

# STATE OF NEW YORK

4748

2021-2022 Regular Sessions

## IN SENATE

February 10, 2021

Introduced by Sens. PARKER, COMRIE -- read twice and ordered printed,  
and when printed to be committed 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 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;

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

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

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

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

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

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

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

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

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

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

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

31 (d) The demonstration program established pursuant to this section  
32 shall end five years after the effective date of this section.  
33 § 7.53 Crisis intervention advisory committee.

34 (a) There is hereby established a crisis intervention advisory commit-  
35 tee.

36 (b) The committee shall consist of:

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

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

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

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

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

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

50 (7) one member appointed by the commissioner of addiction services and  
51 supports;

52 (8) one member appointed by the commissioner of addiction services and  
53 supports who represents a statewide behavior advocacy group, agency or  
54 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 addiction services and supports, the division of criminal  
23 justice services, municipal police departments, the governor, the tempo-  
24 rary 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-ii to  
28 read as follows:

29 § 99-ii. 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 the office of addiction services and supports, shall,  
47 for all local police departments and any other enforcement agency that  
48 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 (n) to read as follows:

23 (n) The office of addiction services and supports shall, in collab-  
24 oration with law enforcement and the office of mental health, establish  
25 criteria for the development of crisis intervention teams that shall  
26 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.