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SB-1221 Firefighters: interaction with persons with mental disabilities. (2015-2016)

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Senate Bill No. 1221

CHAPTER 367

An act to amend Section 13515.25 of the Penal Code, relating to firefighters.

[Approved by Governor September 14, 2016. Filed with Secretary of State September 14, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1221, Hertzberg. Firefighters: interaction with persons with mental disabilities.

Existing law requires the Commission on Peace Officer Standards and Training to establish a continuing education classroom training course related to law enforcement interaction with mentally disabled persons and to make the course available to law enforcement agencies in California.

This bill would require that the course be shared with the State Fire Marshal and would authorize him or her to revise the course, as specified. The bill would delete an obsolete reporting requirement and make a conforming change.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13515.25 of the Penal Code is amended to read:

13515.25. (a) The Commission on Peace Officer Standards and Training shall establish and keep updated a continuing education classroom training course relating to law enforcement interaction with persons with mental disabilities. The training course shall be developed by the commission in consultation with appropriate community, local, and state organizations and agencies that have expertise in the area of mental illness and developmental disability, and with appropriate consumer and family advocate groups. In developing the course, the commission shall also examine existing courses certified by the commission that relate to persons with mental disabilities. The commission shall make the course available to law enforcement agencies in California.

(b) The course described in subdivision (a) shall consist of classroom instruction and shall utilize interactive training methods to ensure that the training is as realistic as possible. The course shall include, at a minimum, core instruction in all of the following:

- (1) The cause and nature of mental illnesses and developmental disabilities.
- (2) How to identify indicators of mental disability and how to respond appropriately in a variety of common situations.
- (3) Conflict resolution and de-escalation techniques for potentially dangerous situations involving a person with a mental disability.
- (4) Appropriate language usage when interacting with a person with a mental disability.

(5) Alternatives to lethal force when interacting with potentially dangerous persons with mental disabilities.

(6) Community and state resources available to serve persons with mental disabilities and how these resources can be best utilized by law enforcement to benefit the mentally disabled community.

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

(c) The course described in subdivision (a) shall be shared with the State Fire Marshal, who may revise the course as appropriate to the firefighter training environment.

(d) The Legislature encourages law enforcement agencies to include the course created in this section, and any other course certified by the commission relating to persons with mental disabilities, as part of their advanced officer training program.

(e) It is the intent of the Legislature to reevaluate the extent to which law enforcement officers are receiving adequate training in how to interact with persons with mental disabilities.