

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.