
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Aisha Wahab, Chair

2023 - 2024 Regular

Bill No: AB 2541 **Hearing Date:** May 28, 2024
Author: Bains
Version: February 13, 2024
Urgency: No **Fiscal:** Yes
Consultant: AB

Subject: *Peace officer training: wandering*

HISTORY

Source: Alzheimer's Los Angeles; Alzheimer's Orange County; Alzheimer's San Diego

Prior Legislation: AB 423 (Maienschein, 2023), died in Assembly Appropriations
AB 21 (Gipson, 2023), died in Assembly Appropriations
AB 2175 (Blanca Rubio, 2022), died in Assembly Appropriations
AB 2583 (Mullin, 2022), died in Assembly Appropriations
SB 882 (Eggman, Ch. 899, Stats. of 2022)

Support: Alzheimer's Association; American Association of Retired Persons (AARP); California Assisted Living Association; California Coalition on Family Caregiving; California Collaborative for Long-term Services and Supports; California Public Defenders Association; Easterseals Northern California; Educate.Advocate; Homebridge; Leadingage California; Mexican American Opportunity Foundation

Opposition: None known

Assembly Floor Vote: 72 - 0

PURPOSE

The purpose of this bill is to require the Commission on Peace Officer Standards and Training to develop guidelines addressing wandering associated with Alzheimer's disease, autism, and dementia on or before January 1, 2026.

Existing law establishes the Commission on Peace Officer Standards and Training (POST) to set minimum standards for the recruitment and training of peace officers, develop training courses and curriculum, and establish a professional certificate program that awards different levels of certification based on training, education, experience, and other relevant prerequisites.

Authorizes POST to cancel a certificate that was awarded in error or fraudulently obtained; however, POST is prohibited from canceling a properly-issued certificate. (Penal Code, §§ 830-832.10 and 13500 et seq.)

Existing law requires POST to develop and deliver training courses for peace officers on a wide array of topics, including, the use of tear gas, SWAT operations, elder abuse, persons with disabilities, behavioral health, technology crimes, sexual assault, first aid, missing persons, gang

and drug enforcement, use of force and human trafficking, among others. (Pen. Code §§13514 – 13519.15.)

Existing law requires POST to review and keep updated its training module regarding people with mental illness, intellectual disability, or substance use disorder, and identify areas where additional training is needed in consultation with appropriate community, local and state organizations. (Pen. Code §§ 13515.25, 13515.26.)

Existing law requires POST to post on its internet website all current standards, policies, practices, operating procedures and education and training materials, as specified. (Pen. Code, § 13650.)

Existing law requires each law enforcement agency to provide to the Department of Justice, on a monthly basis, a report of all instances when a peace officer that is employed by the agency is involved in shootings and use of force incidents, as specified. (Gov. Code, § 12525.2(a).)

Existing law requires law enforcement agencies, when reporting the information above, to include information regarding whether the officer perceived that civilians involved in the encounters had a developmental, physical or mental disability or observed signs of these conditions. (Gov. Code, § 12525.2(b)(2), (12).)

Existing law establishes the Advisory Council on Improving Interactions between People with Intellectual and Developmental Disabilities (hereinafter, “the Council”) within the Department of Justice, and sets forth requirements regarding the membership and responsibilities of the Council. (Pen. Code, § 13016.)

Existing law provides that the duties of the Council include evaluating and identifying gaps in the existing training for peace officers specific to interaction with the intellectually and developmentally disabled community and with individuals with mental health disorders. (Pen. Code, § 13016(h).)

This bill requires POST, in consultation with specified subject matter experts and on or before January 1, 2026, to develop guidelines addressing wandering associated with Alzheimer’s disease, autism and dementia.

This bill provides that the guidelines shall address, at a minimum, all of the following:

- Development of law enforcement investigational checklists.
- Protocols for deploying law enforcement agency resources, including, but not limited to, search and rescue dogs.
- Protocols for developing community awareness campaigns for wandering prevention and water safety.
- Technological solutions regarding all of the following:
 - Wandering prevention devices.

- Proactive registries.
- Community alert systems.
- Coordination and communication protocols between law enforcement agencies and all of the following:
 - Other local law enforcement agencies.
 - First responders, including, but not limited to, emergency management services.
 - 911 dispatch.
 - Hospitals.
 - Transportation systems.

COMMENTS

1. Need for This Bill

According to the Author:

As the nation's population continues to age, the incidence of Alzheimer's and other forms of dementia has increased as well. I have seen this first hand as a practicing physician. The number of children diagnosed with autism spectrum disorder (ASD) has also risen consistently and dramatically since the 1990s. Given that over 60% of those living with Alzheimer's disease will wander at some point and an estimated 49% of children with autism will engage in wandering behavior there will be more and more opportunities for these individuals to wander from home and come into contact with local law enforcement and public safety officials.

"Finding people quickly is key because the survival rate drops dramatically the longer it takes to find the missing person. It is imperative that our law enforcement agencies are effectively trained to help families prevent wandering and to respond effectively and quickly when these individuals do wander. With the passage of this legislation, law enforcement will have the guidance needed to do both.

2. Wandering Associated with Cognitive Impairment and Mental Disability

Wandering, also referred to as elopement (or in some cases, dissociative fugue), is an umbrella term for several different behaviors, but generally occurs when someone with cognitive impairment roams and becomes lost and confused about their location or leaves a safe area or responsible caregiver. It tends to occur in advanced stages of Alzheimer's disease, and according to the Alzheimer's Association, 60% of people living with the disease will wander at least once, though most individuals who wander do so repeatedly.¹ However, Alzheimer's is not the only condition that can cause wandering: it can occur in other neurodegenerative diseases such as

¹ "Wandering." Alzheimer's Association. [Wandering | Alzheimer's Association](#)

Parkinson's disease, specific forms of dementia, and developmental disorders such as autism (more below).² The consequences of wandering vary from minor injuries to high search and rescue costs and in rare cases, death. If not found within 24 hours, up to half of those who wander and get lost will suffer serious injury or death. The majority of wandering individuals with dementia failed to remember their way back to the original location where they got lost or initiating a conversation with other people on the street, making the consequences of getting lost be hazardous.³

Wandering also poses dangers for children and youth who have autism and similar developmental disabilities. The Centers for Disease Control and Prevention (CDC) states that about half of children and youth with autism spectrum disorder were reported to wander, and of those, about a quarter were missing long enough to cause concern and were commonly in danger of drowning or traffic injury.⁴ According to the National Autism Association, more than a third of children with autism who wander/elope are never or rarely able to communicate their name, address or phone number, and of lethal outcomes related to wandering by autistic youth, 71% were related to drowning, followed by traffic-related injuries at 18%. Other dangers include dehydration, heat stroke, hypothermia, falls, physical restraint, and encounters with strangers.⁵

3. Existing POST Training and Effect of This Bill

POST was established by the Legislature in 1959 to develop minimum recruitment and training standards for California peace officers. As of 1989, all peace officers in California are required to complete an introductory course of training prescribed by POST, and demonstrate completion of that course by passing an examination. According to the POST Web site, the Regular Basic Course Training includes 43 separate topics, ranging from juvenile law and procedure to search and seizure, taught over the course of a minimum of 664 hours of training.⁶ Over the course of the training, individuals are trained not only in policing skills such as crowd control, evidence collection and patrol techniques, they are also given instruction in criminal law, requiring specific knowledge of various Penal Code and constitutional provisions.

Existing law requires POST to provide, and peace officers to complete, extensive training related to interactions with individuals with intellectual and developmental disabilities and mental illness. Most of these requirements were added by SB 11 (Beall, Chapter 468, Statutes of 2015) and SB 29 (Beall, Chapter 469, Statutes of 2015). These statutes require officers to complete, at a minimum, POST's Regular Basic Course (RBC) curriculum, which includes 15 hours of instruction on disability laws, developmental disabilities, physical disabilities and mental illness. SB 29 required field training officers who are instructors in the field training program to have at least 8 hours of crisis intervention behavioral health training. Additionally, existing law requires officers to complete at least 24 hours of Continuing Professional Training (CPT) every two

² "What To Do When Someone With Alzheimer's Disease Wanders." Cleveland Clinic. 14 September 2022. [When Someone With Alzheimer's Disease Wanders \(clevelandclinic.org\)](https://www.clevelandclinic.org/when-someone-with-alzheimers-disease-wanders)

³ Neubauer, Noelannah, et. al. "What do we know about strategies to manage dementia-related wandering? A scoping review." *Alzheimer's & Dementia: Diagnosis, Assessment and Disease Monitoring*, Volume 10, 2018, pp. 615-628. [What do we know about strategies to manage dementia-related wandering? A scoping review - ScienceDirect](https://doi.org/10.1016/j.dadm.2018.05.001); Kelvin K. Tsoi et al. *How can we better use Twitter to find a person who got lost due to dementia?* 18 April 2019. [How can we better use Twitter to find a person who got lost due to dementia? - PMC \(nih.gov\)](https://pubmed.ncbi.nlm.nih.gov/31111111/)

⁴ CDC. *Disability and Safety: Information on Wandering (Elopement)* 18 September 2019. [Disability and Safety: Information on Wandering \(Elopement\) | CDC](https://www.cdc.gov/ncbddd/disabilityandaccessibility/publications/wandering-elopement.html)

⁵ "About Autism and Wandering." National Autism Association. [Wandering - National Autism Association](https://www.autism.com/autism-and-wandering)

⁶ <http://post.ca.gov/regular-basic-course-training-specifications.aspx> ; for additional info

years, a part of which may be satisfied by the mental health training course developed by POST under SB 11. However, the course is not mandated as part of the biennial CPT requirement.⁷ This bill requires POST to develop guidelines for law enforcement officers interacting with individuals who suffer wandering episodes due to Alzheimer's disease, dementia and wandering, which must be complete on or before January 1, 2026. The bill also requires POST, in developing these guidelines, to work with subject matter experts, including, but not limited to, law enforcement agencies, the Department of Justice Missing and Unidentified Persons Section, organizations with expertise in autism and wandering, organizations with expertise in Alzheimer's disease and dementia and wandering, emergency management services agencies, regional centers, and public transit agencies. Additionally, the bill sets for the topics that the guidelines must address, which are listed on pp. 2-3 of this analysis.

4. Recent Legislation

SB 882 (Eggman, Ch. 899, Stats. of 2022) created the Advisory Council on Improving Interactions between People with Intellectual and Development Disabilities and Law Enforcement, and established various requirements regarding the membership and duties of the Council. Under SB 882, the Council must evaluate and identify gaps in peace officer training specific to interaction with the intellectually and developmentally disabled community and individuals with mental health disorders, and submit a report to the Legislature with recommendations no later than July 1, 2025, six months prior to the deadline for POST to develop the guidelines required by this bill.

5. Argument in Support

According to one of the bill's co-sponsor's, Alzheimer's Los Angeles:

This bill would direct POST, in consultation with experts, to create guidelines to address the issue of wandering for these vulnerable populations. Expertise from California Department of Justice Bureau of Missing and Unidentified Persons, organizations with expertise in wandering and autism and wandering in Alzheimer's and dementia, alongside agencies who serve these communities such as our EMS services, Regional Centers, and public transportation. These guidelines will help local law enforcement to prevent and respond to incidents of wandering. With better coordination, systems and tools, and greater community education, we can avoid incidents of wandering and the deaths that can occur when individuals are not found quickly. The guidelines directed by AB 2541 will complement the current guidelines and curriculum for missing persons investigations created by POST. The costs to implement this bill are expected to be minor and can be covered by existing available funds.

Law enforcement plays a key role in preventing and responding to incidents of wandering. For example, Alzheimer's San Diego in partnership with the San Diego Sheriff's Department supports the Take Me Home Registry. This program helps give families peace of mind by allowing them to enroll people with a disability or cognitive impairment like Alzheimer's disease into a database so that law enforcement can more quickly help return people when they go missing.

⁷ Commission on Peace Officer Standards and Training website. "Mental Health Training in Law Enforcement." <https://post.ca.gov/mental-health-training-in-law-enforcement>

In neighboring Los Angeles County, the L.A. Found program is also working to address the issue of wandering. The county's efforts were inspired by the family of Nancy Paulikas, a woman with Alzheimer's who wandered and whose remains were identified several years later. Her family's advocacy has resulted in an initiative that has increased community education and awareness, trained thousands of first responders, and connected over a thousand individuals with technology designed to help find people when they wander.

Responses to wandering vary across California - from robust registries and access to technology to nothing. Statewide guidelines for first responders would be an important tool to support law enforcement, local agencies, organizations, and families who are supporting individuals with cognitive impairment at risk of wandering. Once developed, counties will be able to use these guidelines to start, improve, and support existing programs that meet each community's needs. These guidelines will also help increase coordination between law enforcement agencies, meaning responses to wandering are more efficient, cost effective, and successful. This is imperative when time is of the essence to ensure the safe return of individuals.

-- END --