of the Penal Code is amended to read:

15 13514.1. (a) On or before July 1, 2005, the commission shall  
16 develop and disseminate guidelines and standardized training  
17 recommendations for all law enforcement officers, supervisors,  
18 and managers whose agency assigns them to perform, supervise,  
19 or manage Special Weapons and Tactics (SWAT) operations. The  
20 guidelines and standardized training recommendations shall be  
21 available for use by law enforcement agencies that conduct SWAT  
22 operations.

23 (b) The training and guidelines shall be developed in  
24 consultation with law enforcement officers, the Attorney General's  
25 office, supervisors, and managers, SWAT trainers, legal advisers,  
26 and others selected by the commission. Development of the training  
27 and guidelines shall include consideration of the recommendations  
28 contained in the Attorney General's Commission on Special  
29 Weapons and Tactics (S.W.A.T.) Final Report of 2002.

30 (c) The standardized training recommendations shall at a  
31 minimum include initial training requirements for SWAT  
32 operations, refresher or advanced training for experienced SWAT  
33 members, and supervision and management of SWAT operations.

34 (d) The guidelines shall at minimum address legal and practical  
35 issues of SWAT operations, personnel selection, fitness  
36 requirements, planning, hostage negotiation, tactical issues, safety,  
37 rescue methods, ~~tactical casualty care~~, after-action evaluation of  
38 operations, logistical and resource needs, uniform and firearms  
39 requirements, risk assessment, policy considerations, and

1 multijurisdictional SWAT operations. *The guidelines may also*  
2 *address tactical casualty care.*

3 (e) The guidelines shall provide procedures for approving the  
4 prior training of officers, supervisors, and managers that meet the  
5 standards and guidelines developed by the commission pursuant  
6 to this section, in order to avoid duplicative training.

7 SEC. 6. Section 13519.12 of the Penal Code is amended to  
8 read:

9 13519.12. (a) Pursuant to Section 13510, the Commission on  
10 Peace Officer Standards and Training shall establish training  
11 standards and develop a course of instruction that includes the  
12 criteria for the curriculum content recommended by the Curriculum  
13 Development Advisory Committee established pursuant to Section  
14 8588.10 of the Government Code, involving the responsibilities  
15 of first responders to terrorism incidents. The course of instruction  
16 shall address the training needs of peace officers at a managerial  
17 or supervisory level and below who are assigned to field duties.  
18 The training shall be developed in consultation with the Department  
19 of Justice and other individuals knowledgeable about terrorism  
20 and address current theory, terminology, historical issues, and  
21 procedures necessary to appropriately respond to and effectively  
22 mitigate the effects of a terrorism incident, including, but not  
23 limited to, appropriate tactical casualty care. *incident. The training*  
24 *standards and course of instruction may, if appropriate, include*  
25 *coordination with emergency medical services providers that*  
26 *respond to an incident, tactical casualty care, and other standards*  
27 *of emergency care as established by the Emergency Medical*  
28 *Services Authority.*

29 (b) The commission shall expedite the delivery of this training  
30 to law enforcement through maximum use of its local and regional  
31 delivery systems.

32 (c) To maximize the availability and delivery of training, the  
33 commission shall develop a course of instruction to train trainers  
34 and first responders dealing with terrorism incidents using a variety  
35 of formats.

36 (d) Every police chief and sheriff, the Commissioner of the  
37 Highway Patrol, and other general law enforcement agency  
38 executives may determine the members of their agency to receive  
39 the emergency response to terrorism incidents training developed  
40 by the commission under this section. The persons to be trained

1 may include, but are not limited to, peace officers that perform  
2 general law enforcement duties at a managerial or supervisory  
3 level or below and are assigned to field duties.

4 (e) For purposes of this section, a “terrorism incident” includes,  
5 but is not limited to, an active shooter incident. An “active shooter  
6 incident” is an incident where an individual is actively engaged in  
7 killing or attempting to kill people.

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