

# STATE OF NEW YORK

8528

## IN SENATE

March 9, 2022

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law and the criminal procedure law, in relation to establishing a reentry services and treatment fund; and making an appropriation therefor

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

1 Section 1. The state finance law is amended by adding a new section  
2 92-kk to read as follows:

3 § 92-kk. Reentry services and treatment fund. 1. There is hereby  
4 established in the joint custody of the state comptroller and the  
5 commissioner of taxation and finance a special fund to be known as the  
6 "reentry services and treatment fund" for the purposes of funding volun-  
7 tary services and treatment in the community for New Yorkers reentering  
8 the community after a period of incarceration.

9 2. The several amounts specified in this section for reentry services  
10 and treatment, or so much thereof as shall be sufficient to accomplish  
11 the purposes designated by the appropriations, are hereby appropriated  
12 and authorized to be paid as hereinafter provided, to the respective  
13 public officers and for the several purposes specified.

14 3. Money allocated to the reentry services and treatment fund shall be  
15 kept separate and shall not be commingled with any other funds in the  
16 custody of the state comptroller.

17 4. Money expended from this fund shall be used to supplement and not  
18 supplant or replace any other funds, including federal or state funding,  
19 which would otherwise have been expended for reentry services and treat-  
20 ment. Provided further, general operating funds or baseline funding  
21 shall not be reduced due to monies expended from the fund.

22 5. This fund shall consist of monies appropriated by the legislature  
23 to be spent on eligible expenditures as defined herein.

24 6. Funding shall be distributed regionally and to ensure adequate  
25 geographic disbursement across the state. In addition to programs and  
26 services overseen by the division of criminal justice services, funding  
27 may also be expended on programs and services overseen by the department

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

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1 of health, the office of mental health, the division of housing and  
2 community renewal, the office of addiction services and supports, the  
3 office of temporary and disability assistance, or any other agency that  
4 may oversee an appropriate program or service that is considered an  
5 eligible expenditure as provided under this section. Funding decisions  
6 shall include an emphasis on supporting programs that are culturally,  
7 linguistically and gender competent, trauma-informed, evidence-based  
8 and, where appropriate, employ individuals with lived experience as part  
9 of the services provided. Agencies, offices, and programs receiving such  
10 funding shall collaborate at the regional level to identify gaps of  
11 service and develop a comprehensive continuum of services to support the  
12 reentry and treatment needs of individuals reentering the community  
13 after a period of incarceration.

14 7. On or before November first of the year after the initial deposit  
15 of monies in the reentry services and treatment fund, the relevant  
16 commissioners shall provide a written report to the governor, temporary  
17 president of the senate, speaker of the assembly, chair of the senate  
18 finance committee, chair of the assembly ways and means committee, chair  
19 of the senate alcoholism and substance abuse committee and chair of the  
20 assembly alcoholism and drug abuse committee. Such report shall be  
21 presented as a consolidated dashboard and be made publicly available on  
22 the respective offices' websites. The report shall include the following  
23 information:

24 (i) the baseline funding for any entity that receives funding from the  
25 reentry services and treatment fund, prior to the receipt of such  
26 reentry services and treatment funds;

27 (ii) how funds deposited in the reentry services and treatment fund  
28 had been utilized in the preceding calendar year, including but not  
29 limited to:

30 (A) the amount of money disbursed from the fund and the award process  
31 used for such disbursement, if applicable;

32 (B) the names and total number of recipients, the amounts awarded to  
33 each recipient and details about the purpose such funds were awarded  
34 for, including what specific services and programs the funds were used  
35 on and what populations such services or programs served, including  
36 information on specific services or programs aimed to serve women and  
37 families impacted by incarceration;

38 (C) the main criteria utilized to determine the award, including how  
39 the program or service assists to reduce recidivism of individuals reen-  
40 tering the community after a period of incarceration;

41 (D) an analysis of the effectiveness of the services and/or programs  
42 that received reentry services and treatment funding in their efforts to  
43 increase stability and reduce recidivism of individuals reentering the  
44 community after a period of incarceration. Such analysis shall utilize  
45 evidence-based uniform metrics when reviewing the effects the service  
46 and/or program had on enhancing stability and supports for individuals  
47 served by the service and/or program, preventing further criminal legal  
48 system involvement, and advancing treatment and recovery for individuals  
49 with associated needs;

50 (E) any relevant information provided by the New York subdivisions  
51 pursuant to this section; and

52 (F) any other information the commissioners deem necessary for the  
53 legislature to determine appropriate future awards and ensure such fund-  
54 ing is not being used to supplant local, state, or federal funding.

55 § 2. Section 2.30 of the criminal procedure law is amended by adding a  
56 new subdivision 7 to read as follows:

1 7. (a) The commissioner of criminal justice services, in consultation  
2 with the commissioner of health, shall ensure that training for peace  
3 officers who work in the criminal legal system are provided at least ten  
4 hours of training annually related to mental illness and trauma informed  
5 care pursuant to section 7.23 of the mental hygiene law. Trauma training  
6 pursuant to this section will be offered as an additive part of the  
7 required training for all such peace officers, and no other part of the  
8 training will be reduced. Such training shall include, but not be limit-  
9 ed to:

10 (i) programs and activities related to mental health, including any  
11 information on applicable mental health diversion programs and proc-  
12 esses;

13 (ii) trauma informed care, intervention and practices, including  
14 gender-informed care and best practices on making an arrest when a child  
15 is present;

16 (iii) adverse childhood experiences and social emotional learning,  
17 including the impact of parental incarceration on children and best  
18 practices for facilitating familial connection to an incarcerated care-  
19 giver;

20 (iv) behavioral health disorders;

21 (v) best practices for improving the overall criminal legal system  
22 environment;

23 (vi) safe de-escalation of crisis situations;

24 (vii) identifying signs and symptoms, including early stages of mental  
25 illness and behavioral health issues; and

26 (viii) the use of evidence-based training programs including, but not  
27 limited to, mental health first aid or core elements of such programs to  
28 the extent practicable.

29 (b) In addition to other programs and services, the state comptroller  
30 and the commissioner of taxation and finance shall ensure that a suffi-  
31 cient portion of the moneys appropriated to the reentry services and  
32 treatment fund, established under section ninety-two-kk of the state  
33 finance law, is allocated to provide the required training pursuant to  
34 this section.

35 § 3. The sum of five hundred million dollars (\$500,000,000), or so  
36 much thereof as may be necessary, is hereby appropriated to the depart-  
37 ment of taxation and finance from any moneys in the state treasury in  
38 the general fund to the credit of the reentry services and treatment  
39 fund not otherwise appropriated for the purposes of carrying out the  
40 provisions of this act. Such sum shall be payable on the audit and  
41 warrant of the state comptroller on vouchers certified or approved by  
42 the commissioner of taxation and finance, or his duly designated repre-  
43 sentative in the manner provided by law.

44 § 4. This act shall take effect immediately.