

# STATE OF NEW YORK

3272--A

2017-2018 Regular Sessions

## IN SENATE

January 20, 2017

Introduced by Sens. PARKER, COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- recommitted to the Committee on Mental Health and Developmental Disabilities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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 two new sections 7.51 and 7.53 to read as follows:

§ 7.51 Crisis intervention demonstration program.

(a) The commissioner shall establish a crisis intervention demonstration program in the state of New York for the purpose of assisting law enforcement officers in responding to crisis situations involving persons with mental illness and/or substance use disorder.

(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 municipal police departments 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 training for first responders.

(c) The crisis intervention team training program coordinator shall:

(1) work with communities to develop partnerships, coordinate activities and promote cooperation and collaboration between the office, the office of alcoholism and substance abuse services, law enforcement agencies, disability service providers and people with psychiatric or other

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

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1 disabilities and their families to provide crisis intervention team  
2 training;

3 (2) provide coordination activities and funding support for crisis  
4 intervention team training;

5 (3) provide support, training and community coordination to ensure  
6 that mental health service providers in the community provide alterna-  
7 tives to incarceration;

8 (4) through federal and private grants, provide funding to support  
9 training and community coordination costs as necessary. All moneys shall  
10 be deposited in the crisis intervention team training fund established  
11 by section ninety-nine-ee of the state finance law;

12 (5) in consultation with the crisis intervention advisory committee  
13 established by this article, distribute crisis intervention team train-  
14 ing fund moneys as needed for support, training and community coordi-  
15 nation costs; and

16 (6) submit a report to the governor, temporary president of the  
17 senate, speaker of the assembly and the crisis intervention advisory  
18 committee on or before November fifteenth of each year that contains the  
19 following:

20 (A) a review of all law enforcement agencies that have provided crisis  
21 intervention team training to their officers and the number of officers  
22 that have completed the training;

23 (B) a list of communities in this state that have implemented the  
24 crisis intervention team training program through training and coordi-  
25 nation, including the length of implementation and current status of the  
26 program;

27 (C) recommendations for improvement in the community based partner-  
28 ships that support crisis intervention team responses;

29 (D) recommendations for improvement in the law enforcement and public  
30 safety agencies that provide crisis intervention team responses; and

31 (E) a review of all funding resources that the crisis intervention  
32 team training program coordinator has applied for to increase available  
33 funding, including the status of all funding requests and the total of  
34 moneys received.

35 (d) The demonstration program established pursuant to this section  
36 shall end five years after the effective date of this section.

37 § 7.53 Crisis intervention advisory committee.

38 (a) There is hereby established a crisis intervention advisory commit-  
39 tee.

40 (b) The committee shall consist of:

41 (1) The commissioner, who shall serve as chairperson of the committee  
42 and who is a nonvoting member;

43 (2) the crisis intervention team training program coordinator, who is  
44 a nonvoting member;

45 (3) one member appointed by the commissioner who is a consumer of  
46 mental health services;

47 (4) one member appointed by the commissioner who is an immediate fami-  
48 ly member of a consumer of mental health services;

49 (5) one member appointed by the commissioner who represents a state-  
50 wide advocacy agency that serves persons with mental disabilities and  
51 their families;

52 (6) one member appointed by the commissioner who is a psychiatrist or  
53 psychologist licensed in the state;

54 (7) one member appointed by the commissioner of alcoholism and  
55 substance abuse services;

1 (8) one member appointed by the commissioner of alcoholism and  
2 substance abuse services who represents a statewide behavior advocacy  
3 group, agency or association;

4 (9) one member appointed by the commissioner of the office for people  
5 with developmental disabilities who is either a family member or guardi-  
6 an of a person with a developmental disability;

7 (10) one member appointed by the commissioner of the office for people  
8 with developmental disabilities who is a person with a developmental  
9 disability;

10 (11) one member appointed by the commissioner of the division of crim-  
11 inal justice services upon the recommendation of a state benevolent  
12 association representing peace officers who is a certified peace offi-  
13 cer;

14 (12) one member appointed by the commissioner of the division of crim-  
15 inal justice services who is a law enforcement officer; and

16 (13) one member of a police department appointed by each county that  
17 has a crisis intervention team established pursuant to section two  
18 hundred nine-gg of the general municipal law.

19 (c) The committee shall:

20 (1) meet at least two times in each full calendar year. The committee  
21 shall meet at the request of its chairperson; and

22 (2) review the report required by section 7.51 of this article and  
23 based on that report make recommendations to the office of mental  
24 health, the office for people with developmental disabilities, the  
25 office of alcoholism and substance abuse services, the division of crim-  
26 inal justice services, municipal police departments, the governor, the  
27 temporary president of the senate and the speaker of the assembly.

28 (d) Committee members shall not be compensated but are eligible for  
29 reimbursement of reasonable expenses.

30 § 2. The state finance law is amended by adding a new section 99-ee to  
31 read as follows:

32 § 99-ee. Crisis intervention team training fund. 1. There is hereby  
33 established in the joint custody of the comptroller and the commissioner  
34 of the office of mental health a fund to be known as the crisis inter-  
35 vention team training fund.

36 2. The crisis intervention team training fund shall consist of all  
37 moneys received from the federal government and private grants.

38 3. Any contractors that receive moneys pursuant to this section shall  
39 submit quarterly reports to the commissioner of the office of mental  
40 health regarding the use and effectiveness of the distributed moneys.  
41 The commissioner of the office of mental health shall include a summary  
42 of the fund analysis in the annual report required pursuant to section  
43 7.51 of the mental hygiene law.

44 § 3. The general municipal law is amended by adding a new section  
45 209-gg to read as follows:

46 § 209-gg. Crisis intervention teams. 1. The commissioner of the divi-  
47 sion of criminal justice services, in consultation with the commission-  
48 ers of the office of mental health, office for people with developmental  
49 disabilities and office of alcoholism and substance abuse services,  
50 shall, for all local police departments and any other enforcement agency  
51 that chooses to participate:

52 (a) establish criteria for the development of crisis intervention  
53 teams; and

54 (b) establish, and implement on an ongoing basis, a training program  
55 for all current and new employees regarding the policies and procedures

1 established pursuant to this section. The curriculum shall include a  
2 minimum of forty hours of mandatory training in mental health issues.

3 2. The goals of the crisis intervention team program shall be to:

4 (a) provide immediate response by specifically trained law enforcement  
5 officers;

6 (b) reduce the amount of time police officers spend out of service  
7 awaiting assessment and disposition;

8 (c) afford persons with mental illness and/or substance use disorder a  
9 sense of dignity in crisis situations;

10 (d) reduce the likelihood of physical confrontation;

11 (e) identify underserved populations with mental illness and/or  
12 substance use disorder and refer them to appropriate care;

13 (f) decrease the use of arrest and detention of persons experiencing  
14 mental health and/or substance use crises by providing better access to  
15 timely treatment;

16 (g) provide therapeutic locations or protocols for officers to bring  
17 individuals in crisis for assessment that is not a law enforcement or  
18 jail facility; and

19 (h) decrease injuries to law enforcement officers during crisis  
20 events.

21 3. Other state agencies shall provide cooperation and assistance to  
22 the division of criminal justice services to assist in the effective  
23 performance of its duties.

24 § 4. Section 19.07 of the mental hygiene law is amended by adding a  
25 new subdivision (1) to read as follows:

26 (1) The office of alcoholism and substance abuse services shall, in  
27 collaboration with law enforcement and the office of mental health,  
28 establish criteria for the development of crisis intervention teams that  
29 shall include assessment of the effectiveness of the plan for community  
30 involvement, training and therapeutic response alternatives and a deter-  
31 mination of whether law enforcement officers have effective agreements  
32 with mental health care providers and all other community stakeholders.

33 § 5. This act shall take effect immediately.