

BILL ANALYSIS

C.S.H.B. 282
By: Neave
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Law enforcement officers are often the first to encounter survivors of sexual assault and rape. Experts have highlighted the need 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.H.B. 282 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.H.B. 282 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 the applicable types of 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.H.B. 282 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 response techniques.

C.S.H.B. 282 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 child abuse and neglect, family violence, and 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.H.B. 282 requires the Texas Commission on Law Enforcement to establish a certain comprehensive education and training program for law enforcement officers not later than January 1, 2020.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 282 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include provisions requiring TCOLE to establish and require an officer to complete a statewide comprehensive education and training program on trauma-informed interviewing of victims of sexual assault or other sex offenses. The substitute instead revises requirements for the courses and programs for law enforcement training schools to require the training provided to include:

- recognizing cases that involve child abuse and neglect, family violence, and sexual assault; and
- the use of best practices and trauma-informed response techniques to effectively recognize, investigate, and document those cases.

The substitute includes a provision revising the required contents of the portion of the training provided to peace officers at least every 48 months that is specifically for an officer holding only a basic proficiency certificate.

The substitute includes provisions providing for the certification of special officers for child abuse and neglect, family violence, and sexual assault assignments.