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HOUSE BILL 93

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Edward C. Sandoval and David Ulibarri

ENDORSED BY THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

RELATING TO LAW ENFORCEMENT; PROVIDING FOR THE EDUCATION AND TRAINING OF LAW ENFORCEMENT OFFICERS TO FACILITATE INTERACTION WITH PERSONS WITH MENTAL IMPAIRMENTS; ENACTING THE KENNETH ELLIS III ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Law Enforcement Training Act is enacted to read:

"[NEW MATERIAL] INTERACTION WITH PERSONS WITH MENTAL IMPAIRMENTS--TRAINING.--

A. A minimum of two hours of crisis intervention, confrontation de-escalation and proper interaction with persons with mental impairments training shall be included in the curriculum of each basic law enforcement training class.

Crisis intervention, confrontation de-escalation and proper

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1 interaction with persons with mental impairments training shall  
2 be included as a component of in-service law enforcement  
3 training each year for certified police officers.

4 B. A pre-recorded course on crisis intervention,  
5 confrontation de-escalation and proper interaction with persons  
6 with mental impairments training shall not satisfy the  
7 requirements of Subsection A of this section."

8 SECTION 2. Section 29-7C-7 NMSA 1978 (being Laws 2003,  
9 Chapter 320, Section 9) is amended to read:

10 "29-7C-7. IN-SERVICE TELECOMMUNICATOR TRAINING.--

11 A. In-service telecommunicator training consists of  
12 at least twenty hours of board-approved advanced training,  
13 including one hour of crisis intervention, confrontation de-  
14 escalation and proper interaction with persons with mental  
15 impairments training, for each certified telecommunicator  
16 during each two-year period. The first training course shall  
17 commence no later than twelve months after graduation from a  
18 board-approved basic telecommunicator training program.

19 B. A certified telecommunicator shall provide proof  
20 of completion of in-service training requirements to the  
21 director no later than March 1 of the year subsequent to the  
22 year in which the requirements are met. The director shall  
23 provide annual notice to all certified telecommunicators  
24 regarding in-service training requirements. Failure to  
25 complete in-service training requirements may be grounds for

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1 suspension of a telecommunicator's certification at the  
2 director's discretion. A telecommunicator may be reinstated at  
3 the discretion of the director when the telecommunicator  
4 presents to the director evidence [~~he~~] the telecommunicator has  
5 satisfied the in-service training requirements."

6 SECTION 3. [NEW MATERIAL] SHORT TITLE.--Sections 3  
7 through 5 of this act may be cited as the "Kenneth Ellis III  
8 Act".

9 SECTION 4. [NEW MATERIAL] POLICIES AND PROCEDURES--  
10 REQUIRED.--

- 11 A. A law enforcement agency shall:
- 12 (1) maintain written policies and procedures  
13 designed to promote crisis intervention and confrontation de-  
14 escalation by law enforcement officers and to facilitate proper  
15 interaction between law enforcement officers and persons with  
16 mental impairments; and
  - 17 (2) establish a monitoring program to ensure  
18 that its law enforcement officers comply with policies and  
19 procedures regarding interaction with persons with mental  
20 impairments.

21 B. On or before January 1, 2012 and every two years  
22 thereafter, a law enforcement agency shall conduct an  
23 examination and evaluation of the best practices of  
24 confrontation de-escalation and crisis intervention techniques  
25 to facilitate proper interaction between its law enforcement

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1 officers and persons with mental impairments. The law  
2 enforcement agency shall update its written policies and  
3 procedures according to that examination and evaluation.

4 SECTION 5. [NEW MATERIAL] IMMEDIATE TRAINING--REQUIRED.--

5 A. The chief law enforcement officer of a state,  
6 county or municipal law enforcement agency who was elected or  
7 appointed prior to July 1, 2011 shall complete a minimum of two  
8 hours of crisis intervention, confrontation de-escalation and  
9 proper interaction with persons with mental impairments  
10 training no later than September 1, 2011.

11 B. A law enforcement officer who on September 1,  
12 2010 held an intermediate proficiency certificate or an  
13 advanced proficiency certificate issued pursuant to Section  
14 29-7-7.1 NMSA 1978 shall complete a minimum of two hours of  
15 crisis intervention, confrontation de-escalation and proper  
16 interaction with persons with mental impairments training no  
17 later than September 1, 2011.

18 SECTION 6. EFFECTIVE DATE.--The effective date of the  
19 provisions of this act is July 1, 2011.