

SUBJECT: Certification of county jailers for mental health assignments

COMMITTEE: Public Safety — favorable, without amendment

VOTE: 5 ayes — Merritt, Frost, P. King, Lewis, Rodriguez
0 nays
4 absent — Burnam, Driver, Mallory Caraway, Vo

SENATE VOTE: On final passage, April 24 — 30-0

WITNESSES: (*On House companion bill, HB 2093*):
For — Craig Pardue, Dallas County; (*Registered, but did not testify*): Chris Jones, Combined Law Enforcement Associations of Texas; Kathryn Lewis, Advocacy, Incorporated; Joe Lovelace, Texas Council of Community Mental Health and Mental Retardation Centers; Matt Simpson, ACLU of Texas; Katherine Zackel, Texans Care for Children)

Against — None

On — (*Registered, but did not testify*): Timothy Braaten, Texas Commission on Law Enforcement Officers Standards and Education)

BACKGROUND: Under Occupations Code, sec. 1701.404, the Texas Commission on Law Enforcement Officers Standards and Education (TCLEOSE) may certify a sheriff, sheriff's deputy, constable, other peace officer, or a justice of the peace as a special officer for offenders with mental impairments.

TCLEOSE may issue a professional achievement or proficiency certificate to an officer is eligible to be certified as a special officer for offenders with mental impairments.

The Occupations Code currently excludes county jailers from receiving this certification. County jailers may attend at training, but cannot be certified.

DIGEST: SB 1296 would add county jailers to the list of persons TCLEOSE could certify as a special officer for offenders with mental impairments. The commission could issue a professional achievement or proficiency certificate to a county jailer or a justice of the peace, in addition to the other officers to whom the certificate may already be issued.

The bill would take effect on September 1, 2009, and would apply only to certifications made or issued on or after this date.

NOTES: The companion bill, HB 2093 by Driver, passed the House, as amended, 144-0 on May 11 and has been referred to the Senate Criminal Justice Committee.