

HOUSE BILL 856

By Miller

AN ACT to amend Tennessee Code Annotated, Title 38,
Chapter 8, relative to law enforcement training.

WHEREAS, cultural competency training for police officers is designed to improve the quality of interactions between the police and the public; and

WHEREAS, increased knowledge about the subtleties of power and a variety of ways in which the power differential can be effectively used to de-escalate an encounter, may minimize resistance and develop positive public perception; and

WHEREAS, due to the power that law enforcement officers possess, it becomes critical they understand the changing community and the racial and ethnic challenges that abound; and

WHEREAS, many new officers' perceptions of police work are often influenced by the myriad of police shows on television and motion pictures with a strong enforcement theme which tends to glorify action-oriented policing and "an us against them" mentality; and

WHEREAS, cultural competency training also equips officers with a better understanding about the nature and inherent challenges associated with cross-cultural interactions as behaviors can be easily misinterpreted when interacting with a diverse populace; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 38-8-107(a), is amended by deleting the subsection and substituting instead the following:

(a) The commission shall issue a certificate of compliance to any person who meets the qualifications for employment and satisfactorily completes an approved recruit training program. All officers employed after July 1, 1983, must successfully complete

recruit training within one (1) year of their date of employment and thereafter must successfully complete:

- (1) An annual in-service training session appropriate for their rank and responsibilities; and
- (2) An annual in-service training session on cultural competency pursuant to SECTION 2.

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) As used in this section, “cultural competency” means an understanding or sensitivity to issues of social, geographic, economic, and language diversity and related challenges faced by historically marginalized populations for law enforcement who may be working with a population whose backgrounds are different from their own which will result in better community and police relations.

(b) The commission shall, in consultation with the Jerry F. Agee Tennessee law enforcement training academy or its equivalent, strive to ensure that the annual in-service training session on cultural competency includes, but is not limited to, the following curriculum:

- (1) Procedural justice, arrest and use and control tactics, search and seizure, including temporary questioning;
- (2) Civil rights, human rights, human relations, cultural competency, including implicit bias and racial and ethnic sensitivity;
- (3) Criminal law, law of criminal procedure, constitutional and proper use of law enforcement authority;
- (4) Vehicle and traffic law including uniform and non-discriminatory enforcement of title 55, traffic control and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports;

(5) Firearms training, training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans, first-aid (including cardiopulmonary resuscitation);

(6) Training in the administration of opioid antagonists pursuant to § 63-1-152;

(7) Handling of juvenile offenders;

(8) Recognition of mental conditions, including, but not limited to, the disease of addiction, which require immediate assistance and methods to safeguard and provide assistance to a person in need of mental treatment;

(9) Recognition of abuse, neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, pursuant to the Tennessee Adult Protection Act, compiled in title 71, chapter 6, part 1;

(10) The hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training;

(11) The immediate response to an investigation of cases of domestic violence and of sexual assault of adults and children, including cultural perceptions and common myths of rape as well as interview techniques that are trauma informed, victim centered, and victim sensitive;

(12) Promoting effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Constitution of Tennessee, Article 1, § 35, and the Victims' Bill of Rights, compiled in title 40, chapter 38 and under the Criminal Injuries Compensation Act, compiled in title 29, chapter 13; and

(13) A block of instruction aimed at identifying and interacting with persons with autism and other developmental or physical disabilities, reducing

barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities.

(c) The curriculum for law enforcement shall include but not be limited to:

(1) Refresher and in-service training in any of the courses listed in subdivisions (b)(1)-(13);

(2) Advanced courses in any of the subjects listed in subdivisions (b)(1)-(13);

(3) Training for supervisory personnel; and

(4) Specialized training in subjects and fields to be selected by the commission.

(d) The training in the use of electronic control devices shall be conducted for probationary police officers, including campus police officers.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.