

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

DRAFT
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BILL 3

LLS NO. 16-0315.01 Jane Ritter x4342

INTERIM COMMITTEE BILL

**Legislative Oversight Committee Concerning the Treatment of Persons
With Mental Illness in the Criminal and Juvenile Justice Systems**

BILL TOPIC: "Law Enforcement Mental Health Collaboration Grants"

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE LAW ENFORCEMENT AND MENTAL**
102 **HEALTH COLLABORATION GRANT PROGRAM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Legislative Oversight Committee Concerning the Treatment of Persons With Mental Illness in the Criminal and Juvenile Justice Systems. The bill creates the law enforcement and mental health collaboration grant program (grant program) in the division of criminal

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

justice (division). The purpose of the grant program is to allow an interested local law enforcement agency (agency) to apply for a grant to have one or more mental health professionals on its permanent staff. The goal of the grant program is to provide immediate services and assistance in situations where an individual involved in an investigation by an agency exhibits signs of a mental illness or substance abuse issue.

The division shall administer the program, including establishing guidelines and timelines for the grant program and determining recipients. Agencies that are awarded a grant through the grant program shall, as a condition of the grant, track data on the types and numbers of incidents and outcomes.

The law enforcement and mental health collaboration grant program fund is created.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** part 19 to article 33.5 of title 24 as follows:

PART 19

LAW ENFORCEMENT AND MENTAL HEALTH

COLLABORATION GRANT PROGRAM

24-33.5-1901. Short title. THIS PART 19 IS KNOWN AND MAY BE CITED AS THE "LAW ENFORCEMENT AND MENTAL HEALTH COLLABORATION GRANT PROGRAM".

24-33.5-1902. Definitions. AS USED IN THIS PART 19, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DIVISION" MEANS THE DIVISION OF CRIMINAL JUSTICE CREATED WITHIN THE DEPARTMENT PURSUANT TO SECTION 24-33.5-103.

(2) "FUND" MEANS THE LAW ENFORCEMENT AND MENTAL HEALTH COLLABORATION GRANT PROGRAM FUND CREATED IN SECTION 24-33.5-1904.

(3) "GRANT PROGRAM" MEANS THE LAW ENFORCEMENT AND MENTAL HEALTH COLLABORATION GRANT PROGRAM CREATED IN SECTION

1 24-33.5-1903.

2 (4) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A POLICE
3 DEPARTMENT IN INCORPORATED MUNICIPALITIES, THE OFFICE OF THE
4 COUNTY SHERIFF, OR A CAMPUS POLICE AGENCY.

5 (5) "MENTAL HEALTH PROFESSIONAL" MEANS ANY ONE OF THE
6 FOLLOWING PERSONS:

7 (a) A PERSON LICENSED TO PRACTICE MEDICINE IN THIS STATE OR
8 LICENSED AND IN GOOD STANDING TO PRACTICE MEDICINE IN ANOTHER
9 STATE AND WHO IS PROVIDING MEDICAL OR CLINICAL SERVICES IN THIS
10 STATE;

11 (b) A PSYCHOLOGIST CERTIFIED TO PRACTICE IN THIS STATE OR
12 CERTIFIED TO PRACTICE AND IN GOOD STANDING IN ANOTHER STATE AND
13 WHO IS PROVIDING CLINICAL SERVICES IN THIS STATE;

14 (c) A REGISTERED PROFESSIONAL NURSE AS DEFINED IN SECTION
15 12-38-103 (11), C.R.S., WHO BY REASON OF POSTGRADUATE EDUCATION
16 AND ADDITIONAL NURSING PREPARATION HAS GAINED KNOWLEDGE,
17 JUDGMENT, AND SKILL IN PSYCHIATRIC OR MENTAL HEALTH NURSING;

18 (d) A LICENSED MARRIAGE AND FAMILY THERAPIST, LICENSED
19 PROFESSIONAL COUNSELOR, OR ADDICTION COUNSELOR LICENSED UNDER
20 PART 5, 6, OR 8 OF ARTICLE 43 OF TITLE 12, C.R.S., WHO BY REASON OF
21 POSTGRADUATE EDUCATION AND ADDITIONAL PREPARATION HAS GAINED
22 KNOWLEDGE, JUDGMENT, AND SKILL IN PSYCHIATRIC OR MENTAL HEALTH
23 THERAPY, FORENSIC PSYCHOTHERAPY, OR THE EVALUATION OF MENTAL
24 DISORDERS; OR

25 (e) A LICENSED CLINICAL SOCIAL WORKER LICENSED UNDER THE
26 PROVISIONS OF PART 4 OF ARTICLE 43 OF TITLE 12, C.R.S.

27 **24-33.5-1903. Law enforcement and mental health**

1 **collaboration grant program - created - administration.** (1) THE LAW
2 ENFORCEMENT AND MENTAL HEALTH COLLABORATION GRANT PROGRAM
3 IS CREATED IN THE DIVISION OF CRIMINAL JUSTICE FOR THE PURPOSE OF
4 PROVIDING GRANTS TO ANY LOCAL LAW ENFORCEMENT AGENCY SEEKING
5 TO INCLUDE ONE OR MORE MENTAL HEALTH PROFESSIONALS ON THE
6 AGENCY'S PERMANENT STAFF. THE GOAL OF THE GRANT PROGRAM IS TO
7 PROVIDE IMMEDIATE SERVICES AND ASSISTANCE IN SITUATIONS WHERE AN
8 INDIVIDUAL INVOLVED IN AN INVESTIGATION BY THE LOCAL LAW
9 ENFORCEMENT AGENCY EXHIBITS SIGNS OF A MENTAL ILLNESS OR
10 SUBSTANCE ABUSE ISSUE.

11 (2) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM. THE
12 DIVISION SHALL ESTABLISH PROCEDURES, TIMELINES, AND GUIDELINES FOR
13 AWARDS FOR GRANT APPLICATIONS BY LOCAL LAW ENFORCEMENT
14 AGENCIES SEEKING TO BEGIN OR CONTINUE A LAW ENFORCEMENT AND
15 MENTAL HEALTH COLLABORATION. AT A MINIMUM, THE PROCEDURES AND
16 GUIDELINES MUST REQUIRE THE GRANT APPLICANT TO PROVIDE A
17 COLLABORATION PLAN FOR THE USE OF ANY GRANT DOLLARS, LENGTH OF
18 THE PROPOSED COLLABORATION WITH THE MENTAL HEALTH
19 PROFESSIONAL, AND AN ESTIMATE OF THE NUMBER OF INDIVIDUALS THE
20 LOCAL LAW ENFORCEMENT AGENCY HOPES TO SERVE THROUGH THE
21 GRANT AND COLLABORATION.

22 (3) ALL LOCAL LAW ENFORCEMENT AGENCIES THAT RECEIVE A
23 GRANT SHALL AGREE TO KEEP DATA ON:

24 (a) THE NUMBER OF CALLS ON WHICH THE MENTAL HEALTH
25 PROFESSIONAL ASSISTED;

26 (b) THE NUMBER OF INDIVIDUALS REACHED THROUGH THE
27 COLLABORATION;

1 (c) A BREAKDOWN OF THE GENERAL TYPES OF INCIDENTS
2 INVOLVED;

3 (d) A BREAKDOWN OF THE GENERAL TYPES OF MENTAL HEALTH OR
4 SUBSTANCE ABUSE ISSUES INVOLVED; AND

5 (e) AN AGGREGATE SUMMARY OF OUTCOMES. THE SUMMARY MAY
6 NOT INCLUDE ANY TYPE OF CONFIDENTIAL OR IDENTIFYING INFORMATION.

7 (4) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION SHALL
8 SELECT THOSE LOCAL LAW ENFORCEMENT AGENCIES THAT WILL RECEIVE
9 GRANTS THROUGH THE GRANT PROGRAM AND THE AMOUNT OF EACH
10 GRANT.

11 **24-33.5-1904. Law enforcement and mental health**
12 **collaboration grant program fund - creation.** (1) (a) THE LAW
13 ENFORCEMENT AND MENTAL HEALTH COLLABORATION GRANT PROGRAM
14 FUND IS CREATED IN THE STATE TREASURY. THE PRINCIPAL OF THE FUND
15 CONSISTS OF MONEYS APPROPRIATED OR TRANSFERRED TO THE FUND BY
16 THE GENERAL ASSEMBLY. THE PURPOSE OF THE FUND IS TO PROVIDE
17 GRANTS TO SUCCESSFUL APPLICANTS PURSUANT TO SECTION 24-33.5-1903.

18 (b) THE DIVISION OF CRIMINAL JUSTICE IS AUTHORIZED TO SEEK,
19 ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR
20 PUBLIC SOURCES FOR THE PURPOSES OF THE GRANT PROGRAM; EXCEPT
21 THAT THE DIVISION MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT
22 IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION
23 OR ANY OTHER LAW OF THE STATE. THE DIVISION SHALL TRANSMIT ALL
24 PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR
25 DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO
26 THE FUND.

27 (c) (1) THE MONEYS IN THE FUND ARE CONTINUOUSLY

1 APPROPRIATED TO THE DIVISION FOR THE PURPOSE OF AWARDING GRANTS
2 AS ALLOWED BY THIS PART 19 AND FOR ANY ADMINISTRATIVE COSTS
3 ASSOCIATED WITH THE GRANT PROGRAM. THE DIVISION'S ADMINISTRATIVE
4 EXPENSES FOR THE GRANT PROGRAM IN A FISCAL YEAR MUST NOT EXCEED
5 FIVE PERCENT OF THE MONEYS TRANSFERRED OR APPROPRIATED IN THAT
6 FISCAL YEAR.

7 (II) ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND
8 INVESTMENT OF THE FUND AND ALL UNEXPENDED AND UNENCUMBERED
9 MONEYS REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR
10 REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED OR REVERT TO THE
11 GENERAL FUND.

12 **SECTION 2. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.