

## **Department of Planning and Budget**

### **2020 Special Session I - Fiscal Impact Statement**

**1. Bill Number:** SB5014ER

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron:** Edwards

**3. Committee:** Passed both houses.

**4. Title:** Minimum training standards for law-enforcement officers; crisis intervention team training.

**5. Summary:** The proposed legislation requires the Department of Criminal Justice Services (DCJS) to establish training standards and to publish and periodically update model policies for law enforcement personnel concerning sensitivity and awareness of systemic and individual racism and the potential for bias-based profiling, as defined in the Code, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability. DCJS must also establish compulsory training standards for basic training and the recertification of law enforcement officers to ensure (i) sensitivity and awareness of systemic and individual racism, bias-based profiling, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful use of force, including the use of deadly force only when necessary to protect the law enforcement officer or another person. The bill also requires DCJS to review and evaluate community policing programs in the Commonwealth and recommend where necessary statewide operating procedures, guidelines, and standards that strengthen and improve such programs, including sensitivity to and awareness of systemic and individual racism and bias-based profiling, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability. DCJS must also help establish compulsory minimum standards for employment and job entry and in-service training curricula and certification requirements for school security officers and school resource officers that includes training on awareness of systemic and individual racism. It requires DCJS to establish compulsory in-service training standards for law enforcement officers, which shall include (i) relevant state and federal laws; (ii) awareness of cultural diversity and the potential for bias-based profiling; (iii) de-escalation techniques; (iv) working with individuals with disabilities, mental health needs, or substance use disorders; and (v) the lawful use of force, including the use of deadly force only when necessary to protect the officer or another person. The bill also requires DCJS to establish compulsory training standards for basic training and the recertification of law enforcement officers to include crisis intervention training.

DCJS, in consultation with the Department of Behavioral Health and Developmental Services (DBHDS), the Department for Aging and Rehabilitative Services (DARS), and law

enforcement, brain injury, and mental health stakeholders, shall develop such training divided into three categories: (i) a module of principles-based training to be included as a part of the compulsory minimum training standards subsequent to employment for all law enforcement officers; (ii) a module of principles-based training to be included as part of the basic training of and the recertification requirements for law enforcement officers, and (iii) a comprehensive advanced training course for all persons involved in the crisis intervention team programs. Additionally, every locality shall establish or be part of a crisis intervention team program. The curriculum for the basic training and recertification modules and the comprehensive advanced training course must be approved for DCJS-certified in-service training credits for law enforcement officers. All officers involved in a crisis intervention team program must complete the comprehensive training course. The comprehensive advanced training course's curriculum shall include a module on brain injury as part of the four hours of mandatory training in legal issues, according to the bill.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Final (see Item 8 below).

**8. Fiscal Implications:** According to the Department of State Police (VSP), there is no anticipated fiscal impact on agency operations as a result of the provisions of this bill. There is no anticipated fiscal impact on the Division of Capitol Police.

According to the Department of Criminal Justice Services (DCJS), any potential fiscal impact as a result of the proposed legislation can be absorbed with existing resources.

According to the Department for Aging and Rehabilitative Services (DARS), it is assumed that the agency would provide consultation, and not be required to conduct any training. As such, no fiscal impact is expected.

Any potential impact on the Department of Behavioral Health and Developmental Services (DBHDS) is expected to be minimal. It is assumed that DBHDS and the Community Service Boards (CSBs) would provide consultation on the trainings, but not conduct such training.

Any potential fiscal impact on other state agencies or local law enforcement agencies cannot be determined at this time because information is not available. The fiscal impact statement will be updated if additional information is received.

**9. Specific Agency or Political Subdivisions Affected:** Department of Criminal Justice Services, Department of State Police, Department of Behavioral Health and Developmental Services, Department for Aging and Rehabilitative Services, Department of Motor Vehicles, Department of Corrections, Department of Juvenile Justice, Virginia Alcoholic Beverage Control Authority, Department of Conservation and Recreation, College and University Police Departments, Division of Capitol Police, Department of Motor Vehicles, Virginia Lottery, Department of Wildlife Resources, Marine Resources Commission, Department of Education, Virginia State Crime Commission, and local law enforcement agencies.

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** No.