

PEACE OFFICER TRAINING AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Kwan

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill requires a portion of a peace officer's ~~annual~~ basic training to include certain subjects involving victim targeting.

Highlighted Provisions:

This bill:

- defines terms;
- requires ~~annual~~ under certain conditions a peace officer's ~~annual~~ basic training to include training on identifying, responding to, and reporting a criminal offense that is motivated by certain personal attributes or a violation of federal criminal law concerning hate crimes; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-6-202, as last amended by Laws of Utah 2021, First Special Session, Chapter 1

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53-6-202** is amended to read:



28 **53-6-202. Basic training course -- Completion required -- Annual training --**
29 **Prohibition from exercising powers -- Reinstatement.**

30 (1) (a) The director shall:

31 (i) (A) suggest and prepare subject material; and

32 (B) schedule instructors for basic training courses; or

33 (ii) review the material and instructor choices submitted by a certified academy.

34 (b) The subject material, instructors, and schedules shall be approved or disapproved
35 by a majority vote of the council.

36 (2) The materials shall be reviewed and approved by the council on or before July 1st
37 of each year and may from time to time be changed or amended by majority vote of the council.

38 (3) The basic training in a certified academy:

39 (a) shall be appropriate for the basic training of peace officers in the techniques of law
40 enforcement in the discretion of the director; and

41 (b) may not include the use of chokeholds, carotid restraints, or any act that impedes
42 the breathing or circulation of blood likely to produce a loss of consciousness, as a valid
43 method of restraint.

44 (4) (a) All peace officers shall satisfactorily complete the basic training course or the
45 waiver process provided for in this chapter [~~as well as~~] and an annual certified training of not
46 less than 40 hours as the director, with the advice and consent of the council, directs.

47 (b) A peace officer who fails to satisfactorily complete the annual training shall
48 automatically be prohibited from exercising peace officer powers until any deficiency is made
49 up.

50 (c) (i) Beginning July 1, 2021, the annual training shall include no less than 16 hours of
51 training focused on mental health and other crisis intervention responses, arrest control, and
52 de-escalation training.

53 (ii) Standards for the training shall be determined by each law enforcement agency or
54 department and approved by the director or designee.

55 (iii) Each law enforcement agency or department shall include a breakdown of the 16
56 hours within the annual audit submitted to the division.

57 (5) Beginning July 1, 2021, the director shall ensure that annual training covers
58 intervention responses for mental illnesses, autism spectrum disorder, and other neurological

59 and developmental disorders.

60 (6) Beginning July 1, 2022, the director shall , **subject to approval by a majority vote**
60a **of the council,** ensure that **[annual] the basic** training **curriculum** covers
61 instruction on identifying, responding to, and reporting a criminal offense that is:

62 (a) motivated by a personal attribute, as that term is defined in Section [76-3-203.14](#),
63 victim targeting penalty enhancement; or

64 (b) in violation of a federal criminal law concerning hate crimes.