

STATE OF NEW YORK

4218

2019-2020 Regular Sessions

IN SENATE

March 5, 2019

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

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 Assem-
bly, do enact as follows:

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

3 § 7.51 Crisis intervention demonstration program.

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

8 (b) The commissioner shall establish within the office the position of
9 crisis intervention team training program coordinator who will serve at
10 the pleasure of the commissioner and who shall work with municipal
11 police departments and any other law enforcement agency in the state
12 that requests assistance to coordinate the provision of crisis inter-
13 vention team training to its first responders as a part of a specialized
14 response team or as part of training for first responders.

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

16 (1) work with communities to develop partnerships, coordinate activ-
17 ities and promote cooperation and collaboration between the office, the
18 office of alcoholism and substance abuse services, law enforcement agen-
19 cies, disability service providers and people with psychiatric or other
20 disabilities and their families to provide crisis intervention team
21 training;

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

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

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

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

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

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

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

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

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

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

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

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

35 § 7.53 Crisis intervention advisory committee.

36 (a) There is hereby established a crisis intervention advisory commit-
37 tee.

38 (b) The committee shall consist of:

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (c) The committee shall:

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

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

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

27 § 2. The state finance law is amended by adding a new section 99-ff to
28 read as follows:

29 § 99-ff. Crisis intervention team training fund. 1. There is hereby
30 established in the joint custody of the comptroller and the commissioner
31 of the office of mental health a fund to be known as the crisis inter-
32 vention team training fund.

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

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

41 § 3. The general municipal law is amended by adding a new section
42 209-gg to read as follows:

43 § 209-gg. Crisis intervention teams. 1. The commissioner of the divi-
44 sion of criminal justice services, in consultation with the commission-
45 ers of the office of mental health, office for people with developmental
46 disabilities and office of alcoholism and substance abuse services,
47 shall, for all local police departments and any other enforcement agency
48 that chooses to participate:

49 (a) establish criteria for the development of crisis intervention
50 teams; and

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

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

1 (a) provide immediate response by specifically trained law enforcement
2 officers;

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

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

7 (d) reduce the likelihood of physical confrontation;

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

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

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

16 (h) decrease injuries to law enforcement officers during crisis
17 events.

18 3. Other state agencies shall provide cooperation and assistance to
19 the division of criminal justice services to assist in the effective
20 performance of its duties.

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

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

30 § 5. This act shall take effect immediately.