HOUSE
RESEARCH
ORGANIZATION bill analysis   4/17/2015

HB 593
Collier, et al.
(CSHB 593 by Phillips)

SUBJECT: Requiring canine encounter training for peace officers

COMMITTEE: Homeland Security and Public Safety — committee substitute
                recommended

VOTE: 7 ayes — Phillips, Nevárez, Burns, Dale, Johnson, Moody, M. White

                1 nay — Metcalf

                1 absent — Wray

WITNESSES: For — Amy Knoll, City of Cleburne Police Department; Melinda Smith,
                the Combined Law Enforcement Associations of Texas (CLEAT); Renata
                Simmons, Prevention Against Canine Killings (PACK); Cindy Boling;
                Cole Middleton; Cherie Scholz; (*Registered, but did not testify*: Victor
                Cornell, American Civil Liberties Union of Texas; Susan Ross, Best
                Friends Animal Society; TJ Patterson, City of Fort Worth; Carlos Lopez,
                Justices of the Peace and Constables Association of Texas; Alan Spence,
                Texas Animal Control Academy; Elizabeth Choate, Texas Veterinary
                Medical Association; Katie Jarl, Humane Society of the United States;
                James Simmons, Gregory Boren, Goebel Bowling, and Valerie Bowling,
                Prevention Against Canine Killings (PACK); Cile Holloway, Lisa
                Stevens, and Stacy Sutton Kerby, Texas Humane Legislation Network;
                Lon Craft, Texas Municipal Police Association; and 16 individuals)

                Against — None

                On — (*Registered, but did not testify*: Alan Spence, Texas Academy of
                Animal Control; Kim Vickers, Texas Commission on Law Enforcement)

DIGEST: CSHB 593 would require that the Texas Commission on Law
                Enforcement establish a statewide comprehensive training program on
                canine encounters and canine behavior by January 1, 2016.

                The training program would be a requirement for peace officers licensed
                after January 1, 2016, who would have to take the training either during

basic training or within two years of being licensed. The training also would be a requirement for current officers seeking to receive intermediate and advanced proficiency certificates beginning January 1, 2016.

The program would include at least four hours of classroom instruction and practical training that addresses:

- handling canine-related calls, anticipating unplanned encounters with canines, and using humane methods and tools in handling canine encounters;
- recognizing and understanding canine behavior;
- state laws related to canines;
- canine conflict avoidance and de-escalation;
- use of force continuum principles in relation to canines;
- using nonlethal methods, tools, and resources to avoid and defend against a canine attack; and
- a general overview of encounters with other animals.

Under the bill, the commission would be required to review and update the content of the training program at least once every four years. An officer who has already completed at least four hours of a canine encounter training program would not be required to retake the program.

The bill would take effect on September 1, 2015.

SUPPORTERS SAY:

CSHB 593 would protect law enforcement officers while reducing the number of dogs that are unnecessarily killed in encounters with law enforcement officers. Law enforcement officers frequently come across dogs in the line of duty, and lack of training can lead to dangerous interactions between dogs and officers. In many police departments, the majority of shooting incidents involve animals, most frequently dogs, and a recent Department of Justice study found that the number of dog fatalities by law enforcement is increasing. Both the Department of Justice and canine behavioral experts have found that, in most situations, it is rarely necessary to shoot a dog, and that step should always be the option

of last resort.

The Department of Justice study found that lack of training was the primary reason so many dogs are killed by law enforcement officers. In Texas, the vast majority of law enforcement officers have no training on canine encounters before entering the field. Dog shootings are usually high-profile incidents and can erode reduce community trust in law enforcement.

Providing adequate training to officers could significantly reduce the number of canine encounters that lead to gunshots and dog fatalities. Every time an officer discharges his or her weapon in the line of duty, it increases the risk that an innocent bystander inadvertently could be injured or killed. The training also could save police departments money by reducing the number of times officers discharge their weapons. Every time a police officer fires a service weapon, the incident must be investigated, which consumes valuable time and money that could be put to better use protecting the public.

The training would not be a burden on current officers because they already are required to complete 40 hours of continuing education every two years. The subject matter of those continuing education hours is largely elective, so this bill simply would add canine encounter training to the list of elective courses.

Although this bill does add a training requirement that could limit some department discretion, this modest requirement is worthwhile because it could reduce the number of dangerous and disruptive canine shooting incidents that police encounter.

OPPONENTS
SAY:

CSHB 593 is unnecessary because many law enforcement agencies across the state already have begun to implement similar training. Although the canine encounter program would be a useful addition to the curriculum, the ever-increasing training requirements could become a burden on officers and departments.

NOTES: The committee substitute differs from the filed version in several ways, including that CSHB 593 would:

- replace all references to "animal" with "canine";
- apply the required training only to officers licensed on or after January 1, 2016, and to officers seeking advanced proficiency certificates, in addition to intermediate certificates;
- reduce the length of training required from eight hours to four hours;
- require that the training program be developed and approved by the Texas Commission on Law Enforcement;
- remove the restriction barring online training courses;
- accept canine encounter training completed during basic training;
- make training a one-time requirement instead of a requirement once every four years; and
- include canine conflict avoidance and de-escalation, use of force continuum principles in relation to canines, and a general overview of encounters with other animals in subjects covered by the training course.