

# STATE OF NEW YORK

2190

2021-2022 Regular Sessions

## IN ASSEMBLY

January 14, 2021

Introduced by M. of A. AUBRY, OTIS -- read once and referred 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 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 demonstration program.

4 (a) The commissioner shall establish a crisis intervention demon-  
5 stration program in any city having a population of one million or more  
6 for the purpose of assisting law enforcement officers in responding to  
7 crisis situations involving persons with mental illness and/or substance  
8 abuse problems.

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

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

18 (i) work with communities to develop partnerships, coordinate activ-  
19 ities and promote cooperation and collaboration between the office,  
20 office of addiction services and supports, law enforcement agencies,  
21 disability service providers and people with psychiatric or other disa-  
22 bilities and their families to provide crisis intervention team train-  
23 ing;

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

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

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

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

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

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

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

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

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

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

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

34 (d) The crisis intervention demonstration program shall end five years  
35 after its enactment date.

36 § 7.51 Crisis intervention team training program advisory committee.

37 (a) There is hereby established a crisis intervention demonstration  
38 program advisory committee.

39 (b) The committee shall consist of:

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

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

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

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

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

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

53 (7) one member appointed by the commissioner of addiction services and  
54 supports;

1 (8) one member appointed by the commissioner of addiction services and  
2 supports who represents a statewide behavior advocacy group, agency or  
3 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 recommended by the New York city peace officer benevo-  
11 lent association who is a certified peace officer;

12 (12) one member appointed by the commissioner of criminal justice  
13 services who is a law enforcement officer; and

14 (13) one member appointed by the police department of the city of New  
15 York who represents law enforcement.

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 7.49 of this article and  
20 based on that report make recommendations to the office, the office for  
21 people with developmental disabilities, the office of addiction services  
22 and supports, the division of criminal justice services, the police  
23 department of the city of New York, the governor, the temporary presi-  
24 dent 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 § 7.53 Crisis intervention team training fund grant program.

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

34 (b) Notwithstanding any law to the contrary, the fund shall consist of  
35 up to one million dollars from the state fiscal year two thousand twen-  
36 ty-two--twenty-three appropriations.

37 § 2. The state finance law is amended by adding a new section 98-d to  
38 read as follows:

39 § 98-d. Crisis intervention team training fund. 1. There is hereby  
40 established in the joint custody of the comptroller and the commissioner  
41 of mental health a fund to be known as the "crisis intervention team  
42 training fund".

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

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

51 § 3. The general municipal law is amended by adding a new section  
52 204-h to read as follows:

53 § 204-h. Crisis intervention teams. 1. The commissioner of criminal  
54 justice services, in consultation with the commissioners of mental  
55 health, the office for people with developmental disabilities, and  
56 addiction services and supports, shall, for all local police officers in

1 law enforcement units of a city having a population of one million or  
2 more and any other enforcement agency that chooses to participate;

3 (a) establish criteria for the development of crisis intervention  
4 teams; and

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

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

10 (a) provide immediate response by specifically trained law enforcement  
11 officers;

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

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

16 (d) reduce the likelihood of physical confrontation;

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

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

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

25 (h) decrease injuries to law enforcement officers during crisis  
26 events.

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

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

31 (n) The office shall, in collaboration with law enforcement and the  
32 office of mental health, establish criteria for the development of  
33 crisis intervention teams that shall include assessment of the effec-  
34 tiveness of the plan for community involvement, training and therapeutic  
35 response alternatives and a determination of whether law enforcement  
36 officers have effective agreements with mental health care providers and  
37 all other community stakeholders.

38 § 5. This act shall take effect immediately.