

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2731

"AN ACT TO AUTHORIZE THE UNIVERSITY OF ARKANSAS AT LITTLE ROCK AND THE ARKANSAS JUDICIAL COUNCIL TO COOPERATE TO AWARD GRANTS FOR THE TRAINING AND INSTRUCTION OF LAW ENFORCEMENT OFFICIALS."

Amendment No. 1 to House Bill No. 2731.

Amend House Bill No. 2731 as originally introduced:

Page 1, delete lines 9 through 12 and substitute the following:
"AN ACT TO AUTHORIZE THE UNIVERSITY OF ARKANSAS SYSTEM CRIMINAL JUSTICE INSTITUTE TO TRAIN AND INSTRUCT LAW ENFORCEMENT OFFICIALS,"

AND

Page 1, delete lines 18 through 22 and substitute the following:
"AN ACT TO AUTHORIZE THE UNIVERSITY OF ARKANSAS AT LITTLE ROCK AND THE ARKANSAS JUDICIAL COUNCIL TO COOPERATE TO AWARD GRANTS FOR THE TRAINING AND INSTRUCTION OF LAW ENFORCEMENT OFFICIALS."

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 64 is amended to add an additional subchapter to read as follows:

6-64-1201. Legislative findings.

The General Assembly finds that:

(1) There is increasing pressure on county jails to provide or find appropriate care for detainees and jail inmates who have a mental illness;

(2) There are an inadequate number of acute inpatient psychiatric beds and, in some areas, limited follow-up treatment options available to adults with mental illness who have been arrested;

(3) Arkansas ranks forty-ninth in the number of state-operated, psychiatric beds per thousand population;

(4) The only non-profit psychiatric hospital beds for adults with mental illness are located in Pulaski County and Jefferson County;

(5) In 2005, there were sixty-eight (68) counties in Arkansas that had no acute inpatient psychiatric beds;



(6) According to the United States Department of Justice, in 2000 only sixteen percent (16%) of jail inmates reported either a mental or emotional condition or an overnight stay in a mental hospital or program;

(7) In 2006 more than fifty percent (50%) of all prison and state inmates reported mental health problems, including symptoms of major depression, mania, and psychotic disorder;.

(8) It is estimated that seventy percent (70%) of jail inmates with mental illnesses are incarcerated for nonviolent offenses;

(9) Jail diversion programs, including mental health courts, have demonstrated that when jail diversion programs are part of a system, jail diversion programs can help persons with mental illness and can reduce the likelihood of that person's re-entry into jail or prison;

(10) A survey of county judges and chiefs of police in Arkansas reveals a recognition that there are gaps in the system that they cannot address by themselves;

(11) Law enforcement officers and jail personnel would benefit from training specifically geared toward promptly recognizing the person who may have a mental illness and to respond to that person in an appropriate manner;

(12) The counties and cities of Arkansas do not have sufficient funding to absorb an unfunded mandate to provide training and treatment in the jails, particularly as the training relates to the administration of prescribed medication;

(13) Grant funds are available addressing some of these challenges and can be applied for if state employees skilled in grant writing already employed by the state are assigned to obtaining the funds to support the purpose of this subchapter; and

(14) The absence of jail services required by detainees and inmates who have mental illness has resulted in litigation and threats of litigation that might result in limitation of the state's sovereignty and higher costs of meeting constitutional standards.

6-64-1202. Definitions.

As used in this subchapter:

(1) "Community mental health centers" means those private non-profit organizations certified by the Division of Behavioral Health under § 20-47-202 as community mental health centers and contracted to perform designated public mental health services in the respective catchment areas of the state;

(2) "Crisis Intervention Team" means a community-based collaborative effort between law enforcement officers and jail personnel and mental health professionals to help law enforcement officers and jail personnel handle incidents involving persons with mental illness;

(3) "Inmate with mental illness" means a jail inmate who, after being assessed by a person qualified by licensure to conduct an assessment, meets the criteria for serious mental illness or is in danger of harm to self or others;

(4) "Jail inmate" means a natural person who is in the custody of law enforcement authorities within the confines of a county jail; and

(5) "Person with mental illness arrested by a law enforcement officer" means a person who appears to be a danger to himself or herself or to others or to need mental health evaluation for treatment.

6-64-1203. Law Enforcement Training Committee -- Creation -- Duties.

(a) The Law Enforcement Training Committee is created to:

(1) Identify mental health training needs for law enforcement officers; and

(2) Develop a mental health training curriculum for law enforcement officers and jail personnel to be delivered statewide.

(b)(1) The committee shall be led by the Criminal Justice Institute of the University of Arkansas System.

(2) The committee shall include representatives of:

(A) Arkansas Law Enforcement Training Academy;

(B) Research and Training Institute of the Division of Behavioral Health;

(C) Arkansas Department of Community Correction;

(D) Mental Health Council;

(E) Administrative Office of the Courts;

(F) Local, state, and county law enforcement officers; and

(G) Mental health practitioners.

(c) The training and delivery strategies may consist of:

(1) Basic level training for law enforcement officers and jail personnel to be included in the entry-level training program curricula;

(2) Advanced level training for law enforcement officers and jail personnel that is designed to enhance the effectiveness of the response of law enforcement officers and jail personnel to persons with mental illness;

(3) Training, such as Crisis Intervention Team Training, that includes methods for establishing a collaborative effort between law enforcement personnel and the community to provide appropriate services to those persons with mental illness who come into contact with the law enforcement system;

(4) Establishment of regional training teams, consisting of mental health and law enforcement officers; and

(5) A train-the-trainer model so that mental health training can be provided in each county jail at frequent and regular intervals as needed by a local person who has received formal training through curricula developed under this subchapter.

(d) Crisis Intervention Teams shall be:

(1) Supported by state funding; and

(2) Provided initial assistance in organization.

(e)(1) Local police departments and sheriff departments may apply to the Criminal Justice Institute for crisis intervention training under this subchapter.

(2) The Crisis Intervention Team Training curriculum development and delivery under subdivision (b)(3) of this section shall be supported by state funding.

(f)(1) A graduate of the Crisis Intervention Team Training shall provide the local department in which he or she serves with information and materials obtained at the crisis intervention training.

(2)(A) Each department that sends law enforcement officers to receive Crisis Intervention Team training shall convene a meeting at least annually to review and improve the program in the department.

(B) The meeting shall include without limitation

representatives of:

(i) Local behavioral health service providers;
(ii) Community mental health centers within the
jurisdiction of the department;
(iii) Consumers;
(iv) Courts;
(v) National Alliance on Mental Illness; and
(vi) Local institutions of higher education,
including without limitation, the University of Arkansas for Medical Sciences
and the Area Health Education Centers of the University of Arkansas for
Medical Sciences.

(f) The goal of the Crisis Intervention Team Training program is to
establish a collaborative effort between law enforcement officers and jail
personnel and the community to provide appropriate services to persons with
mental illness who come into contact with the law enforcement system."

The Amendment was read _____

By: Representative Medley
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Chief Clerk