

1 PEACE OFFICER TRAINING MODIFICATIONS

2 2023 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Karen Kwan

5 House Sponsor: Tyler Clancy

7 LONG TITLE

8 General Description:

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

11 Highlighted Provisions:

12 This bill:

13 ▶ requires under certain conditions a peace officer's basic training to include training
14 on identifying, responding to, and reporting a criminal offense that is motivated by
15 certain personal attributes; and

16 ▶ makes technical and conforming changes.

17 Money Appropriated in this Bill:

18 None

19 Other Special Clauses:

20 None

21 Utah Code Sections Affected:

22 AMENDS:

23 **53-6-202**, as last amended by Laws of Utah 2021, First Special Session, Chapter 1

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

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

27 **53-6-202. Basic training course -- Completion required -- Annual training --**

28 **Prohibition from exercising powers -- Reinstatement.**

29 (1) (a) The director shall:

- 30 (i) (A) suggest and prepare subject material; and
31 (B) schedule instructors for basic training courses; or
32 (ii) review the material and instructor choices submitted by a certified academy.
33 (b) The subject material, instructors, and schedules shall be approved or disapproved
34 by a majority vote of the council.
- 35 (2) The materials shall be reviewed and approved by the council on or before July 1st
36 of each year and may from time to time be changed or amended by majority vote of the council.
- 37 (3) The basic training in a certified academy:
38 (a) shall be appropriate for the basic training of peace officers in the techniques of law
39 enforcement in the discretion of the director; and
40 (b) may not include the use of chokeholds, carotid restraints, or any act that impedes
41 the breathing or circulation of blood likely to produce a loss of consciousness, as a valid
42 method of restraint.
- 43 (4) (a) All peace officers shall satisfactorily complete the basic training course or the
44 waiver process provided for in this chapter as well as annual certified training of not less than
45 40 hours as the director, with the advice and consent of the council, directs.
- 46 (b) A peace officer who fails to satisfactorily complete the annual training shall
47 automatically be prohibited from exercising peace officer powers until any deficiency is made
48 up.
- 49 (c) (i) Beginning July 1, 2021, the annual training shall include no less than 16 hours of
50 training focused on mental health and other crisis intervention responses, arrest control, and
51 de-escalation training.
- 52 (ii) Standards for the training shall be determined by each law enforcement agency or
53 department and approved by the director or designee.
- 54 (iii) Each law enforcement agency or department shall include a breakdown of the 16
55 hours within the annual audit submitted to the division.
- 56 (5) Beginning July 1, 2021, the director shall ensure that annual training covers
57 intervention responses for mental illnesses, autism spectrum disorder, and other neurological

58 and developmental disorders.

59 (6) Beginning July 1, 2023, the director shall, subject to approval by a majority vote of
60 the council, ensure that the basic training curriculum covers instruction on identifying,
61 responding to, and reporting a criminal offense that is motivated by a personal attribute, as that
62 term is defined in Section [76-3-203.14](#), victim targeting penalty enhancement.