

Assembly Bill No. 1598

CHAPTER 668

An act to amend Section 8588.10 of the Government Code, to amend Section 1797.116 of, and to add Section 1797.134 to, the Health and Safety Code, and to amend Sections 13514.1 and 13519.12 of the Penal Code, relating to emergency response services.

[Approved by Governor September 27, 2014. Filed with
Secretary of State September 27, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1598, 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, 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 the commission to carry out various duties related to the education and training of peace officers.

This bill would require CDAC to consult with 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. Existing law authorizes the Director of EMSA to appoint select resource committees of experts and to contract with special medical consultants for assistance in the implementation of the act described above.

This bill would require ICEMS or another committee designated by the Director of EMSA to consult with the commission regarding emergency medical services integration and coordination with peace officer training.

(4) Existing law requires 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 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 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 the Commission on Emergency Medical Services.

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

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

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

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

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

(1) Require the development of collaborative protocols and relationships between local and state first response entities, including law enforcement

agencies, fire departments, and emergency medical services providers and agencies, in order that those entities shall act effectively and in concert to address active shooter incidents across California.

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

(3) Require basic and ongoing training for law enforcement agency personnel, fire department personnel, emergency medical services personnel, and the personnel for other first responders include, as appropriate, training and education on active shooter incidents and tactical casualty care.

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

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

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

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

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

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

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

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

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

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

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

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

(2) Local first responder agencies.

(3) Local public safety agencies.

- (4) Nonprofit organizations, as deemed appropriate by the director.
- (5) Any other state, local, tribal, or nongovernmental organization determined by the director to be appropriate.

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

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

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

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

SEC. 4. Section 1797.134 is added to the Health and Safety Code, to read:

1797.134. The Interdepartmental Committee on Emergency Medical Services or another committee designated by the director shall consult with the Commission on Peace Officer Standards and Training regarding emergency medical services integration and coordination with peace officer training.

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

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

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

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

(d) The guidelines shall at minimum 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. The guidelines may also address tactical casualty care.

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

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

13519.12. (a) Pursuant to Section 13510, the Commission on Peace Officer Standards and Training shall establish training standards and develop a course of instruction that includes the criteria for the curriculum content recommended by the Curriculum Development Advisory Committee established pursuant to Section 8588.10 of the Government Code, involving the responsibilities of first responders to terrorism incidents. The course of instruction shall address the training needs of peace officers at a managerial or supervisory level and below who are assigned to field duties. The training shall be developed in consultation with the Department of Justice and other individuals knowledgeable about terrorism and address current theory, terminology, historical issues, and procedures necessary to appropriately respond to and effectively mitigate the effects of a terrorism incident. The training standards and course of instruction may, 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 pursuant to Section 1799.50 of the Health and Safety Code by the Commission on Emergency Medical Services.

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

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

(d) Every police chief and sheriff, the Commissioner of the Highway Patrol, and other general law enforcement agency executives may determine the members of their agency to receive the emergency response to terrorism incidents training developed by the commission under this section. The persons to be trained may include, but are not limited to, peace officers that perform general law enforcement duties at a managerial or supervisory level or below and are assigned to field duties.

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