S T A T E O F N E W Y O R K

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2015-2016 Regular Sessions

I N A S S E M B L Y

January 30, 2015

Introduced by M. of A. AUBRY, CUSICK, SKARTADOS -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, the state finance law and the general municipal law, in relation to establishing a crisis intervention team program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The mental hygiene law is amended by adding three new sections 7.47, 7.48 and 7.49 to read as follows:

S 7.47 CRISIS INTERVENTION DEMONSTRATION PROGRAM.

(A) THE COMMISSIONER SHALL ESTABLISH A CRISIS INTERVENTION DEMONSTRATION PROGRAM IN ANY CITY HAVING A POPULATION OF ONE MILLION OR MORE FOR THE PURPOSE OF ASSISTING LAW ENFORCEMENT OFFICERS IN RESPONDING TO CRISIS SITUATIONS INVOLVING PERSONS WITH MENTAL ILLNESS AND/OR SUBSTANCE ABUSE PROBLEMS.

(B) THE COMMISSIONER SHALL ESTABLISH WITHIN THE OFFICE THE POSITION OF CRISIS INTERVENTION TEAM TRAINING PROGRAM COORDINATOR WHO WILL SERVE AT THE PLEASURE OF THE COMMISSIONER AND WHO SHALL WORK WITH THE NEW YORK POLICE DEPARTMENT AND ANY OTHER LAW ENFORCEMENT AGENCY IN THE STATE THAT REQUESTS ASSISTANCE TO COORDINATE THE PROVISION OF CRISIS INTERVENTION TEAM TRAINING TO ITS FIRST RESPONDERS AS A PART OF A SPECIALIZED RESPONSE TEAM OR AS PART OF THE TRAINING FOR FIRST RESPONDERS.

(C) THE CRISIS INTERVENTION TEAM TRAINING PROGRAM COORDINATOR SHALL:

(I) WORK WITH COMMUNITIES TO DEVELOP PARTNERSHIPS, COORDINATE ACTIVITIES AND PROMOTE COOPERATION AND COLLABORATION BETWEEN THE OFFICE, OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, LAW ENFORCEMENT AGENCIES, DISABILITY SERVICE PROVIDERS AND PEOPLE WITH PSYCHIATRIC OR OTHER DISABILITIES AND THEIR FAMILIES TO PROVIDE CRISIS INTERVENTION TEAM TRAINING;

(II) PROVIDE COORDINATION ACTIVITIES AND FUNDING SUPPORT FOR CRISIS INTERVENTION TEAM TRAINING;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(III) PROVIDE SUPPORT, TRAINING AND COMMUNITY COORDINATION TO ENSURE THAT MENTAL HEALTH SERVICE PROVIDERS IN THE COMMUNITY PROVIDE ALTERNATIVES TO INCARCERATION;

(IV) THROUGH FEDERAL AND PRIVATE GRANTS, GIFTS OR CONTRIBUTIONS, PROVIDE FUNDING TO SUPPORT TRAINING AND COMMUNITY COORDINATION COSTS AS NECESSARY. ALL MONEYS SHALL BE DEPOSITED IN THE CRISIS INTERVENTION TEAM TRAINING FUND ESTABLISHED BY SECTION NINETY-NINE-W OF THE STATE FINANCE LAW;

(V) IN CONSULTATION WITH THE CRISIS INTERVENTION ADVISORY COMMITTEE ESTABLISHED BY THIS ARTICLE, DISTRIBUTE CRISIS INTERVENTION TEAM TRAINING FUND MONEYS AS NEEDED FOR SUPPORT, TRAINING AND COMMUNITY COORDINATION COSTS; AND

(VI) SUBMIT A REPORT TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY AND THE CRISIS INTERVENTION ADVISORY COMMITTEE ON OR BEFORE NOVEMBER FIFTEENTH OF EACH YEAR THAT CONTAINS THE FOLLOWING:

(A) A REVIEW OF ALL LAW ENFORCEMENT AGENCIES THAT HAVE PROVIDED CRISIS INTERVENTION TEAM TRAINING TO THEIR OFFICERS AND THE NUMBER OF OFFICERS THAT HAVE COMPLETED THE TRAINING;

(B) A LIST OF COMMUNITIES IN THIS STATE THAT HAVE IMPLEMENTED THE CRISIS INTERVENTION TEAM TRAINING PROGRAM THROUGH TRAINING AND COORDINATION, INCLUDING THE LENGTH OF IMPLEMENTATION AND CURRENT STATUS OF THE PROGRAM;

(C) RECOMMENDATIONS FOR IMPROVEMENT IN THE COMMUNITY BASED PARTNERSHIPS THAT SUPPORT CRISIS INTERVENTION TEAM RESPONSES;

(D) RECOMMENDATIONS FOR IMPROVEMENT IN THE LAW ENFORCEMENT AND PUBLIC SAFETY AGENCIES THAT PROVIDE CRISIS INTERVENTION TEAM RESPONSES; AND

(E) A REVIEW OF ALL FUNDING RESOURCES THAT THE CRISIS INTERVENTION TEAM TRAINING PROGRAM COORDINATOR HAS APPLIED FOR TO INCREASE AVAILABLE FUNDING, INCLUDING THE STATUS OF ALL FUNDING REQUESTS AND THE TOTAL OF MONEYS RECEIVED YEAR TO DATE.

(D) THE CRISIS INTERVENTION DEMONSTRATION PROGRAM SHALL END FIVE YEARS AFTER ITS ENACTMENT DATE.

S 7.48 CRISIS INTERVENTION TEAM TRAINING PROGRAM ADVISORY COMMITTEE.

(A) THERE IS HEREBY ESTABLISHED A CRISIS INTERVENTION DEMONSTRATION PROGRAM ADVISORY COMMITTEE.

(B) THE COMMITTEE SHALL CONSIST OF:

(1) THE COMMISSIONER, WHO SHALL SERVE AS CHAIRPERSON OF THE COMMITTEE AND WHO IS A NONVOTING MEMBER;

(2) THE CRISIS INTERVENTION TEAM TRAINING PROGRAM COORDINATOR, WHO IS A NONVOTING MEMBER;

(3) ONE MEMBER APPOINTED BY THE COMMISSIONER WHO IS A CONSUMER OF MENTAL HEALTH SERVICES;

(4) ONE MEMBER APPOINTED BY THE COMMISSIONER WHO IS AN IMMEDIATE FAMILY MEMBER OF A CONSUMER OF MENTAL HEALTH SERVICES;

(5) ONE MEMBER APPOINTED BY THE COMMISSIONER WHO REPRESENTS A STATEWIDE ADVOCACY AGENCY THAT SERVES PERSONS WITH MENTAL DISABILITIES AND THEIR FAMILIES;

(6) ONE MEMBER APPOINTED BY THE COMMISSIONER WHO IS A PSYCHIATRIST OR PSYCHOLOGIST LICENSED IN THE STATE;

(7) ONE MEMBER APPOINTED BY THE COMMISSIONER OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES;

(8) ONE MEMBER APPOINTED BY THE COMMISSIONER OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES WHO REPRESENTS A STATEWIDE BEHAVIOR ADVOCACY GROUP, AGENCY OR ASSOCIATION;

(9) ONE MEMBER APPOINTED BY THE COMMISSIONER OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES WHO IS EITHER A FAMILY MEMBER OR GUARDIAN OF A PERSON WITH A DEVELOPMENTAL DISABILITY;

(10) ONE MEMBER APPOINTED BY THE COMMISSIONER OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES WHO IS A PERSON WITH A DEVELOPMENTAL DISABILITY;

(11) ONE MEMBER RECOMMENDED BY THE NEW YORK CITY PEACE OFFICER BENEVOLENT ASSOCIATION WHO IS A CERTIFIED PEACE OFFICER;

(12) ONE MEMBER APPOINTED BY THE COMMISSIONER OF THE DIVISION OF CRIMINAL JUSTICE SERVICES WHO IS A LAW ENFORCEMENT OFFICER; AND

(13) ONE MEMBER APPOINTED BY THE NEW YORK POLICE DEPARTMENT WHO REPRESENTS LAW ENFORCEMENT.

(C) THE COMMITTEE SHALL:

(1) MEET AT LEAST TWO TIMES IN EACH FULL CALENDAR YEAR. THE COMMITTEE SHALL MEET AT THE REQUEST OF ITS CHAIRPERSON; AND

(2) REVIEW THE REPORT REQUIRED BY SECTION 7.47 OF THIS ARTICLE AND BASED ON THAT REPORT MAKE RECOMMENDATIONS TO THE OFFICE OF MENTAL HEALTH, THE OFFICE OF PEOPLE WITH DEVELOPMENTAL DISABILITIES, THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, THE DIVISION OF CRIMINAL JUSTICE SERVICES, THE NEW YORK POLICE DEPARTMENT, THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY.

(D) COMMITTEE MEMBERS SHALL NOT BE COMPENSATED BUT ARE ELIGIBLE FOR REIMBURSEMENT OF REASONABLE EXPENSES.

S 7.49 CRISIS INTERVENTION TEAM TRAINING FUND GRANT PROGRAM.

(A) THE COMMISSIONER SHALL ESTABLISH THE CRISIS INTERVENTION TEAM TRAINING FUND GRANT PROGRAM WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, PROVIDING FINANCIAL SUPPORT WHEN NECESSARY AND AS AVAILABLE FOR TRAINING AND COMMUNITY COORDINATION COSTS FOR THE IMPLEMENTATION OF THE NEW YORK CRISIS INTERVENTION TEAM TRAINING PROGRAM TO LAW ENFORCEMENT AGENCIES AS REQUESTED.

(B) NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE FUND SHALL CONSIST OF UP TO ONE MILLION DOLLARS FROM THE STATE FISCAL YEAR TWO THOUSAND SIXTEEN--SEVENTEEN APPROPRIATIONS.

S 2. The state finance law is amended by adding a new section 99-w to read as follows:

S 99-W. CRISIS INTERVENTION TEAM TRAINING FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMPTROLLER AND THE COMMISSIONER OF THE OFFICE OF MENTAL HEALTH A FUND TO BE KNOWN AS THE CRISIS INTERVENTION TEAM TRAINING FUND.

2. THE CRISIS INTERVENTION TEAM TRAINING FUND SHALL CONSIST OF ALL MONEYS RECEIVED FROM THE FEDERAL GOVERNMENT, PRIVATE GRANTS, GIFTS, CONTRIBUTIONS AND DEVISES.

3. ANY CONTRACTORS THAT RECEIVE MONEYS PURSUANT TO THIS SECTION SHALL SUBMIT QUARTERLY REPORTS TO THE COMMISSIONER OF THE DEPARTMENT OF MENTAL HEALTH REGARDING THE USE AND EFFECTIVENESS OF THE DISTRIBUTED MONEYS. THE COMMISSIONER OF THE DEPARTMENT OF MENTAL HEALTH SHALL INCLUDE A SUMMARY OF THE FUND ANALYSIS IN THE ANNUAL REPORT REQUIRED PURSUANT TO SECTION 7.47 OF THE MENTAL HYGIENE LAW.

S 3. The general municipal law is amended by adding a new section 204-ff to read as follows:

S 204-FF. CRISIS INTERVENTION TEAMS. 1. THE COMMISSIONER OF THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, IN CONSULTATION WITH THE COMMISSIONERS OF THE OFFICE OF MENTAL HEALTH, OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES AND OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, SHALL, FOR ALL LOCAL POLICE OFFICERS IN LAW ENFORCEMENT UNITS

OF A CITY HAVING A POPULATION OF ONE MILLION OR MORE AND ANY OTHER ENFORCEMENT AGENCY THAT CHOOSES TO PARTICIPATE:

(A) ESTABLISH CRITERIA FOR THE DEVELOPMENT OF CRISIS INTERVENTION TEAMS; AND

(B) ESTABLISH, AND IMPLEMENT ON AN ONGOING BASIS, A TRAINING PROGRAM FOR ALL CURRENT AND NEW EMPLOYEES REGARDING THE POLICIES AND PROCEDURES ESTABLISHED PURSUANT TO THIS SECTION. THE CURRICULUM SHALL INCLUDE A MINIMUM OF FORTY HOURS OF MANDATORY TRAINING IN MENTAL HEALTH ISSUES.

2. THE GOALS OF THE CRISIS INTERVENTION TEAM PROGRAM SHALL BE TO:

(A) PROVIDE IMMEDIATE RESPONSE BY SPECIFICALLY TRAINED LAW ENFORCEMENT OFFICERS;

(B) REDUCE THE AMOUNT OF TIME POLICE OFFICERS SPEND OUT OF SERVICE AWAITING ASSESSMENT AND DISPOSITION;

(C) AFFORD PERSONS WITH MENTAL ILLNESS AND/OR SUBSTANCE ABUSE PROBLEMS A SENSE OF DIGNITY IN CRISIS SITUATIONS;

(D) REDUCE THE LIKELIHOOD OF PHYSICAL CONFRONTATION;

(E) IDENTIFY UNDERSERVED POPULATIONS WITH MENTAL ILLNESS AND/OR SUBSTANCE ABUSE PROBLEMS AND REFER THEM TO APPROPRIATE CARE;

(F) DECREASE THE USE OF ARREST AND DETENTION OF PERSONS EXPERIENCING MENTAL HEALTH AND/OR SUBSTANCE ABUSE CRISES BY PROVIDING BETTER ACCESS TO TIMELY TREATMENT;

(G) PROVIDE THERAPEUTIC LOCATIONS OR PROTOCOL FOR OFFICERS TO BRING INDIVIDUALS IN CRISIS FOR ASSESSMENT THAT IS NOT A LAW ENFORCEMENT OR JAIL FACILITY; AND

(H) DECREASE INJURIES TO LAW ENFORCEMENT OFFICERS DURING CRISIS EVENTS.

3. OTHER STATE AGENCIES SHALL PROVIDE COOPERATION AND ASSISTANCE TO THE PROGRAM TO ASSIST IN THE EFFECTIVE PERFORMANCE OF ITS DUTIES.

S 4. Section 19.07 of the mental hygiene law is amended by adding a new subdivision (l) to read as follows:

(L) THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES SHALL, IN COLLABORATION WITH LAW ENFORCEMENT AND THE OFFICE OF MENTAL HEALTH ESTABLISH CRITERIA FOR THE DEVELOPMENT OF CRISIS INTERVENTION TEAMS THAT SHALL INCLUDE ASSESSMENT OF THE EFFECTIVENESS OF THE PLAN FOR COMMUNITY INVOLVEMENT, TRAINING AND THERAPEUTIC RESPONSE ALTERNATIVES AND A DETERMINATION OF WHETHER LAW ENFORCEMENT OFFICERS HAVE EFFECTIVE AGREEMENTS WITH MENTAL HEALTH CARE PROVIDERS AND ALL OTHER COMMUNITY STAKEHOLDERS.

S 5. This act shall take effect immediately.