

117TH CONGRESS
1ST SESSION

S. 1837

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize a grant program for law enforcement agencies and corrections agencies to obtain behavioral health crisis response training for law enforcement officers and corrections officers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 26, 2021

Mr. BROWN (for himself, Mr. INHOFE, Mr. BOOZMAN, Mr. ROUNDS, Mr. TESTER, and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize a grant program for law enforcement agencies and corrections agencies to obtain behavioral health crisis response training for law enforcement officers and corrections officers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Law Enforcement
5 Training for Mental Health Crisis Response Act of 2021”.

1 **SEC. 2. FINDINGS; PURPOSE.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) Law enforcement and corrections officers
4 routinely respond to emergencies involving individ-
5 uals suffering from a mental health crisis.

6 (2) Recent statistics have shown that as many
7 as—

8 (A) 1 in every 10 calls for police response
9 involve a person suffering from a mental illness;

10 (B) 1 in every 4 people killed by police suf-
11 fer from a mental health problem; and

12 (C) 1 in 3 people transported to a hospital
13 emergency room for psychiatric reasons are
14 taken by the police.

15 (3) Law enforcement response calls to individ-
16 uals suffering from substance use disorder have in-
17 creased during the current opioid epidemic.

18 (4) There is a need to ensure that law enforce-
19 ment officers have access to proper evidence-based
20 training in responding to mental health crises.

21 (5) Proper training for response to individuals
22 suffering from a mental health crisis can better pro-
23 tect the safety of the general public and law enforce-
24 ment officers.

25 (6) Law enforcement and corrections officers in
26 the United States can better serve their communities

1 if the officers receive training to effectively and safe-
 2 ly resolve the mental health crises.

3 (b) PURPOSE.—The purpose of this Act is to provide
 4 grants to State, local, and Tribal law enforcement agencies
 5 and corrections agencies to obtain behavioral health crisis
 6 response training for law enforcement officers and correc-
 7 tions officers to—

8 (1) better train law enforcement officers and
 9 corrections officers to resolve behavioral health crisis
 10 situations;

11 (2) reduce the number of law enforcement offi-
 12 cers and corrections officers killed or injured while
 13 responding to a behavioral health crisis; and

14 (3) reduce the number of individuals killed or
 15 injured during a behavioral health crisis in which a
 16 law enforcement officer or corrections officer re-
 17 sponds.

18 **SEC. 3. LAW ENFORCEMENT TRAINING FOR MENTAL**
 19 **HEALTH CRISIS GRANT PROGRAM.**

20 (a) RESERVATION OF FUNDS.—Section 506 of title
 21 I of the Omnibus Crime Control and Safe Streets Act of
 22 1968 (34 U.S.C. 10157) is amended by adding at the end
 23 the following:

24 “(c) Of the total amount made available to carry out
 25 this subpart for a fiscal year, the Attorney General may

1 reserve not more than \$10,000,000 to carry out the pro-
 2 gram under section 509.”.

3 (b) LAW ENFORCEMENT TRAINING FOR MENTAL
 4 HEALTH CRISIS GRANT PROGRAM.—Subpart 1 of part E
 5 of title I of the Omnibus Crime Control and Safe Streets
 6 Act of 1968 (34 U.S.C. 10151 et seq.) is amended by add-
 7 ing at the end the following:

8 **“SEC. 509. LAW ENFORCEMENT TRAINING FOR MENTAL**
 9 **HEALTH CRISIS GRANT PROGRAM.**

10 “(a) GRANTS AUTHORIZED.—Subject to the avail-
 11 ability of appropriations, the Attorney General is author-
 12 ized to award grants to applicants for—

13 “(1) law enforcement officers or corrections of-
 14 ficers to receive training from a program; and

15 “(2) the cost of transportation and lodging as-
 16 sociated with law enforcement officers or corrections
 17 officers attending such program.

18 “(b) PROGRAM STANDARDS.—The Attorney General
 19 shall establish and publish qualification standards for or-
 20 ganizations that provide programs.

21 “(c) APPLICATIONS.—

22 “(1) IN GENERAL.—The head of an applicant
 23 shall submit to the Attorney General an application
 24 that—

25 “(A) shall include—

1 “(i) a statement describing the pro-
2 gram the law enforcement officers or cor-
3 rections officers will complete;

4 “(ii) the total number of law enforce-
5 ment officers or corrections officers in the
6 agency;

7 “(iii) the number of law enforcement
8 officers or corrections officers of the agen-
9 cy that have been killed, or seriously in-
10 jured while responding to a behavioral
11 health crisis during the 5-year-period pre-
12 ceding the date of the application; and

13 “(iv) whether the law enforcement of-
14 ficers or corrections officers employed by
15 the agency receive any behavioral health
16 crisis response training, including during
17 basic officer training; and

18 “(B) in addition to the information re-
19 quired under subparagraph (A), may, at the op-
20 tion of the applicant, include information relat-
21 ing to—

22 “(i) recent incidents involving officers
23 of the agency during which behavioral
24 health crisis response training could have
25 played a role in protecting the safety of—

1 “(I) the law enforcement officer
 2 or the public, including the persons or
 3 persons the law enforcement officers
 4 encountered; or

5 “(II) the corrections officer or in-
 6 mates at the correctional facility; and

7 “(ii) estimated cost of attendance of a
 8 program per officer.

9 “(d) RESTRICTIONS.—

10 “(1) SUPPLEMENTAL FUNDS.—Grant funds
 11 shall be used to supplement, and not supplant,
 12 State, local, and Tribal funds made available to any
 13 applicant for any of the purposes described in sub-
 14 section (a).

15 “(2) ADMINISTRATIVE COSTS.—Not more than
 16 3 percent of any grant made under this section may
 17 be used for administrative costs.

18 “(e) REPORTS AND RECORDS.—

19 “(1) REPORTS.—For each year during which
 20 grant funds are used, the recipient shall submit to
 21 the Attorney General a report containing—

22 “(A) a summary of any activity carried out
 23 using grant funds;

24 “(B) the number of officers that received
 25 training using grant funds; and

1 “(C) any other information relevant to the
2 purpose of this Act that the Attorney General
3 may determine appropriate.

4 “(2) RECORDS.—For the purpose of an audit
5 by the Attorney General of the receipt and use of
6 grant funds, a recipient shall—

7 “(A) keep—

8 “(i) any record relating to the receipt
9 and use of grant funds; and

10 “(ii) any other record as the Attorney
11 General may require; and

12 “(B) make the records described in sub-
13 paragraph (A) available to the Attorney General
14 upon request by the Attorney General.

15 “(f) DEFINITIONS.—In this section:

16 “(1) APPLICANT.—The term ‘applicant’ means
17 a law enforcement agency or corrections agency that
18 applies for a grant under this section.

19 “(2) ATTORNEY GENERAL.—The term ‘Attor-
20 ney General’ means the Attorney General, acting
21 through the Assistant Attorney General for the Of-
22 fice of Justice Programs.

23 “(3) GRANT FUNDS.—The term ‘grant funds’
24 means funds from a grant awarded under this sec-
25 tion.

1 “(4) LAW ENFORCEMENT AGENCY.—The term
 2 ‘law enforcement agency’ means an agency of a
 3 State or unit of local government that is authorized
 4 by law or by a government agency to engage in or
 5 supervise the prevention, detection, investigation, or
 6 prosecution of any violation of criminal law.

7 “(5) PROGRAM.—The term ‘program’ means a
 8 program or class that—

9 “(A) provides instructional training to law
 10 enforcement officers or corrections officers for
 11 response to a behavioral health crisis, including
 12 response to people suspected to be under the in-
 13 fluence of a drug or psychoactive substance,
 14 and response to circumstances in which a per-
 15 son is suspected to be suicidal or suffering from
 16 a mental illness;

17 “(B) includes training on techniques and
 18 strategies designed to protect—

19 “(i) the health and safety of law en-
 20 forcement officers and the public, including
 21 the person or persons a law enforcement
 22 officer encounters during a behavioral
 23 health crisis response; or

24 “(ii) the health and safety of correc-
 25 tions officers and inmates at the correc-

1 tional facility, including the inmate a cor-
2 rections officer encounters during a behav-
3 ioral health crisis response, or in the nor-
4 mal course of business of interactions with
5 the inmate; and

6 “(C) is developed in conjunction with
7 healthcare professionals to provide crisis inter-
8 vention training focused on understanding men-
9 tal and behavioral health, developing empathy,
10 navigating community resources, de-escalation
11 skills, and practical application training for offi-
12 cers.

13 “(6) RECIPIENT.—The term ‘recipient’ means
14 an applicant that receives a grant under this sec-
15 tion.”.

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