

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1227

Introduced by Assembly Member Cooper

February 27, 2015

An act to amend Sections 13515.30 and 13519.2 of the Penal Code, relating to peace officer training.

LEGISLATIVE COUNSEL'S DIGEST

AB 1227, as amended, Cooper. Peace officer training: ~~mental health.~~ *health training.*

Existing law requires the Commission on Peace Officer Standards and Training to establish and keep updated a continuing education classroom training course for peace officer interactions with persons with mental *illnesses or developmental* disabilities. Under existing law, this course consists of classroom instruction and utilizes interactive training methods to ensure that training is as realistic as possible. Under existing law, this course includes training in identifying indicators of mental disability, conflict resolution techniques, and alternatives to lethal force. *Existing law also requires the commission to develop, in consultation with specified entities, adequate instruction in the handling of persons with developmental disabilities or mental illnesses for inclusion in the basic training course for law enforcement officers.*

This bill would require the commission, in collaboration with relevant stakeholders, to study and submit a report to the Legislature, on or before December 31, 2017, that assesses the statuses of the training courses described above, assesses whether the courses cover all appropriate topics, and identifies areas where additional training may be needed.

This bill would declare the intent of the Legislature to enact legislation to increase the continuing mental health training standards for California peace officers.

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

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

1 SECTION 1. Section 13515.30 of the Penal Code is amended
2 to read:

3 13515.30. (a) By July 1, 2015, the Commission on Peace
4 Officer Standards and Training shall establish and keep updated
5 a continuing education training course relating to law enforcement
6 interaction with mentally disabled and developmentally disabled
7 persons living within a state mental hospital or state developmental
8 center. The training course shall be developed by the commission
9 in consultation with appropriate community, local, and state
10 organizations and agencies that have expertise in the area of mental
11 illness and developmental disability, and with appropriate consumer
12 and family advocate groups. In developing the course, the
13 commission shall also examine existing courses certified by the
14 commission that relate to mentally disabled and developmentally
15 disabled persons. The commission shall make the course available
16 to all law enforcement agencies in California, and the course shall
17 be required for law enforcement personnel serving in law
18 enforcement agencies with jurisdiction over state mental hospitals
19 and state developmental centers, as part of the agency’s officer
20 training program.

21 (b) The course described in subdivision (a) may consist of
22 video-based or classroom instruction. The course shall include, at
23 a minimum, core instruction in all of the following:

24 (1) The prevalence, cause, and nature of mental illnesses and
25 developmental disabilities.

26 (2) The unique characteristics, barriers, and challenges of
27 individuals who may be a victim of abuse or exploitation living
28 within a state mental hospital or state developmental center.

29 (3) How to accommodate, interview, and converse with
30 individuals who may require assistive devices in order to express
31 themselves.

1 (4) Capacity and consent of individuals with cognitive and
2 intellectual barriers.

3 (5) Conflict resolution and deescalation techniques for
4 potentially dangerous situations involving mentally disabled or
5 developmentally disabled persons.

6 (6) Appropriate language usage when interacting with mentally
7 disabled or developmentally disabled persons.

8 (7) Community and state resources and advocacy support and
9 services available to serve mentally disabled or developmentally
10 disabled persons, and how these resources can be best utilized by
11 law enforcement to benefit the mentally disabled or
12 developmentally disabled community.

13 (8) The fact that a crime committed in whole or in part because
14 of an actual or perceived disability of the victim is a hate crime
15 punishable under Title 11.6 (commencing with Section 422.55)
16 of Part 1.

17 (9) Information on the state mental hospital system and the state
18 developmental center system.

19 (10) Techniques in conducting forensic investigations within
20 institutional settings where jurisdiction may be shared.

21 (11) Examples of abuse and exploitation perpetrated by
22 caregivers, staff, contractors, or administrators of state mental
23 hospitals and state developmental centers, and how to conduct
24 investigations in instances where a perpetrator may also be a
25 caregiver or provider of therapeutic or other services.

26 (c) *The commission shall, in collaboration with relevant*
27 *stakeholders, study and submit a report to the Legislature, on or*
28 *before December 31, 2017, that assesses the status of the course*
29 *described in subdivision (a), assesses whether the course covers*
30 *all appropriate topics, and identifies areas where additional*
31 *training may be needed.*

32 *SEC. 2. Section 13519.2 of the Penal Code is amended to read:*

33 13519.2. (a) The commission shall, on or before July 1, 1990,
34 include in the basic training course for law enforcement officers,
35 adequate instruction in the handling of persons with developmental
36 disabilities or mental illness, or both. Officers who complete the
37 basic training prior to July 1, 1990, shall participate in
38 supplementary training on this topic. This supplementary training
39 shall be completed on or before July 1, 1992. Further training

1 courses to update this instruction shall be established, as deemed
2 necessary by the commission.

3 (b) The course of instruction relating to the handling of
4 developmentally disabled or mentally ill persons shall be developed
5 by the commission in consultation with appropriate groups and
6 individuals having an interest and expertise in this area. In addition
7 to providing instruction on the handling of these persons, the course
8 shall also include information on the cause and nature of
9 developmental disabilities and mental illness, as well as the
10 community resources available to serve these persons.

11 (c) *The commission shall, in collaboration with relevant*
12 *stakeholders, study and submit a report to the Legislature, on or*
13 *before December 31, 2017, that assesses the status of the course*
14 *described in subdivision (a), assesses whether the course covers*
15 *all appropriate topics, and identifies areas where additional*
16 *training may be needed.*

17 ~~SECTION 1. It is the intent of the Legislature to enact~~
18 ~~legislation to increase the continuing mental health training~~
19 ~~standards for California peace officers.~~