

**Intergovernmental Relations Committee  
May 18, 2022 at 4:00 PM  
Regular Meeting  
AGENDA**



**City of Huntington Beach  
2000 Main St, 4<sup>th</sup> Floor & Zoom  
Huntington Beach, CA 92648**

Office of the City Manager

BARBARA DELGLEIZE, Mayor  
MIKE POSEY, Mayor Pro Tem  
DAN KALMICK, Councilmember

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Meetings will be conducted both virtually via Zoom and in person until further notice. Committee members and visitors who wish to attend virtually may do so by visiting [www.Zoom.us](http://www.Zoom.us), clicking on the “Join a Meeting” link and inputting Meeting ID: 954 6106 1598. Attendees also have the option to attend telephonically by calling 1-669-900-6833, and entering Meeting ID: 954 6106 1598#.

## **CALL TO ORDER**

## **ROLL CALL**

## **PUBLIC COMMENTS**

Individuals wishing to provide a comment on agendized or non-agendized items may do so by clicking on the “Raise Hand” button. Individuals will be called upon when it is their turn to speak. Each speaker will be provided up to 3 minutes to make public comment unless the volume of speakers warrants reducing the time allowance.

## **APPROVAL OF MINUTES FROM APRIL 18, 2022**

## **DISCUSSION ITEMS**

1. State
  - a. General Legislative Update
  - b. Brown Act Bills
    - i. AB 1944 (Lee)
    - ii. AB 2449 (Rubio)
    - iii. AB 2647 (Levine)
  - c. AB 1588 (Committee on Governmental Organization) - Fireworks: enforcement actions: funding
  - d. SB 277 (Archuleta) - Fireworks: dangerous fireworks: seizure: management
  - e. SCA 2 (Allen) - Public housing projects
  - f. ACA 14 (Wicks) - Homelessness and affordable housing
  - g. AB 1602 (McCarty) - Student, faculty, and staff housing: California Student Housing Revolving Loan Fund Act of 2022
  - h. SB 1457 (Hertzberg) - Housing: California Family Home Construction and Homeownership Bond Act of 2022
  - i. AB 2582 (Bennett) - Recall elections: local offices
  - j. AB 2734 (Petrie-Norris) - Coastal Hazard Warning System
  - k. AB 2011 (Wicks) - Affordable Housing and High Road Jobs Act of 2022
  - l. SB 904 (Bates) – Controlled Substances: Treatment
2. Federal
  - a. FY 2023 Appropriations
  - b. HR 1368 (Porter, Steel) – Mental Health Justice Act of 2021

## **ADJOURNMENT**

The next regularly scheduled meeting of the INTERGOVERNMENTAL RELATIONS COMMITTEE is June 15, 2022 at 4:00 P.M. at City Hall in Huntington Beach, California.

INTERNET ACCESS TO THE INTERGOVERNMENTAL RELATIONS COMMITTEE AGENDA AND STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO INTERGOVERNMENTAL RELATIONS COMMITTEE MEETINGS AT: <https://huntingtonbeach.legistar.com/>

MEETING ASSISTANCE NOTICE: In accordance with the Americans with Disabilities Act, services are available to members of our community who require special assistance to participate in public meetings. If you require special assistance, 48-hour prior notification will enable the City to make reasonable arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas. Please contact the City Manager's Office at 714-536-5202 for more information, or request assistance from the staff or Sergeant-at-Arms at the meeting. INTERNET ACCESS TO THE INTERGOVERNMENTAL RELATIONS COMMITTEE AGENDA AND STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO INTERGOVERNMENTAL RELATIONS COMMITTEE MEETINGS AT: <https://huntingtonbeach.legistar.com/>

# **ATTACHMENT 1**

**MINUTES FROM APRIL 18, 2022  
MEETING FOR APPROVAL**



# CITY COUNCIL INTERGOVERNMENTAL RELATIONS COMMISSION

**MINUTES FROM APRIL 18, 2022**  
ZOOM AND CR-1, 2000 MAIN STREET, 4<sup>TH</sup> FLOOR  
HUNTINGTON BEACH, CA 92648

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Call to Order at 2:34 PM

## Roll Call

- Council Liaisons: (Present) Mayor Delgleize, Mayor Pro-Tem Posey; Council Member Dan Kalmich
- Staff: Hopkins, Jun, Frakes
- Townsend: Eric O'Donnell

## Public Comments (2 minutes per speaker)

- *Mark Sheldon: Appreciates the inclusion of the Legislative Tracking Sheet in the posted agenda. Gave comments regarding the formation of boards focused on climate change.*

Approve Minutes from March 16, 2022 meeting.

- *APPROVED.*

## DISCUSSION ITEMS

### 1. STATE

- a. The state is just coming back from the Legislative Spring recess.
- b. Legislation is being introduced for Care Courts: A framework for mental health and addiction courts. Council Liaisons asked Townsend to Watch SB1338 (Umberg) and AB2830 (Bloom) which authorizes specific individuals to create a "care plan" for people suffering with mental health and addiction related issues.
- c. There are four proposals being discussed relating to gas tax relief, with proposed financial impacts ranging from \$4billion to \$11billion.
- d. April 29 is the last day to hear bills, then they will be moved to Appropriations, and then the floor.
- e. Bill Summaries:
  - Would like to reagendaize the following for discussion at the next IRC meeting:
    - i. AB 2177 (Irwin) – State Surfing Reserves
    - ii. SB 1079 (Portantino) – Sound Activated Enforcement Devices
    - iii. AB 1653, AB 1659, AB 1984 – Catalytic Converter Theft Bill Package
  - AB 682 (Bloom) Planning and zoning: density bonuses: cohousing buildings – WATCH
  - AB 1976 (Santiago) Planning and zoning: housing element compliance: very low and lower income households – OPPOSE
  - AB 1944 (Lee) Local government: open and public meetings – SUPPORT
  - AB 2063 (Berman) Density bonuses: affordable housing impact fees – WATCH until May IRC meeting
  - AB 2097 (Friedman) Residential and commercial development: remodeling, renovations, and additions: parking requirements – OPPOSE
  - SB 897 (Wieckowski) Accessory dwelling units: junior accessory dwelling units – WATCH until May IRC meeting
- f. Bills to add to Legislative Tracker Spreadsheet:
  - Posey - SCA 2 (Allen) Public housing projects.
  - Kalmick – ACA 14 (Wicks) Homelessness and affordable housing
  - Kalmick – AB 1602 (McCarty) Student, faculty, and staff housing: California Student Housing Revolving Loan Fund Act of 2022



# CITY COUNCIL INTERGOVERNMENTAL RELATIONS COMMISSION

- Kalmick – SB 1457 (Hertzberg) Housing: California Family Home Construction and Homeownership Bond Act of 2022
- Kalmick – AB 2582 (Bennett) Recall elections: local offices

## 2. FEDERAL

### a. Federal Community Project Funding

- Surfside Sunset Sand Replenishment - \$15.5 million was included in the budget, as well as \$250k for the Mobile Crises program.
- Steel is accepting earmarks
- Feinstein & Padilla have already submitted earmarks.
- Townsend would like the City to prioritize any future earmarks: #1, Oakview, #2 Mobile Crises Relief, #3 expand operating costs

## 3. OTHER

- ### a. SONGS (San Onofre Nuclear Power Plant):
- Patrick Batten from ASFSN presented a request for City Council resolution as part of the concerned coastal coalition regarding solutions for the spent nuclear fuel from SONGS – WATCH until May IRC meeting

Adjournment – 3:59 pm

*The next regularly scheduled meeting will be on May 18, 2022 at 4:00PM.*

# **ATTACHMENT 2**

## **LEGISLATIVE TRACKING WORKSHEET**

# **ATTACHMENT 3**

**LEGISLATIVE MATRIX  
MAY 12, 2022**

# **ATTACHMENT 4**

## **SUPPLEMENTAL DOCUMENTS**





# CITY OF GARDEN GROVE

May 11, 2022

Senator Tom Umberg, 34<sup>th</sup> District  
Capitol Office  
1021 O Street, Suite 6730  
Sacramento, CA 95814

**Steve Jones**  
Mayor

**Diedre Thu-Ha Nguyen**  
Mayor Pro Tem - District 3

**George S. Brietigam**  
Council Member - District 1

**John R. O'Neill**  
Council Member - District 2

**Patrick Phat Bui**  
Council Member - District 4

**Stephanie Klopfenstein**  
Council Member - District 5

**Kim Bernice Nguyen**  
Council Member - District 6

**RE: OPPOSE AB 2011 (WICKS) – AFFORDABLE HOUSING AND HIGH ROAD JOBS ACT OF 2022**

Dear Senator Umberg,

The City of Garden Grove must strongly express its opposition to Assembly Bill 2011. This bill usurps local control by making affordable housing by-right in areas currently zoned for office, retail, or parking. Local governments are responsible for facilitating housing production through planning and zoning processes that were established to ensure appropriate public input and engagement, environmental reviews, and compliance with state housing requirements. While we recognize the significant need for the development of new affordable housing units, we feel that providing incentives for doing so is a more effective approach than removing local input and authority through a by-right process.

Cities, not the State, are best suited to make local land-use decisions. The City of Garden Grove must respectfully oppose AB 2011. Should you have any questions about our position, please contact Assistant City Manager Maria Stipe at [marias@ggcity.org](mailto:marias@ggcity.org).

Sincerely,

Steve Jones  
Mayor



# CITY OF GARDEN GROVE

May 11, 2022

Assemblyman Tom Daly, 69<sup>th</sup> District  
Capitol Office  
PO Box 942849  
Sacramento, CA 94249-0069

**Steve Jones**  
Mayor

**Diedre Thu-Ha Nguyen**  
Mayor Pro Tem - District 3

**George S. Brietigam**  
Council Member - District 1

**John R. O'Neill**  
Council Member - District 2

**Patrick Phat Bui**  
Council Member - District 4

**Stephanie Klopfenstein**  
Council Member - District 5

**Kim Bernice Nguyen**  
Council Member - District 6

**RE: OPPOSE AB 2011 (WICKS) – AFFORDABLE HOUSING AND HIGH ROAD JOBS ACT OF 2022**

Dear Assemblyman Daly,

The City of Garden Grove must strongly express its opposition to Assembly Bill 2011. This bill usurps local control by making affordable housing by-right in areas currently zoned for office, retail, or parking. Local governments are responsible for facilitating housing production through planning and zoning processes that were established to ensure appropriate public input and engagement, environmental reviews, and compliance with state housing requirements. While we recognize the significant need for the development of new affordable housing units, we feel that providing incentives for doing so is a more effective approach than removing local input and authority through a by-right process.

Cities, not the State, are best suited to make local land-use decisions. The City of Garden Grove must respectfully oppose AB 2011. Should you have any questions about our position, please contact Assistant City Manager Maria Stipe at [marias@ggcity.org](mailto:marias@ggcity.org).

Sincerely,

Steve Jones  
Mayor



# CITY OF GARDEN GROVE

May 11, 2022

Assemblywoman Janet Nguyen, 72<sup>nd</sup> District  
Capitol Office  
PO Box 942849  
Sacramento, CA 94249-0072

**Steve Jones**  
Mayor

**Diedre Thu-Ha Nguyen**  
Mayor Pro Tem - District 3

**George S. Brietigam**  
Council Member - District 1

**John R. O'Neill**  
Council Member - District 2

**Patrick Phat Bui**  
Council Member - District 4

**Stephanie Klopfenstein**  
Council Member - District 5

**Kim Bernice Nguyen**  
Council Member - District 6

**RE: OPPOSE AB 2011 (WICKS) – AFFORDABLE HOUSING AND HIGH ROAD JOBS ACT OF 2022**

Dear Assemblywoman Nguyen,

The City of Garden Grove must strongly express its opposition to Assembly Bill 2011. This bill usurps local control by making affordable housing by-right in areas currently zoned for office, retail, or parking. Local governments are responsible for facilitating housing production through planning and zoning processes that were established to ensure appropriate public input and engagement, environmental reviews, and compliance with state housing requirements. While we recognize the significant need for the development of new affordable housing units, we feel that providing incentives for doing so is a more effective approach than removing local input and authority through a by-right process.

Cities, not the State, are best suited to make local land-use decisions. The City of Garden Grove must respectfully oppose AB 2011. Should you have any questions about our position, please contact Assistant City Manager Maria Stipe at [marias@ggcity.org](mailto:marias@ggcity.org).

Sincerely,

A handwritten signature in black ink that reads 'Steve Jones'.

Steve Jones  
Mayor

Association of California Cities  
Orange County



# Action Alert

**The ACC-OC Legislative & Regulatory Committee has taken a position on pending legislation. This has been identified as a priority for Orange County and a letter has been sent. We request that your City also send a letter to amplify the concerns of Orange County cities.**

**BILL:** [SENATE BILL 904](#)

**POSITION:** **SUPPORT**

**BILL TITLE:** **Controlled substances: treatment (Bates)**

**BILL BRIEF:** This bill seeks to address the ongoing opioid epidemic by clarifying the standards of controlled substance education and treatment programs for probationers and divertees. These standards, which are vague and undefined in current law, would be clarified to include information on the effects of controlled substances on the brain and body, how to recognize and respond to the signs of a drug overdose, and the dangers of using controlled substances.

This bill would require the court or probation department to refer defendants to programs that adhere to these specified standards. These standards would also apply to the education and counseling required for divertees in drug diversion programs.

This bill requires a court, upon conviction of any felony in which the defendant is sentenced to state prison for a violation of any controlled substance offense, in addition to any other terms of imprisonment, fine, and conditions, to recommend in writing that the defendant participates in a controlled substance education or treatment program that complies with the standards outlined above.

SB 904 has passed the Senate Committee on Public Safety and has been referred to the Senate Committee on Appropriations.

***Thank you!***



May 10, 2022

The Honorable Patricia Bates  
California State Senate, 36<sup>th</sup> District  
1021 O Street, Suite 7130  
Sacramento, CA 95814

**RE: SUPPORT: SB 904 – CONTROLLED SUBSTANCES: TREATMENT**

Dear Senator Bates,

The Association of California Cities – Orange County (ACC-OC) represents the regional policy needs of many Orange County cities and special districts. Collectively, our members provide services to up to 3.2 million people and work across county borders on a multitude of public policy issues.

ACC-OC is pleased to offer its support for Senate Bill 904. We believe this bill will help address the effects of the ongoing opioid epidemic by clarifying current statutes to ensure our criminal justice system helps educate and treat those offenders who are suffering from opioid addiction. SB 904 is common-sense legislation necessary to proactively address the ongoing opioid epidemic by educating offenders on the effects of substance abuse. The opioid epidemic continues to wreak havoc on individuals, their families, and our communities, and the pandemic has only exacerbated these issues, making this legislation all that more important.

Should you have any questions about our position or about ACC-OC, please contact Jenn Lowe, ACC-OC Director of Legislative and External Affairs, at (714) 953-1300 or at [jlowe@accoc.org](mailto:jlowe@accoc.org).

Sincerely,

Bruce Channing  
Executive Director  
Association of California Cities – Orange County



## Stop Violence Against Individuals with Mental Illness and Disabilities Cosponsor the Mental Health Justice Act

**Sponsors:** Reps. Katie Porter, Tony Cárdenas, Ayanna Pressley, Mary Gay Scanlon

**Original Cosponsors:** Gwen Moore, David Trone, Joyce Beatty, Jan Schakowsky, Peter Welch, Andre Carson, Grace Napolitano, Seth Moulton, Ro Khanna, Mark Pocan, Chellie Pingree, Alcee Hastings, Tim Ryan, Bill Foster, Mike Levin, Ted Lieu, Jamie Raskin, Adriana Espaillat, Gerry Connolly, Earl Blumenauer, Mondaire Jones, Susan Wild, Mark DeSaulnier, Grace Meng, Joseph Morrelle, Raúl M. Grijalva, Judy Chu, Bobby Rush, Madeleine Dean, Gregory Meeks, Nydia Velázquez, Sara Jacobs, Alexandria Ocasio-Cortez, Carolyn Maloney, Ritchie Torres, Ted Deutch, Diana DeGette, Alan Lowenthal, Ilhan Omar, Cori Bush, Rashida Tlaib, Debbie Wasserman-Schulz, Pramila Jayapal, Dwight Evans, James McGovern, Joe Neguse, Barbara Lee, Sheila Jackson Lee, Eddie Bernice Johnson, Hank Johnson, Jackie Speier, Jahana Hayes, Val Demings, Al Lawson

**Supporting Organizations:** Bazelon Center for Mental Health Law, Center for American Progress, Center for Law and Social Policy, NAACP LDF, Human Rights Watch, American Foundation for Suicide Prevention, The Arc of the United States, National Association of County Behavioral Health and Developmental Disability Directors, National Health Care for the Homeless Council, National Association of Criminal Defense Lawyers, Clinical Social Work Association, National Association for Rural Mental Health, American Association on Health and Disability, Lakeshore Foundation, American Group Psychotherapy Association, National Alliance to Advance Adolescent Health, Kennedy Forum, Postpartum International, Association for Behavioral Health and Wellness, American Association of Suicidology, American Association for Psychoanalysis in Clinical Social Work, Disability Concerns - Christian Reformed Church in North America, Disability Concerns - Reformed Church in America, Justice in Aging, Trevor Project, Friends Committee on National Legislation, Autistic Self Advocacy Network, TASH, American Society of Addiction Medicine, 2020 Mom, Union for Reform Judaism, American Association of Child and Adolescent Psychiatry, American Psychological Association, Public Citizen, Autism Society of America, CommunicationsFIRST, Association of University Centers on Disabilities, National Association of Councils on Developmental Disabilities, Disability Rights Education and Defense Fund, Drug Policy Alliance

According to the Treatment Advocacy Center, 1 in 4 fatal police encounters ends the life of an individual with severe mental illness. At this rate, the risk of being killed is 16 times greater for individuals with untreated mental illness than for others approached or stopped by officers.

Those who are arrested are often charged with minor, nonviolent offenses, but as a result, our jail and prison systems are overcrowded with thousands of individuals who would be far better served by other community resources. The Mental Health Justice Act would address this by:

Creating a grant program to pay for hiring, training, salary, benefits and additional expenses for mental health provider first responder units.

- These mental health providers would act as a mental health emergency response team, deployed when 911 is called because someone is in a mental health crisis or related situation. Mental health providers would be the first on the scene to help the individual and could help them access appropriate community resources.

Providing expertise through technical assistance from the Disability Rights Section of the Civil Rights Division at the DOJ and from SAMHSA.

- States and localities would be able to apply for technical assistance from DOJ and SAMHSA if they choose to use their own funding for the program from another portion of the law enforcement budget to create a program that falls under these guidelines.

**Creating mental health first responder units will help reduce violence against individuals with mental illnesses and intellectual and developmental disabilities, while also improving the safety of our communities. Mental illness is not a crime, and it's time we stop treating it as one.**

For additional information, please reach out to Jessica Seigel in Rep. Porter's office:  
Jessica.Seigel@mail.house.gov / ext. 5611.

117TH CONGRESS  
1ST SESSION

# H. R. 1368

To authorize the Secretary of Health and Human Services to award grants to States and political subdivisions of States to hire, employ, train, and dispatch mental health professionals to respond in lieu of law enforcement officers in emergencies involving one or more persons with a mental illness or an intellectual or developmental disability, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2021

Ms. PORTER (for herself, Ms. PRESSLEY, Ms. SCANLON, Mr. CÁRDENAS, Ms. MOORE of Wisconsin, Mr. TRONE, Mrs. BEATTY, Ms. SCHAKOWSKY, Mr. WELCH, Mr. CARSON, Mrs. NAPOLITANO, Mr. MOULTON, Mr. KHANNA, Mr. POCAN, Ms. PINGREE, Mr. HASTINGS, Mr. RYAN, Mr. FOSTER, Mr. LEVIN of California, Mr. LIEU, Mr. RASKIN, Mr. ESPAILLAT, Mr. CONNOLLY, Mr. BLUMENAUER, Mr. JONES, Ms. WILD, Mr. DESAULNIER, Ms. MENG, Mr. MORELLE, Mr. GRIJALVA, Ms. CHU, Mr. RUSH, Ms. DEAN, Mr. MEEKS, Ms. VELÁZQUEZ, Ms. JACOBS of California, Ms. OCASIO-CORTEZ, Mrs. CAROLYN B. MALONEY of New York, Mr. TORRES of New York, Mr. DEUTCH, Ms. DEGETTE, Mr. LOWENTHAL, Ms. OMAR, Ms. BUSH, Ms. TLAIB, Ms. WASSERMAN SCHULTZ, Ms. JAYAPAL, Mr. EVANS, Mr. MCGOVERN, Mr. NEGUSE, Ms. LEE of California, Ms. JACKSON LEE, Ms. JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. SPEIER, Mrs. HAYES, Mrs. DEMINGS, and Mr. LAWSON of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize the Secretary of Health and Human Services to award grants to States and political subdivisions of

States to hire, employ, train, and dispatch mental health professionals to respond in lieu of law enforcement officers in emergencies involving one or more persons with a mental illness or an intellectual or developmental disability, 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 “Mental Health Justice  
5 Act of 2021”.

6 **SEC. 2. FINDINGS.**

7        Congress finds the following:

8            (1) Needless institutionalization (including in  
9 psychiatric hospitals) of people with disabilities is  
10 generally a violation of the Americans with Disabil-  
11 ities Act of 1990 (42 U.S.C. 12101 et seq.), and the  
12 failure to provide sufficient community-based serv-  
13 ices (such as supported housing, assertive commu-  
14 nity treatment, mobile crisis, peer support, and sup-  
15 ported employment) has resulted in needless institu-  
16 tionalization as well as incarceration of persons with  
17 mental illness or an intellectual or developmental  
18 disability.

19            (2) In the landmark 1999 Supreme Court case  
20 *Olmstead v. L.C.*, the Supreme Court ruled that the  
21 “unjustified institutional isolation of persons with



1 disabilities is a form of discrimination” prohibited by  
2 the Americans with Disabilities Act of 1990 (42  
3 U.S.C. 12101 et seq.).

4 (3) Regulations promulgated by the Attorney  
5 General in 1991 affirm that title II of the Ameri-  
6 cans with Disabilities Act of 1990 (42 U.S.C. 12131  
7 et seq.) requires public entities to “administer serv-  
8 ices, programs, and activities in the most integrated  
9 setting appropriate to the needs of qualified individ-  
10 uals with disabilities” (28 C.F.R. 35.130(d)). The  
11 regulation defines “the most integrated setting” as  
12 one that “enables individuals with disabilities to  
13 interact with nondisabled persons to the fullest ex-  
14 tent possible” (28 C.F.R. pt. 35, App. B).

15 (4) Yet today, persons with a mental illness or  
16 an intellectual or developmental disability are more  
17 likely to be incarcerated and to be subject to exces-  
18 sive use of force by law enforcement officers:

19 (A) One out of every four of the deaths  
20 caused by law enforcement officers is a person  
21 with mental illness.

22 (B) Persons with a mental illness or an in-  
23 tellectual or developmental disability are often  
24 charged with minor, nonviolent offenses. For  
25 many of these persons, arrest and incarceration

1           could have been avoided if they had access to  
2           intensive community-based services and stable  
3           housing.

4           (5) Many of the police encounters that lead to  
5           the incarceration (and in too many cases, death) of  
6           people with mental illness or an intellectual or devel-  
7           opmental disability could be avoided by having in  
8           place systems that ensure that calls to 911 or to law  
9           enforcement result in dispatch of mental health pro-  
10          fessionals, peer support workers, or others rather  
11          than law enforcement officers.

12          (6) Many people who are incarcerated would be  
13          better served in community services. If there were  
14          sufficient community services, and persons with  
15          mental illness or an intellectual or developmental  
16          disability were connected to those services rather  
17          than being arrested, thousands of people with men-  
18          tal illness or an intellectual or developmental dis-  
19          ability would avoid needless admissions to hospitals  
20          or jails. Further, jails and hospitals would experi-  
21          ence less crowding.

22 **SEC. 3. GRANTS FOR MENTAL HEALTH PROFESSIONALS TO**  
23 **ACT AS FIRST RESPONDERS.**

24          (a) IN GENERAL.—The Secretary of Health and  
25 Human Services (in this section referred to as the “Sec-

1 retary”), acting through the Assistant Secretary for Men-  
2 tal Health and Substance Use and in consultation with  
3 the Assistant Attorney General for the Civil Rights Divi-  
4 sion of the Department of Justice (in this section referred  
5 to as the “Assistant Attorney General”), shall award  
6 grants to States and political subdivisions of States—

7 (1) to hire, employ, train, and dispatch mental  
8 health professionals to respond in lieu of law en-  
9 forcement officers in emergencies in which—

10 (A) an individual calling 911, 988, or an-  
11 other emergency hotline states that a person—

12 (i) is in a mental health crisis; or

13 (ii) may have a mental illness or an  
14 intellectual or developmental disability;

15 (B) a law enforcement officer or other first  
16 responder identifies a person as having (or pos-  
17 sibly having) a mental illness or an intellectual  
18 or developmental disability; or

19 (C) a law enforcement officer or other first  
20 responder identifies a person as being (or pos-  
21 sibly being) under the influence of a legal or il-  
22 legal substance;

23 (2) to include in the training for mental health  
24 professionals pursuant to paragraph (1) training  
25 in—

1 (A) the principles of deescalation and  
2 antiracism; and

3 (B) age-appropriate techniques;

4 (3) to ensure that such mental health profes-  
5 sionals link persons described in subparagraph (A),  
6 (B), or (C) of paragraph (1) with voluntary commu-  
7 nity-based services where appropriate; and

8 (4) to train the staff of dispatch centers regard-  
9 ing the proper handling of a report of an emergency  
10 described in paragraph (1), including training in the  
11 principles of deescalation and antiracism referred to  
12 in paragraph (2)(A).

13 (b) DELEGATION.—The Secretary shall delegate re-  
14 sponsibility for carrying out the Secretary’s responsibil-  
15 ities under this section and section 4 to the Director of  
16 the Center for Mental Health Services of the Substance  
17 Abuse and Mental Health Services Administration.

18 (c) ADDITIONAL AWARDS.—The Secretary shall  
19 make an additional award of funds under this section each  
20 fiscal year to grantees that demonstrate that their pro-  
21 grams under this section resulted in—

22 (1) a notable reduction in the incarceration and  
23 death of persons with mental illness or an intellec-  
24 tual or developmental disability; or

1           (2) a notable reduction in the use of force by  
2           police and a notable increase in referrals of persons  
3           with a mental illness or intellectual disability to com-  
4           munity-based, voluntary support services (other than  
5           institutionalization or carceral support services).

6           (d) PRIORITY.—In awarding grants under this sec-  
7           tion, the Secretary shall give priority to States and polit-  
8           ical subdivisions of States that—

9           (1) have high rates of arrests and incarceration  
10          of persons with a mental illness or an intellectual or  
11          developmental disability;

12          (2) commit to increasing resources for mental  
13          health and community-based support services or so-  
14          lutions for such persons; or

15          (3) include peer support specialists in their cur-  
16          rent first responder model.

17          (e) REPORTING.—

18          (1) BY GRANTEES.—A recipient of a grant  
19          under this section shall submit to the Secretary—

20                  (A) a quarterly report on—

21                          (i) the number and percentage of  
22                          emergencies where mental health profes-  
23                          sionals were dispatched in lieu of law en-  
24                          forcement officers pursuant to assistance  
25                          under this section;

1 (ii) such other matters as the Sec-  
2 retary may require for determining wheth-  
3 er the recipient should receive an addi-  
4 tional award under subsection (c); and

5 (iii) any increase or decrease, com-  
6 pared to any previous quarter, in incarceration  
7 or institutionalization as a result of  
8 dispatching mental health professionals  
9 pursuant to assistance under this section,  
10 disaggregated to include data specific to  
11 persons with intellectual and developmental  
12 disabilities and mental illnesses where  
13 available, so as—

14 (I) to provide a critical baseline  
15 analysis; and

16 (II) to ensure that mental health  
17 practitioners are not simply funneling  
18 individuals into other institutionalized  
19 settings; and

20 (B) a final report on the use of such grant.

21 (2) BY SECRETARY.—Not later than 1 year  
22 after awarding the first grant under this section,  
23 and annually thereafter, the Secretary shall submit  
24 to the Congress a report on the grant program  
25 under this section.

1           (3) DISAGGREGATION OF DATA.—The reporting  
2           pursuant to paragraphs (1) and (2) shall, to the ex-  
3           tent determined by the Secretary to be applicable, be  
4           disaggregated by age, gender, race, and ethnicity.

5           (f) REVOCATION OF GRANT.—If the Secretary finds,  
6           based on reporting under subsection (e) or other informa-  
7           tion, that activities funded through a grant under this sec-  
8           tion are leading to a significant increase in incarceration  
9           or institutionalization—

10           (1) the Secretary shall revoke the grant; and

11           (2) the grantee shall repay to the Federal Gov-  
12           ernment any amounts that the grantee—

13                   (A) received through the grant; and

14                   (B) has not obligated or expended.

15           (g) FUNDING.—To carry out this section, there are  
16           authorized to be appropriated such sums as may be nec-  
17           essary for fiscal year 2022 and each subsequent fiscal  
18           year.

19   **SEC. 4. TECHNICAL ASSISTANCE FOR POLITICAL SUBDIVI-**  
20                   **SIONS OF A STATE.**

21           The Secretary of Health and Human Service, acting  
22           through the Assistant Secretary for Mental Health and  
23           Substance Use and in consultation with the Assistant At-  
24           torney General for the Civil Rights Division of the Depart-  
25           ment of Justice, shall provide technical assistance to

1 grantees under section 3 (or other Federal law), other po-  
2 litical subdivisions of States, and States to hire, employ,  
3 train, and dispatch mental health professionals to respond  
4 in lieu of law enforcement officers, as described in section  
5 3.

6 **SEC. 5. STUDY.**

7 (a) IN GENERAL.—The Secretary of Health and  
8 Human Services and the Assistant Attorney General for  
9 the Civil Rights Division of the Department of Justice  
10 shall conduct a study of the effectiveness of programs and  
11 activities under sections 3 and 4.

12 (b) QUALITATIVE AND LONGITUDINAL EXAMINA-  
13 TION.—The study under subsection (a) shall include a  
14 qualitative and longitudinal study of—

15 (1) the number of persons diverted from ar-  
16 rests; and

17 (2) short- and long-term outcomes for those  
18 persons, including reduced recidivism, reduced  
19 incidences of use of force, and reduced utilization of  
20 resources.

21 (c) COMPLETION; REPORT.—Not later than 3 years  
22 after the date of enactment of this Act, the Secretary of  
23 Health and Human Services and the Assistant Attorney  
24 General for the Civil Rights Division of the Department  
25 of Justice shall—



- 1           (1) complete the study under subsection (a);
- 2           (2) submit a report to the Congress on the re-
- 3           sults of such study; and
- 4           (3) publish such report.

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