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CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1598

Introduced by Assembly Member Rodriguez

February 4, 2014

An act to amend Section 8588.10 of the Government Code, to amend ~~Sections Section 1797.116 and 1797.132 of of, and to add Section 1797.134 to,~~ the Health and Safety Code, and to amend Sections 13514.1 and 13519.12 of the Penal Code, relating to emergency response services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1598, as amended, Rodriguez. Emergency response services: active shooter incidents.

(1) Existing law requires the Director of Emergency Services to establish a Curriculum Development Advisory Committee (CDAC) to, among other things, provide advice on the development of terrorism awareness course curricula and response training. Existing law establishes in the Department of Justice the Commission on Peace Officer Standards and Training, which is required to, among other things, adopt rules establishing minimum standards relating to physical, mental, and moral fitness that govern the recruitment of peace officers

and requires the commission to carry out various duties related to the education and training of peace officers.

This bill would require CDAC to consult with the commission.

(2) Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, establishes the Emergency Medical Services Authority (EMSA), which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Under existing law, EMSA is required to establish training standards that include the criteria for the curriculum content recommended by CDAC, involving the responsibilities of first responders to terrorism incidents and to address the training needs of those identified as first responders.

This bill would additionally require that those training standards include criteria for coordinating between different responding entities.

(3) Existing law establishes the Interdepartmental Committee on Emergency Medical Services (ICEMS), which is required to advise EMSA on the coordination and integration of all state activities concerning emergency medical services. *Existing law authorizes the Director of EMSA to appoint select resource committees of experts and to contract with special medical consultants for assistance in the implementation of the act described above.*

This bill would require ICEMS *or another committee designated by the Director of EMSA* to consult with the commission regarding emergency medical services integration and coordination with peace officer training.

(4) Existing law requires the commission to develop and disseminate guidelines and standardized training recommendations for Special Weapons and Tactics (SWAT) teams, as specified, that would be available for use by law enforcement agencies that conduct SWAT operations. Under existing law, those guidelines are required, at a minimum, to address legal and practical issues of SWAT operations, personnel selection, fitness requirements, planning, hostage negotiation, tactical issues, safety, rescue methods, after-action evaluation of operations, logistical and resource needs, uniform and firearms requirements, risk assessment, policy considerations, and multijurisdictional SWAT operations. Existing law also directs the commission to establish training standards and develop a course of instruction involving the responsibilities of first responders to terrorism incidents, as specified.

This bill would authorize the above-described guidelines and training standards for SWAT teams to also address tactical casualty care. The bill would authorize the above-described training standards and course of instruction involving the responsibilities of first responders to terrorism incidents to also, if appropriate, include coordination with emergency medical services providers that respond to an incident, tactical casualty care, and other standards of emergency care as established by ~~EMSA~~ *the Commission on Emergency Medical Services*.

The bill would include legislative findings and declarations, and would make a related statement of legislative intent.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) (1) The Legislature finds and declares that
2 since the Columbine High School shootings that occurred in 1999,
3 more than 250 people have been killed in the United States during
4 what has been classified as active shooter and mass casualty
5 incidents. These incidents involve one or more suspects who
6 participate in an ongoing, random, or systematic shooting spree,
7 demonstrating the intent to harm others with the objective of mass
8 murder.

9 (2) It has become evident that these events may take place in
10 any community or venue and that they impact fire and police
11 departments, regardless of their size or capacity. Local jurisdictions
12 vary widely in available emergency response resources, staffing,
13 and equipment allocations. Protocols and training for response to
14 active shooter incidents must be established locally to work within
15 the resource capabilities and limitations of each jurisdiction.

16 (b) It is therefore the intent of the Legislature to do all of the
17 following:

18 (1) Require the development of collaborative protocols and
19 relationships between local and state first response entities,
20 including law enforcement agencies, fire departments, and
21 emergency medical services providers and agencies, in order that
22 those entities shall act effectively and in concert to address active
23 shooter incidents across California.

24 (2) Require first response entities to seek collaborative training
25 opportunities, including, but not limited to, table top or simulation

1 exercises, to assess plan implementations, and to include other
2 entities that may be involved in active shooter incidents in those
3 trainings, such as schools, city or county personnel, and private
4 businesses.

5 (3) Require basic and ongoing training for law enforcement
6 agency personnel, fire department personnel, emergency medical
7 services personnel, and the personnel for other first responders
8 include, as appropriate, training and education on active shooter
9 incidents and tactical casualty care.

10 (c) It is further the intent of the Legislature that each first
11 response entity, in collaboration with other law enforcement
12 agencies, fire departments, and emergency medical services
13 providers and agencies, develop protocols for responding to active
14 shooter incidents. It is the intent of the Legislature that those
15 protocols be reviewed annually to ensure that they are current, and
16 address any policy, geographic, or demographic changes that
17 warrant a response strategy review. The Legislature intends that
18 the protocols address all of the following:

19 (1) The roles, responsibilities, and policies of each entity in
20 responding to an active shooter incident.

21 (2) Preassessment and contingency planning that includes
22 identification of potential targets within the jurisdiction.

23 (3) Implementation of an Incident Command System (ICS),
24 including emergency protocols for a unified command structure
25 for entities responding to an active shooter incident.

26 (4) Interagency communication issues and needs, including, but
27 not limited to, radio interoperability and establishment of common
28 language, terms, and definitions to be used on the scene of an
29 active shooter incident.

30 (5) Identification of resources for responding to an active shooter
31 incident, including, but not limited to, primary and secondary needs
32 and hospitals.

33 (6) Tactical deployment of available resources for responding
34 to an active shooter incident.

35 (7) Emergency treatment and extraction of persons injured in
36 an active shooter incident.

37 SEC. 2. Section 8588.10 of the Government Code is amended
38 to read:

1 8588.10. (a) The director shall establish a Curriculum
2 Development Advisory Committee to advise the office on the
3 development of course curricula, as specified by the director.

4 (b) The committee shall be chaired by the director, who will
5 appoint members as appropriate. In appointing members to the
6 committee, the director shall include representatives from the
7 following:

8 (1) State public safety, health, first responder, and emergency
9 services departments or agencies, as deemed appropriate by the
10 director.

11 (2) Local first responder agencies.

12 (3) Local public safety agencies.

13 (4) Nonprofit organizations, as deemed appropriate by the
14 director.

15 (5) Any other state, local, tribal, or nongovernmental
16 organization determined by the director to be appropriate.

17 (c) The committee shall consult with the Commission on Peace
18 Officer Standards and Training.

19 SEC. 3. Section 1797.116 of the Health and Safety Code is
20 amended to read:

21 1797.116. (a) The authority shall establish additional training
22 standards that include the criteria for the curriculum content
23 recommended by the Curriculum Development Advisory
24 Committee established pursuant to Section 8588.10 of the
25 Government Code, involving the responsibilities of first responders
26 to terrorism incidents and to address the training needs of those
27 identified as first responders. Training standards shall include, but
28 not be limited to, criteria for coordinating between different
29 responding entities.

30 (b) Every EMT I, EMT II, and EMT-P, as defined in Sections
31 1797.80, 1797.82, and 1797.84, may receive the appropriate
32 training described in this section. Pertinent training previously
33 completed by any jurisdiction's EMT I, EMT II, or EMT-P
34 personnel and meeting the training requirements of this section
35 may be submitted to the training program approving authority to
36 assess its content and determine whether it meets the training
37 standards prescribed by the authority.

38 SEC. 4. Section 1797.134 is added to the Health and Safety
39 Code, to read:

1 1797.134. *The Interdepartmental Committee on Emergency*
2 *Medical Services or another committee designated by the director*
3 *shall consult with the Commission on Peace Officer Standards*
4 *and Training regarding emergency medical services integration*
5 *and coordination with peace officer training.*

6 ~~SEC. 4. Section 1797.132 of the Health and Safety Code is~~
7 ~~amended to read:~~

8 ~~1797.132. An Interdepartmental Committee on Emergency~~
9 ~~Medical Services is hereby established. This committee shall advise~~
10 ~~the authority on the coordination and integration of all state~~
11 ~~activities concerning emergency medical services. The committee~~
12 ~~shall include a representative from each of the following state~~
13 ~~agencies and departments: the Office of Emergency Services, the~~
14 ~~Department of the California Highway Patrol, the Department of~~
15 ~~Motor Vehicles, a representative of the administrator of the~~
16 ~~California Traffic Safety Program as provided by Chapter 5~~
17 ~~(commencing with Section 2900) of Division 2 of the Vehicle~~
18 ~~Code, the Medical Board of California, the State Department of~~
19 ~~Public Health, the Board of Registered Nursing, the State~~
20 ~~Department of Education, the National Guard, the Office of~~
21 ~~Statewide Health Planning and Development, the State Fire~~
22 ~~Marshal, the California Conference of Local Health Officers, the~~
23 ~~Department of Forestry and Fire Protection, the Chancellor's Office~~
24 ~~of the California Community Colleges, and the Department of~~
25 ~~General Services. The committee shall consult with the~~
26 ~~Commission on Peace Officer Standards and Training regarding~~
27 ~~emergency medical services integration and coordination with~~
28 ~~peace officer training.~~

29 ~~SEC. 5. Section 13514.1 of the Penal Code is amended to read:~~

30 ~~13514.1. (a) On or before July 1, 2005, the commission shall~~
31 ~~develop and disseminate guidelines and standardized training~~
32 ~~recommendations for all law enforcement officers, supervisors,~~
33 ~~and managers whose agency assigns them to perform, supervise,~~
34 ~~or manage Special Weapons and Tactics (SWAT) operations. The~~
35 ~~guidelines and standardized training recommendations shall be~~
36 ~~available for use by law enforcement agencies that conduct SWAT~~
37 ~~operations.~~

38 ~~(b) The training and guidelines shall be developed in~~
39 ~~consultation with law enforcement officers, the Attorney General's~~
40 ~~office, supervisors, and managers, SWAT trainers, legal advisers,~~

1 and others selected by the commission. Development of the training
2 and guidelines shall include consideration of the recommendations
3 contained in the Attorney General’s Commission on Special
4 Weapons and Tactics (S.W.A.T.) Final Report of 2002.

5 (c) The standardized training recommendations shall at a
6 minimum include initial training requirements for SWAT
7 operations, refresher or advanced training for experienced SWAT
8 members, and supervision and management of SWAT operations.

9 (d) The guidelines shall at minimum address legal and practical
10 issues of SWAT operations, personnel selection, fitness
11 requirements, planning, hostage negotiation, tactical issues, safety,
12 rescue methods, after-action evaluation of operations, logistical
13 and resource needs, uniform and firearms requirements, risk
14 assessment, policy considerations, and multijurisdictional SWAT
15 operations. The guidelines may also address tactical casualty care.

16 (e) The guidelines shall provide procedures for approving the
17 prior training of officers, supervisors, and managers that meet the
18 standards and guidelines developed by the commission pursuant
19 to this section, in order to avoid duplicative training.

20 SEC. 6. Section 13519.12 of the Penal Code is amended to
21 read:

22 13519.12. (a) Pursuant to Section 13510, the Commission on
23 Peace Officer Standards and Training shall establish training
24 standards and develop a course of instruction that includes the
25 criteria for the curriculum content recommended by the Curriculum
26 Development Advisory Committee established pursuant to Section
27 8588.10 of the Government Code, involving the responsibilities
28 of first responders to terrorism incidents. The course of instruction
29 shall address the training needs of peace officers at a managerial
30 or supervisory level and below who are assigned to field duties.
31 The training shall be developed in consultation with the Department
32 of Justice and other individuals knowledgeable about terrorism
33 and address current theory, terminology, historical issues, and
34 procedures necessary to appropriately respond to and effectively
35 mitigate the effects of a terrorism incident. The training standards
36 and course of instruction may, if appropriate, include coordination
37 with emergency medical services providers that respond to an
38 incident, tactical casualty care, and other standards of emergency
39 care as established *pursuant to Section 1799.50 of the Health and*

1 *Safety Code* by the *Commission on Emergency Medical Services*
2 *Authority*.

3 (b) The commission shall expedite the delivery of this training
4 to law enforcement through maximum use of its local and regional
5 delivery systems.

6 (c) To maximize the availability and delivery of training, the
7 commission shall develop a course of instruction to train trainers
8 and first responders dealing with terrorism incidents using a variety
9 of formats.

10 (d) Every police chief and sheriff, the Commissioner of the
11 Highway Patrol, and other general law enforcement agency
12 executives may determine the members of their agency to receive
13 the emergency response to terrorism incidents training developed
14 by the commission under this section. The persons to be trained
15 may include, but are not limited to, peace officers that perform
16 general law enforcement duties at a managerial or supervisory
17 level or below and are assigned to field duties.

18 (e) For purposes of this section, a “terrorism incident” includes,
19 but is not limited to, an active shooter incident. An “active shooter
20 incident” is an incident where an individual is actively engaged in
21 killing or attempting to kill people.