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:

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

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

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

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

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

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

6. Funding shall be distributed regionally and to ensure adequate geographic disbursement across the state. In addition to programs and services overseen by the division of criminal justice services, funding 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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of health, the office of mental health, the division of housing and community renewal, the office of addiction services and supports, the office of temporary and disability assistance, or any other agency that may oversee an appropriate program or service that is considered an eligible expenditure as provided under this section. Funding decisions shall include an emphasis on supporting programs that are culturally, linguistically and gender competent, trauma-informed, evidence-based and, where appropriate, employ individuals with lived experience as part of the services provided. Agencies, offices, and programs receiving such funding shall collaborate at the regional level to identify gaps of service and develop a comprehensive continuum of services to support the reentry and treatment needs of individuals reentering the community after a period of incarceration.

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

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

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

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

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

(C) the main criteria utilized to determine the award, including how the program or service assists to reduce recidivism of individuals reentering the community after a period of incarceration;

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

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

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

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

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

(i) programs and activities related to mental health, including any information on applicable mental health diversion programs and processes;

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

(iii) adverse childhood experiences and social emotional learning, including the impact of parental incarceration on children and best practices for facilitating familial connection to an incarcerated caregiver;

(iv) behavioral health disorders;

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

(vi) safe de-escalation of crisis situations;

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

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

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

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

§ 4. This act shall take effect immediately.