

- SUBJECT:** Requiring a peace officer to request and render aid for an injured person
- COMMITTEE:** Homeland Security and Public Safety — favorable, without amendment
- VOTE:** 9 ayes — White, Bowers, Goodwin, Harless, Hefner, E. Morales, Patterson, Schaefer, Tinderholt
- 0 nays
- SENATE VOTE:** On final passage, April 22 — 31-0
- WITNESSES:** For — Koretta Brown, Alliance For A New Justice System; Chris Jones, Combined Law Enforcement Associations of Texas; Rebecca Bernhardt, Innocence Project of Texas; Mike Miller, Warriors For Ranchers; (*Registered, but did not testify:* Juan Salinas, AT&T; Chas Moore, Austin Justice Coalition; TJ Patterson, City of Forth Worth; James Parnell, Dallas Police Association; David Sinclair, Game Warden Peace Officers Association; Collin Craig, Houston Police Department; Jimmy Rodriguez, San Antonio Police Officers Association; Tom Maddox, Sheriffs Association of Texas; Alycia Castillo, Texas Criminal Justice Coalition; Joshua Houston, Texas Impact; Mitch Landry, Texas Municipal Police Association; John Chancellor, Texas Police Chiefs Association; Idona Griffith; Lorri Haden; Vanessa MacDougal)
- Against — None
- On — Warren Burkley, Austin Justice Coalition; Kathy Mitchell, Just Liberty; Brian Baxter, Texas Department of Public Safety
- DIGEST:** SB 2212 would require a peace officer who encountered an injured person while discharging the officer's official duties to immediately and as necessary request emergency medical services personnel to provide the person with emergency medical services and while waiting for emergency medical services personnel to arrive, provide first aid or treatment to the person to the extent of the officer's skill and training.

The peace officer would not be required to request emergency medical services or provide first aid or treatment if making the request or providing the treatment would expose the officer or another person to a risk of bodily injury or if the officer was injured and physically unable to make the request or provide the treatment.

The bill would take effect September 1, 2021.

**SUPPORTERS
SAY:**

SB 2212 would be a first step toward establishing a statewide duty for peace officers to render aid to injured persons encountered while discharging their official duties. Currently, many law enforcement agencies in Texas have policies that require peace officers to request and render aid to an injured person, but there is no statewide requirement for peace officers to take such action. The bill would bring the law into alignment with public expectations of officers in their role as public servants and first responders, as many members of the public may assume that peace officers already have a duty to render aid. The bill would provide reasonable exceptions to protect both officers' and the public's health and safety.

**CRITICS
SAY:**

The exception in SB 2212 could leave too much to an officer's discretion and potentially cause confusion about when the duty was triggered. Because the severity of risk to the officer is not defined, the exception is ambiguous. The bill should clarify that an officer would not be required to request emergency medical services or provide first aid if such actions would clearly and immediately expose the officer or another person to an imminent threat of serious bodily injury.