

**SUBSTITUTE FOR
SENATE BILL NO. 1092**

A bill to amend 1965 PA 203, entitled
"Michigan commission on law enforcement standards act,"
(MCL 28.601 to 28.615) by amending the title, as amended by 1998 PA
237 and by adding sections 9f and 9g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to ~~provide for the creation of~~ **create** the commission on
3 law enforcement standards; to prescribe its membership, powers, and
4 duties; to prescribe the reporting responsibilities **and other**
5 **duties** of certain state and local agencies; **to require licensing of**
6 **and certain training for law enforcement officers;** to provide for
7 additional costs in criminal cases; to provide for the
8 establishment of the law enforcement officers training fund; and to



1 provide for disbursement of allocations from the law enforcement
2 officers training fund to local agencies of government
3 participating in a police training program.

4 **Sec. 9f. (1) Beginning July 1, 2025, an individual who is**
5 **seeking to become licensed as a law enforcement officer under**
6 **section 9, 9b, 9c, or 9d shall complete training that meets the**
7 **standards under this section. A law enforcement officer who is**
8 **licensed under section 9, 9b, 9c, or 9d on July 1, 2025 and who has**
9 **not previously completed the training under this section shall**
10 **complete training that meets the standards under this section by**
11 **July 1, 2026.**

12 (2) Subject to subsection (4), not later than October 1, 2024,
13 the commission shall conduct or contract for research and analysis
14 to identify training gaps and begin to adapt, adopt, or develop
15 curriculum standards for training in the following areas or other
16 areas the commission determines to be substantially similar:

17 (a) De-escalation techniques.

18 (b) Implicit bias training.

19 (c) Procedural justice training.

20 (d) Behavioral health resources and support available for law
21 enforcement officers.

22 (e) Crisis intervention techniques.

23 (3) The curriculum standards for training on de-escalation
24 techniques must include all of the following:

25 (a) The employment of verbal and physical tactics to defuse
26 volatile or potentially violent situations, including when they are
27 safe and feasible, with an emphasis on using communication,
28 negotiation, and de-escalation techniques.

29 (b) The level of force that is an objectively reasonable



1 response to an identified and articulable threat or resistance that
2 is based on information available at the time of the incident and
3 that requires contact reevaluation as circumstances dictate and
4 allow.

5 (c) Training that provides law enforcement officers with
6 awareness and recognition of indicators of physical disabilities,
7 intellectual disabilities, developmental disabilities, other mental
8 health issues, and substance use disorders with an emphasis on
9 effective communication and de-escalation techniques.

10 (d) As appropriate with the nature and immediacy of the threat
11 to public safety, the use of distance, cover, and time when
12 approaching and managing critical incidents, in order to help
13 create a safety zone between the law enforcement officer and
14 subject, to afford the law enforcement officer more time to react
15 to the circumstances.

16 (e) A law enforcement officer's responsibility to intervene in
17 a situation if another law enforcement officer's actions indicate
18 that the other law enforcement officer has lost self-control or use
19 of force is not objectively reasonable to the level of resistance
20 encountered.

21 (f) Methods to divert individuals with mental disabilities,
22 mental health disorders, or substance use disorders from
23 involvement in the criminal justice system.

24 (g) Information about this state's behavioral health system,
25 including, but not limited to, its history and resources.

26 (h) Other evidence-based approaches, found to be appropriate
27 by the commission, that enhance de-escalation techniques and
28 skills.

29 (4) An individual seeking to become a law enforcement officer



1 licensed under this act or an individual who is already a licensed
2 law enforcement officer under this act may meet the standards for
3 implicit bias training by completing an implicit bias training
4 course approved by the commission.

5 (5) Within 6 months after the effective date of the amendatory
6 act that added this section, each law enforcement agency in this
7 state shall adopt a written policy that states that each of the law
8 enforcement officers in its employ shall utilize de-escalation
9 techniques in the law enforcement officer's interactions with
10 citizens to the extent that is reasonable and as safe as possible.

11 (6) The commission shall make a model written policy that
12 meets the requirements of this section available on its website. A
13 law enforcement agency may fulfill its duty under subsection (5) by
14 adopting the written policy made available under this subsection.

15 (7) The commission shall promulgate rules pursuant to the
16 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
17 24.328, to ensure compliance with this section, including a tiered
18 system of license sanctions up to license revocation for a law
19 enforcement officer licensed under section 9, 9b, 9c, or 9d who
20 refuses to comply with the training requirements under this
21 section. The rules promulgated under this subsection pertaining to
22 the revocation of a license must incorporate the requirements and
23 procedures in the same manner as provided in sections 9(13),
24 9b(13), 9c(13), and 9d(14).

25 (8) As used in this section:

26 (a) "Behavioral health" means the treatment of a mental
27 disability, mental health disorder, or substance use disorder, and
28 the support of an individual who experiences or is in recovery from
29 a mental disability, mental health disorder, or substance use



1 disorder.

2 (b) "Crisis intervention technique" means a method of
3 immediate response to an individual or a situation involving an
4 individual experiencing a crisis that includes, but is not limited
5 to, any of the following:

6 (i) Mental disability.

7 (ii) Mental health disorder.

8 (iii) Substance use disorder.

9 (iv) Acute emotional distress.

10 (c) "Curriculum" means a structure of educational standards
11 that identifies behavioral objectives and outcomes.

12 (d) "De-escalation technique" means a method or methods
13 intended to defuse a potentially volatile or violent situation with
14 the goal to reduce the level of subject control required to resolve
15 the situation in an objectively reasonable and safe manner.

16 (e) "Implicit bias training" means evidence-based training
17 that provides instruction regarding the bias implicit in all human
18 beings and how to help ensure subconscious bias does not inhibit
19 fair and impartial law enforcement.

20 (f) "Procedural justice training" means training based on the
21 principles of treating people with dignity and respect, giving
22 citizens a voice during encounters, being neutral in decision
23 making, and conveying trustworthy motives while emphasizing law
24 enforcement's role in the context of the larger criminal justice
25 system.

26 (g) "Training gap" means identified behavioral or performance
27 deficiencies caused by a lack of skill or knowledge.

28 Sec. 9g. (1) A law enforcement officer licensed under this act
29 shall complete not less than 12 hours of continuing education in



1 the areas listed under section 9f(2)(a) to (e) on or after July 1,
2 2026 and before July 1, 2027.

3 (2) Beginning July 1, 2027, a law enforcement officer licensed
4 under this act shall complete not less than 24 hours of continuing
5 education every 2 years in the areas listed under section 9f(2)(a)
6 to (e).

7 (3) The commission shall promulgate rules to implement this
8 section pursuant to the administrative procedures act of 1969, 1969
9 PA 306, MCL 24.201 to 24.328.

10 Enacting section 1. This amendatory act does not take effect
11 unless Senate Bill No. 1099 of the 102nd Legislature is enacted
12 into law.

