

# SUPPORT SB 1849

## THE SANDRA BLAND ACT

Please vote for SB 1849, also known as the Sandra Bland Act. As you are aware, the bill has been narrowed since it was first introduced, but it remains a great mental health and jail reform bill. Below is an explanation of what this bill does not do, and what remains in the current version.

This bill no longer has language or policies that are offensive to law enforcement groups or impede on their ability to do their job. The bill NO longer has:

- The preamble and findings.
- Requirement that TCJS set rules establishing minimum standards related to use of force, intoxicated inmates, and sexual assault.
- Additional training for current law enforcement officers.
- Implicit bias training.
- Prohibitions on pretextual stops, arrests for fine-only offenses and consent searches.
- Increases to the standard of evidence needed to conduct a stop or search of a motor vehicle.
- Changes to our racial profiling law.
- Internal investigations into officer racial profiling, and mandated punishments.
- Any of section 6 from the original bill dealing with disciplinary procedures for peace officers.
- Any of section 7 from the original bill that set up an independent ombudsman for county jails.

Also, through working with law enforcement and local officials the bill no longer has unfunded mandates. To that extent the following changes have been made:

- Time to notify magistrate of reason to believe an inmate has a mental illness or impairment has been lengthened from 4 hours in the original bill to 12 hours in the current version.
- Mental health training for jailers has been decreased from 24 hours in the original bill to 8 hours in the current version.
- Compliance and effective dates have been delayed to ensure that all law enforcement agencies and jails will be able to comply, without new cost.
- Requirement to hire additional onsite medical staff.

Furthermore, the bill is now more focused, and provisions that are in standalone bills have been REMOVED including:

- All bail reform measures.
- Suspension of inmate benefits instead of termination of benefits.

Through working with stakeholders this bill now has support from people across the political spectrum. Below is a brief section-by-section description of what the bill now does.

### **Section 1**

- The short title of the bill is The Sandra Bland Act

### **Section 2**

- Magistrate must be informed within 12 hours after a defendant is identified of having a mental illness instead of within 72 hours.
- For certain offenses and certain situations when reasonable officers must make a good faith effort to divert individuals suffering from mental health or substance abuse to treatment.
- Creates Regional Rural Community Collaboratives to be funded by HHSC.
- Helps ensure effective community collaboratives by having local law enforcement agencies work with them.
- Has counties come up with a plan for how a community collaborative or regional rural community collaborative, if funded, could work for them.

### **Section 3**

- Court clerks will provide notice to all defendants of the charges against them.
- TCJS will create minimum standards to ensure continuity of medication.
- Improves jail safety for all inmates through new technology, such as automated electronic sensors to ensure timely and accurate cell checks, tele-mental health, and tele-health and provides funding to make sure there is not an unfunded mandate.
- Improves data collection in jails by having jails report to TCJS uses of force, sexual assaults, and attempted suicides.
- Implements outside investigation of jail deaths done by an agency selected by TCJS instead of the agency where the death occurred.

### **Section 4**

- Increases mental health training for new officers to 40-hours.
- Ensuring officers get general de-escalation training.
- 8 hours of Mental Health training for County Jailers.
- Creates a Jail Administrator exam to ensure the person running the day-to-day of the jail knows the TCJS rules, not a new position just testing.

### **Section 5**

- Puts information on where to make a compliment or a complaint on each ticket or warning.
- Improves data collection by including: use of force, location of the stop, reason for the stop. Also better data review, by having search numbers compared to stop population made instead of total population.
- Increases fine for agencies that fail to submit data from a set \$1,000 per violation, to up to \$5,000 per violation.
- Agencies will now do internal reviews of the data they collect to determine if improvements can be made in the agency.