

# STATE OF NEW YORK

4126--A

2019-2020 Regular Sessions

## IN SENATE

March 1, 2019

Introduced by Sen. PARKER -- 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 crisis intervention team program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The mental hygiene law is amended by adding three new  
2 sections 7.49, 7.51 and 7.53 to read as follows:

3 § 7.49 Crisis intervention team training program.

4 (a) The commissioner shall establish a crisis intervention team training demonstration program for the purpose of assisting law enforcement officers in responding to crisis situations involving persons with mental illness and/or substance abuse problems.

5 (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.

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

7 (i) work with communities to develop partnerships, coordinate activities and promote cooperation and collaboration between the office, office of addiction services and supports, law enforcement agencies, disability service providers and people with psychiatric or other disa-

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

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1 bilities and their families to provide crisis intervention team train-  
2 ing;

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

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

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

13 (v) in consultation with the crisis intervention team training program  
14 advisory committee established by this article, distribute crisis inter-  
15 vention team training fund moneys as needed for support, training and  
16 community coordination costs; and

17 (vi) submit a report to the governor, temporary president of the  
18 senate, speaker of the assembly and the crisis intervention team train-  
19 ing program advisory committee on or before November fifteenth of each  
20 year that contains the following:

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

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

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

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

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

36 (d) The crisis intervention team training program established pursuant  
37 to this section shall end five years after the effective date of this  
38 section.

39 § 7.51 Crisis intervention team training program advisory committee.

40 (a) There is hereby established a crisis intervention team training  
41 program advisory committee.

42 (b) The committee shall consist of:

43 (1) the commissioner, who shall serve as chairperson of the committee  
44 and who is a nonvoting member;

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

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

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

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

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

1 (7) one member appointed by the commissioner of addiction services and  
2 supports;

3 (8) one member appointed by the commissioner of addiction services and  
4 supports who represents a statewide behavior advocacy group, agency or  
5 association;

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

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

12 (11) one member recommended by the New York city peace officer benevo-  
13 lent association who is a certified peace officer;

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 appointed by the New York police department who  
17 represents law enforcement.

18 (c) The committee shall:

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

21 (2) review the report required by section 7.49 of this article and  
22 based on that report make recommendations to the office of mental  
23 health, the office for people with developmental disabilities, the  
24 office of addiction services and supports, the division of criminal  
25 justice services, the New York police department, the governor, the  
26 temporary president of the senate and the speaker of the assembly.

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

29 § 7.53 Crisis intervention team training fund grant program.

30 (a) The commissioner shall establish the crisis intervention team  
31 training fund grant program which shall include, but not be limited to,  
32 providing financial support when necessary and as available for training  
33 and community coordination costs for the implementation of the crisis  
34 intervention team training program to law enforcement agencies as  
35 requested.

36 (b) Notwithstanding any law to the contrary, the fund shall consist of  
37 up to one million dollars from the state general fund.

38 § 2. The state finance law is amended by adding a new section 99-gg to  
39 read as follows:

40 § 99-gg. Crisis intervention team training fund. 1. There is hereby  
41 established in the joint custody of the comptroller and the commissioner  
42 of the office of mental health a fund to be known as the crisis inter-  
43 vention team training fund.

44 2. The crisis intervention team training fund shall consist of all  
45 moneys received from the federal government, private grants, gifts,  
46 contributions and devises.

47 3. Any contractors that receive moneys pursuant to this section shall  
48 submit quarterly reports to the commissioner of the department of mental  
49 health regarding the use and effectiveness of the distributed moneys.  
50 The commissioner of the department of mental health shall include a  
51 summary of the fund analysis in the annual report required pursuant to  
52 section 7.49 of the mental hygiene law.

53 § 3. The general municipal law is amended by adding a new section  
54 209-h to read as follows:

55 § 209-h. Crisis intervention teams. 1. The commissioner of the New  
56 York state division of criminal justice services, in consultation with

1 the commissioners of the office of mental health, office for people with  
2 developmental disabilities and office of addiction services and  
3 supports, shall, for all local police officers in law enforcement units  
4 and any other enforcement agency that chooses to participate:

5 (a) establish criteria for the development of crisis intervention  
6 teams; and

7 (b) establish, and implement on an ongoing basis, a training program  
8 for all current and new employees regarding the policies and procedures  
9 established pursuant to this section. The curriculum shall include a  
10 minimum of forty hours of mandatory training in mental health issues.

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

12 (a) provide immediate response by specifically trained law enforcement  
13 officers;

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

16 (c) afford persons with mental illness and/or substance abuse problems  
17 a sense of dignity in crisis situations;

18 (d) reduce the likelihood of physical confrontation;

19 (e) identify underserved populations with mental illness and/or  
20 substance abuse problems and refer them to appropriate care;

21 (f) decrease the use of arrest and detention of persons experiencing  
22 mental health and/or substance abuse crises by providing better access  
23 to timely treatment;

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

27 (h) decrease injuries to law enforcement officers during crisis  
28 events.

29 3. Other state agencies shall provide cooperation and assistance to  
30 the program to assist in the effective performance of its duties.

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

33 (n) The office of addiction services and supports shall, in collab-  
34 oration with law enforcement and the office of mental health establish  
35 criteria for the development of crisis intervention teams that shall  
36 include assessment of the effectiveness of the plan for community  
37 involvement, training and therapeutic response alternatives and a deter-  
38 mination of whether law enforcement officers have effective agreements  
39 with mental health care providers and all other community stakeholders.

40 § 5. This act shall take effect immediately.