
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Steven Bradford, Chair

2021 - 2022 Regular

Bill No: AB 1836 **Hearing Date:** June 21, 2022
Author: Maienschein
Version: April 28, 2022
Urgency: No **Fiscal:** Yes
Consultant: AB

Subject: *Peace officers: mental health*

HISTORY

Source: Author

Prior Legislation: AB 1117 (Grayson), Ch. 621, Statutes of 2019
AB 1116 (Grayson), Ch. 388, Statutes of 2019
AB 803 (Gipson, 2019), vetoed by the Governor
AB 1116 (Grayson, 2018), vetoed by the Governor

Support: Steinberg Institute; Peace Officers Research Association of California

Opposition: None known

Assembly Floor Vote: 76 - 0

PURPOSE

The purpose of this bill is to establish the Officer Wellness and Mental Health Grant Program within the Board of State and Community Corrections (BSCC) and require the BSCC to award grants to local law enforcement agencies and peace officer associations for specified purposes.

Existing law establishes the Board of State and Community Corrections (BSCC). (Pen. Code, § 6024, subd. (a).)

Existing law provides that the mission of the BSCC is to provide statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system, including addressing gang problems. Provides that this mission reflect the principle of aligning fiscal policy and correctional practices, including, but not limited to prevention, intervention, suppression, supervision, and incapacitation, to promote a justice investment strategy that fits each county and is consistent with the integrated statewide goal of improved public safety through cost-effective, promising, and evidence-based strategies for managing criminal justice populations. (Pen. Code, § 6024, subd. (b).)

Existing law vests the BSCC with the duty to develop comprehensive, unified, and orderly procedures to ensure that applications for grants are processed fairly, efficiently and in a manner consistent with the mission of the board. (Pen. Code § 6027 subd. (b)(5).)

Existing law mandates that the BSCC administer various grant programs. (Pen. Code § 6045 et. seq.)

Existing law authorizes a local or regional law enforcement agency to establish a peer support and crisis referral program. (Gov. Code, § 8669.2, subd. (a).)

Existing law provides that a peer support and crisis referral program is responsible for providing an agencywide network of peer representatives, reflective of the agency's workforce both in job positions and personal experiences, who are available to come to the aid of their fellow employees on a broad range of emotional or professional issues. (Gov. Code, § 8669.2, subd. (a).)

Existing law provides that the peer support and crisis referral program may provide employee support and referral services for a range of specified matters, including substance use and abuse, family issues, grief support, line-of-duty deaths, suicide, and others. (Gov. Code, § 8669.2, subd. (b)(1)-(10).)

Existing law defines "peer support services" as an "authorized peer support services provided by a peer support team leader to law enforcement personnel and their immediate families affected by a critical incident or the cumulative effect of witnessing critical incidents." (Gov. Code, § 8669.3, subd. (g).)

Existing law provides that a law enforcement personnel has a right to refuse to disclose, and to prevent from disclosing, a confidential communication between the law enforcement personnel and a peer support team member made while the peer support team member was providing peer support services, or a confidential communication made to a crisis hotline or crisis referral service. (Gov. Code, § 8669.4, subd. (a).)

This bill establishes the Officer Wellness and Mental Health Grant Program within the BSCC to grant funds for the purpose of improving officer wellness and expanding mental health resources and suicide prevention efforts.

This bill provides that the grant program contained therein is contingent upon an appropriation of funds by the Legislature.

This bill provides that the BSCC shall award grants to eligible local law enforcement agencies and local peace officer associations.

This bill provides that grant funds awarded pursuant to the program shall be used by recipient agencies and associations for one or more of the following purposes:

- Establish officer wellness units;
- Establish peer support units;
- Hire and retain the services of a licensed mental health professional;

- Expand existing officer wellness units or peer support units, including, without limitation, all of the following:
 - Personnel;
 - Training, including travel costs;
 - Trauma response resources, including travel costs;
 - Outreach efforts; and,
 - Equipment and supplies; or,
- Expand multiagency mutual aid programs focused on officer wellness and mental health.

This bill provides that an application for the program funds shall identify the specific program goal that will be accomplished.

COMMENTS

1. Need for This Bill

According to the Author:

The job requirements of the law enforcement profession can lead to significant health and wellness issues. Officers face long hours, dangerous situations and daily stressors that can contribute to a decline in an officer's physical, emotional or mental wellbeing. Numerous studies have noted that law enforcement officers experience higher rates of heart disease, divorce, sick days taken, alcohol abuse, and major psychological illnesses such as acute stress disorder, post-traumatic stress disorder (PTSD), depression, and anxiety disorders.

Of significant concern is the higher-than-average rates of suicide in law enforcement professions. According to Blue H.E.L.P.—a nonprofit organization that has been collecting law enforcement suicide information since 2016—more officers die by suicide than by intentional or accidental deaths in the line of duty.

An officer's mental health and wellness can also influence their interactions with the community. Though empirical data is still emerging in this area, a study published in 2021 by the University of Chicago Urban Crime Labs suggests a link between untreated mental health concerns and adverse policing outcomes. Evidence suggests measures focused on officer mental health and overall wellness can have a positive effect on policing outcomes.

Several barriers to establishing officer wellness programs have been identified including training and funding. AB 1836 will enhance officer wellness by providing grants to law enforcement agencies to invest in wellness units and peer support networks.

2. Background on Peace Officer Mental Health and Wellness

Unquestionably, police officers face a highly demanding set of duties that can take a significant toll on their health and wellness. The experience long hours, frequent risk of violence, regular interaction with trauma and tragedy, and in many cases, hostility from certain members of the communities they serve. A recent United States Department of Justice Report explained the impact of these and other stressors:

Officers anticipate and accept the unique dangers and pressures of their chosen profession. However, people under stress find it harder than people not experiencing stress to connect with others and regulate their own emotions. They experience narrowed perception, increased anxiety and fearfulness, and degraded cognitive abilities. This can be part of a healthy fight-or-flight response, but it can also lead to significantly greater probabilities of errors in judgment, compromised performance, and injuries.

Psychological stress may also have serious consequences for the individual officer's health. In particular, traumatic law enforcement work has been shown to increase officers' risk of developing post-traumatic stress disorder (PTSD) symptoms. PTSD is associated with major depression, panic attacks, phobias, mania, substance abuse, and increased risk of suicide. PTSD can increase the risk of cardiovascular disease, hypertension, heart disease, and possibly stroke as well.¹

The impact of the health impacts faced by officers has been underscored by a growing epidemic of officer suicide, which occurs at a rate of approximately 28.2 per 100,000 for male officers and 12.2 per 100,000 for female officers.² According to the organization Blue H.E.L.P., referenced by the Author above, 684 officers have taken their lives since 2019, including 72 this year already.³ Thus, the need for increased officer health and wellness resources is clear.

The California Commission on Peace Officer Standards and Training (POST) has acknowledged this need and currently provides various training courses and other resources related to officer health and wellness. Among them:

- Providing agencies and trainers pertinent information and research through the POST Wellness Guide to be released later this year.
- Further incorporating the principles of Wellness and self-care in both the Basic Course ("Academy") and Public Safety Dispatchers' Basic Course to ensure first responders have the needed tools to manage the stressors of their job and be more successful in life.
- Releasing topic-specific training videos for officers, dispatchers, and others affected by the demands upon first responders.⁴

POST continues to develop and update its health and wellness resources on a regular basis.

¹ Community Oriented Policing Services (COPS), U.S. Department of Justice, Law Enforcement Mental Health and Wellness Act: Report to Congress (Mar. 2019); <https://cops.usdoj.gov/RIC/Publications/cops-p370-pub.pdf>

² *Ibid.*

³ <https://bluehelp.org/the-numbers/>

⁴ <https://post.ca.gov/Wellness>

3. BSCC Grant Programs and Officer Wellness Budget Discussions

The BSCC, through its Corrections Planning and Grant Programs Division, is responsible for administering state and federal grant programs to community-based organizations, tribes, and local governments, including grant programs financing public safety initiatives.⁵ For example, BSCC administers the Safe Neighborhoods and Schools Fund, which uses state savings from Proposition 47 to issue grants for mental health services, substance use disorder treatment, and/or diversion programs for those in the criminal justice system.

This bill requires the BSCC to administer a new officer wellness and mental health grant program for the purpose of improving officer wellness and expanding mental health resources and suicide prevention efforts. The bill requires that grant funds shall be used for a variety of specified purposes, including officer wellness units, peer support units, the hiring and retention of licensed mental health professionals and the expansion of multiagency mutual aid programs.

Additionally, the Governor's 22-23 budget proposed increasing available resources for mental health and wellness services via a grant to POST of \$5 million over three years, which would be distributed to individual agencies by the BSCC. The Governor's May Revision builds on this with an additional \$50 million one-time allocation to POST to increase funding for these grants. It appears that this bill is the appropriate policy vehicle for that funding.

4. Argument in Support

According to the Peace Officer's Research Association of California (PORAC):

AB 1836 would establish the Officer Wellness and Mental Health Grant Program within the Commission on Peace Officer Standards and Training for the purpose of improving officer wellness and expanding mental health resources and suicide prevention. Grants would be eligible local law enforcement agencies and local peace officer associations. The bill would require program funds to be used for one or more specified purposes, including the establishment of officer wellness and peer support units and the hiring and retention of licensed mental health professionals.

Peace officers have a demanding, stressful and dangerous job. Their everyday decision to protect the safety and security of our families and communities often comes at a personal cost to themselves. We believe the grant program outlined in this bill will help officers get the support and resources to thrive in their lives and careers.

-- END --

⁵ https://www.bscc.ca.gov/s_correctionsplanningandprograms/