

BILL ANALYSIS

C.S.S.B. 586
By: Watson
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Reports indicate that law enforcement officers are often the first to encounter survivors of sexual assault and rape. There have been calls for officers to understand how trauma can affect a rape victim's behavior and the victim's capacity to participate in an investigation. C.S.S.B. 586 seeks to strengthen the ability of law enforcement to provide an effective, trained response to victims of sexual assault and rape by including trauma-informed response techniques as a required component of law enforcement officer training and providing for a special certification for certain assignments.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 3 of this bill.

ANALYSIS

C.S.S.B. 586 amends the Occupations Code to revise the requirement for the preparatory and advanced courses and training programs for law enforcement officer training schools to provide training in investigation and documentation of cases that involve child abuse and neglect, family violence, and sexual assault by:

- requiring those courses and programs to provide training in the recognition of such cases; and
- requiring the training provided to include the use of best practices and trauma-informed response techniques to effectively recognize, investigate, and document the applicable types of cases.

C.S.S.B. 586 requires the portion of the training program provided to peace officers at least once every 48 months that is specifically for an officer holding only a basic proficiency certificate to include education and training on the investigation of those same types of cases and the use of those best practices and trauma-informed techniques unless determined by the officer's agency head to be inconsistent with the officer's assigned duties.

C.S.S.B. 586 requires the Texas Commission on Law Enforcement (TCOLE) to establish by rule minimum requirements for the training, testing, and certification of special officers for responding to allegations of family violence or sexual assault. The bill authorizes TCOLE to certify a peace officer as a special officer for responding to such allegations if the person completes an applicable training course and passes an applicable examination. The bill authorizes TCOLE to issue a professional achievement or proficiency certificate to a peace

officer who meets those minimum requirements established by TCOLE.

C.S.S.B. 586 requires TCOLE to establish a comprehensive education and training program for law enforcement officer training schools to provide in the recognition, investigation, and documentation of cases that involve child abuse and neglect, family violence, and sexual assault not later than January 1, 2020.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 586 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute includes provisions revising the requirement for the preparatory and advanced courses and training programs for law enforcement officer training schools to provide training in investigation and documentation of cases that involve child abuse and neglect, family violence, and sexual assault. The substitute includes a provision requiring TCOLE to establish the training program not later than January 1, 2020.