



390296

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/01/2016	.	
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The Committee on Criminal Justice (Clemens) recommended the following:

Senate Amendment (with title amendment)

Delete lines 31 - 45

and insert:

(2) Unless extenuating circumstances exist, a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, speech therapist, or related professional, each of whom must have experience treating, teaching, or assisting patients or clients who have been diagnosed with autism, an autism spectrum disorder, or a related



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11 developmental disability, or must be certified in special
12 education with a concentration focused on persons with autism,
13 an autism spectrum disorder, or a related developmental
14 disability, must be present to assist a law enforcement officer,
15 a correctional officer, or another public safety official during
16 all interviews of an individual with autism, an autism spectrum
17 disorder, or a related developmental disability, whether the
18 individual being interviewed is the victim of a crime, the
19 suspect in a crime, or the defendant formally accused of a crime
20 or is otherwise involved in the criminal justice system. If
21 extenuating circumstances exist and it is not possible to delay
22 the interview until such a professional is available, a law
23 enforcement officer, a correctional officer, or another public
24 safety official must document the circumstances in writing and
25 make a professional available as soon as practicable. An
26 individual with autism, an autism spectrum disorder, or a
27 related developmental disability may be held for a reasonable
28 period of time until a professional is retained by the
29 individual or his or her representative. The cost of the
30 professional must be borne by the individual.

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32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete line 14

35 and insert:

36 persons unless extenuating circumstances exist;
37 requiring a law enforcement officer, a correctional
38 officer, or another public safety official to document
39 in writing any extenuating circumstances; authorizing



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40 a law enforcement officer, a correctional officer, or
41 another public safety official to hold persons with
42 autism, an autism spectrum disorder, or a related
43 developmental disability for a reasonable period of
44 time under certain circumstances; providing that the
45 cost of retaining a professional must be borne by such
46 persons; providing an effective date.
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