

SUBJECT: Setting training, education standards for TDCJ correctional officers

COMMITTEE: Corrections — committee substitute recommended

VOTE: 6 ayes — Murphy, J. White, Allen, Keough, Krause, Schubert

1 nay — Tinderholt

WITNESSES: For — Lance Lowry, Texas Correctional Employees-Huntsville (AFSCME); Cate Graziani, Mental Health America of Texas; Douglas Smith, Texas Criminal Justice Coalition; Jennifer Erschabek, Texas Inmate Families Association (TIFA); Keith Rodney; Veronica Williams; (*Registered, but did not testify*: Matt Simpson, ACLU of Texas; Katharine Ligon, Center for Public Policy Priorities; Kymberlie Quong Charles, Grassroots Leadership; Greg Hansch, National Alliance on Mental Illness (NAMI) Texas; Patricia Cummings, Texas Criminal Defense Lawyers Association; Sarah Pahl, Texas Criminal Justice Coalition; Marilyn Hartman)

Against — None

On — Bill Stephens, Texas Department of Criminal Justice; (*Registered, but did not testify*: John Helenberg, Texas Commission on Law Enforcement)

DIGEST: CSHB 1855 would amend the Government Code to add provisions requiring additional training, continuing education, and demonstration of weapons proficiency for Texas Department of Criminal Justice (TDCJ) correctional officers.

Required training. The bill would require each TDCJ correctional officer to complete no less than 280 hours of training during the officer's first 24 months of service. This would include 140 hours of on-the-job training and mental health crisis intervention training.

The bill would require TDCJ, in consultation with the Texas Commission

on Law Enforcement, to develop mental health crisis intervention training to become part of each officer's required 280 hours of training.

The bill would require TDCJ to indicate a correctional officer's completion of the required training in the officer's personnel file. The officer would not be required to complete the training if the officer's file stated that the officer completed training during a previous period of employment as a correctional officer during the preceding 36 months.

TDCJ would be allowed to suspend or otherwise discipline a correctional officer who failed to comply with the training requirements.

Continuing education. The bill would require each TDCJ correctional officer to complete at least 80 hours of continuing education every 24 months. The department would be allowed to suspend or otherwise discipline an officer who failed to comply with the continuing education requirement. As part of this continuing education program, an officer would be required to cover the core requirements designated by the department. TDCJ would be required to develop specialized training for officers that may be credited toward continuing education requirements.

The bill also would require TDCJ to give temporary exceptions for an officer who could not complete the 280 hours of training required or the required continuing education because of:

- a medical emergency involving the officer or a member of their family;
- the officer's active military service; or
- the officer's unit or facility being unable to provide the training in a timely manner due to severe weather or a catastrophic event.

If a temporary exception was created under these sections, training or continuing education requirements would be required to be met as soon as practicable.

Weapons proficiency. The bill would require TDCJ to designate at least

one firearms proficiency officer and require each TDCJ correctional officer to demonstrate weapons proficiency to a firearms proficiency officer at least once a year. TDCJ would be required to maintain records of the weapons proficiency of the correctional officers. The bill would require TDCJ to establish the criteria for weapons proficiency.

The bill would require TDCJ to adopt the rules required for implementation of the training, continuing education, and weapons proficiency regulations by January 1, 2016.

The training requirement would apply only to a correctional officer hired by TDCJ on or after September 1, 2015, and the continuing education and weapons proficiency requirements would apply only to a correctional officer employed on or after that date.

The bill would take effect September 1, 2015.

**SUPPORTERS
SAY:**

CSHB 1855 would ensure that correctional officers were properly trained to safely and effectively deal with individuals who had mental health disorders. A large portion of Texas offenders have a diagnosed mental health illness, while the number of “major use of force” incidents has grown as well. The training would include a focus on recognizing the signs and symptoms of mental illness and learning de-escalation techniques. The bill would improve officer training to cope with these prisoners without having to resort to unnecessary force, which would improve security for both the officers and the inmates.

The bill would improve the substandard training program that currently is required for correctional officers. In Texas, correctional officers receive 200 pre-service training hours, compared to the national average of 273 required hours. The bill’s increased training requirement would create a safer environment and ensure less use of force by teaching corrections officers how to de-escalate a situation without resorting to force.

Although current training of correctional officers includes weapons proficiency, the bill would codify the requirement to set a uniform training

standard.

There would be no additional cost to implement this necessary training, because both the Texas Department of Criminal Justice (TDCJ) and the Texas Commission on Law Enforcement already have prepared training curriculums that the agencies would combine and improve upon. The Commission on Law Enforcement training curriculum already includes some training on dealing with individuals with mental illnesses.

OPPONENTS
SAY:

CSHB 1855 would mandate specific training requirements in statute that could restrict TDCJ from providing more efficient training as deemed necessary by the department. TDCJ should be free to make determinations about what training is required for correctional officers on an as-needed basis. This bill could reduce TDCJ's flexibility to address issues requiring training as they came up.