

## BILL ANALYSIS

Senate Research Center  
84R20567 JRR-F

H.B. 1855  
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Criminal Justice  
5/20/2015  
Engrossed

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Training for correctional officers fails to address methods for safely and effectively interacting with individuals who have mental health disorders. According to recent national studies, over one-half of Texas offenders have a mental health disorder and the parties believe that such a circumstance demands further training for correctional staff to ensure the safety of correctional officers and inmates alike. Also there need to codify the requirement for continuing demonstration of weapons proficiency by correctional officers. H.B. 1855 seeks to address these issues by subjecting correctional officers to related continuing education programs.

H.B. 1855 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ) to require each correctional officer employed by TDCJ to complete not less than 280 hours of training during the correctional officer's first 24 months of service, including mental health crisis intervention training and 140 hours of on-the-job training. The bill requires TDCJ to develop the mental health crisis intervention training in consultation with the Texas Commission on Law Enforcement. The bill requires TDCJ to indicate in the correctional officer's personnel file that the officer has completed the training and establishes that a correctional officer is not required to complete training if the officer's personnel file indicates that the officer has completed such training during a previous period of employment as a correctional officer during the preceding 36 months. The bill requires TDCJ to require each correctional officer employed by TDCJ to complete at least 80 hours of continuing education programs once every 24 months. The bill requires a correctional officer, as part of the continuing education requirement, to complete a training and education program that covers the core requirements designated by TDCJ. The bill requires TDCJ to develop specialized training for correctional officers that may be credited toward continuing education requirements. The bill authorizes TDCJ to suspend or otherwise discipline a correctional officer who fails to comply with the training and continuing education requirements prescribed by the bill.

The bill requires TDCJ, not later than January 1, 2016, to provide by rule temporary exceptions to the training and continuing education requirements for a correctional officer who cannot meet such requirements due to a medical emergency involving the officer or a member of the officer's family, the officer's active military service, or the officer's unit or facility being unable to provide training in a timely manner due to severe weather or a catastrophic event. The bill requires an exception created by TDCJ to ensure compliance with the training or continuing education requirements as soon as practicable after the applicable 24-month period.

H.B. 1855 requires TDCJ to designate one or more firearms proficiency officers and to require each correctional officer employed by TDCJ to demonstrate weapons proficiency to a firearms proficiency officer at least annually. The bill requires TDCJ to maintain records of the weapons proficiency of correctional officers. The bill requires TDCJ, not later than January 1, 2016, to define by rule weapons proficiency for purposes of the requirement for correctional officers to demonstrate continuing weapons proficiency.

H.B. 1855 amends current law relating to training, continuing education, and weapons proficiency standards for correctional officers employed by the Texas Department of Criminal Justice.

## **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Department of Criminal Justice in SECTION 1 (Sections 493.032, 493.033, and 493.034, Government Code) and SECTION 2 of this bill.

## **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 493, Government Code, by adding Sections 493.032, 493.033, and 493.034, as follows:

Sec. 493.032. **REQUIRED TRAINING FOR CORRECTIONAL OFFICERS.** (a) Requires the Texas Department of Criminal Justice (TDCJ) to require each correctional officer employed by TDCJ to complete, during the correctional officer's first 24 months of service, not less than 280 hours of training, including:

- (1) 140 hours of on-the-job training; and
- (2) mental health crisis intervention training.

(b) Requires TDCJ, in consultation with the Texas Commission on Law Enforcement, to develop mental health crisis intervention training to be part of the training required by Subsection (a)(2).

(c) Requires TDCJ by rule to provide temporary exceptions to the requirements of this section for a correctional officer who cannot complete the training required by Subsection (a) due to:

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

(d) Requires that an exception created by TDCJ under Subsection (c) ensure compliance with the training requirements of this section as soon as practicable after the period required by this section.

(e) Requires TDCJ to indicate in the correctional officer's personnel file that the officer has completed the training required by this section.

(f) Provides that a correctional officer is not required to complete training under this section if the officer's personnel file indicates that the officer has completed the training required by this section during a previous period of employment as a correctional officer during the preceding 36 months.

(g) Authorizes TDCJ to suspend or otherwise discipline a correctional officer who fails to comply with the requirements of this section.

Sec. 493.033. **CONTINUING EDUCATION REQUIRED FOR CORRECTIONAL OFFICERS.** (a) Requires TDCJ to require each correctional officer employed by TDCJ to complete at least 80 hours of continuing education programs once every 24 months. Authorizes TDCJ to suspend or otherwise discipline a correctional officer who fails to comply with this requirement.

(b) Requires a correctional officer, as part of the continuing education requirement under Subsection (a), to complete a training and education program that covers the core requirements designated by TDCJ.

(c) Requires TDCJ to develop specialized training for correctional officers that may be credited toward continuing education requirements.

(d) Requires TDCJ by rule to provide temporary exceptions to the continuing education requirements of this section for a correctional officer who cannot meet the continuing education requirements of this section due to:

(1) a medical emergency involving the officer or a member of the officer's family;

(2) the officer's active military service; or

(3) the officer's unit or facility being unable to provide training in a timely manner due to severe weather or a catastrophic event.

(e) Requires that an exception created by TDCJ under Subsection (d) ensure compliance with the continuing education requirements of this section as soon as practicable after the period required by this section.

Sec. 493.034. CONTINUING DEMONSTRATION OF WEAPONS PROFICIENCY. (a) Requires TDCJ to designate one or more firearms proficiency officers and require each correctional officer employed by TDCJ to demonstrate weapons proficiency to a firearms proficiency officer at least annually. Requires TDCJ to maintain records of the weapons proficiency of correctional officers.

(b) Requires TDCJ by rule to define weapons proficiency for purposes of this section.

SECTION 2. Requires TDCJ, not later than January 1, 2016, to adopt rules as required by Sections 493.032, 493.033, and 493.034, Government Code, as added by this Act.

SECTION 3. (a) Provides that Section 493.032, Government Code, as added by this Act, applies only to a correctional officer hired by TDCJ on or after the effective date of this Act. Makes application of this Act prospective.

(b) Provides that Sections 493.033 and 493.034, Government Code, as added by this Act, apply to a correctional officer employed by TDCJ on or after the effective date of this Act, regardless of whether the officer is hired before, on, or after that date.

SECTION 4. Effective date: September 1, 2015.