

Department of Legislative Services
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FISCAL AND POLICY NOTE
Revised

Senate Bill 321

(Senators Nathan-Pulliam and Ferguson)

Finance

Health and Government Operations and
Judiciary

Baltimore City and Baltimore County - Police Behavioral Health Units - Pilot Program

This bill requires the Baltimore City Police Department and the Baltimore County Police Department to each establish, to the extent practicable, a behavioral health unit by October 1, 2016. Training must be developed in consultation with the Behavioral Health Administration (BHA) of the Department of Health and Mental Hygiene. The Baltimore City Police Department must complete a study and make recommendations regarding implementation of the unit by December 1, 2015.

The bill terminates June 30, 2019.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances. BHA advises that it can provide training with existing resources.

Local Effect: The bill does not materially affect Baltimore County operations or finances; however, Baltimore City incurs costs to establish such a unit, as discussed below. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: The purpose of the units is to respond to emergency calls involving an individual suspected of having a mental health, substance use, or co-occurring mental

health and substance use disorder, with the goals of diverting such an individual into treatment instead of the criminal justice system and preventing and reducing unnecessary use of force and loss of life. Each unit must consist of at least six officers who are specially trained (1) to understand the needs of these individuals and (2) in cultural sensitivity and cultural competency.

The bill may not be construed to interfere with or replace any existing crisis intervention team programs in Baltimore City or Baltimore County.

By October 1, 2018, the Baltimore City Police Department and the Baltimore County Police Department must report to the General Assembly on the number and disposition of emergency calls that the respective behavioral health units have responded to in 2016, 2017, and 2018.

Current Law/Background: Under the Health-General Article, specified health professionals and other interested parties may petition for an emergency evaluation of an individual, which may result in the involuntary admission of the individual to a mental disorder treatment facility, if the petitioner has reason to believe that the individual (1) has a mental disorder and (2) presents a danger to the life or safety of the individual or of others. Additionally, on receipt of a valid petition for an emergency evaluation, a peace officer must take the individual to the nearest emergency facility. The peace officer may stay for the duration of the evaluation on request of the evaluating physician if the individual exhibits violent behavior. A peace officer may also petition for an emergency evaluation of an individual if the peace officer personally observed the individual or the individual's behavior. A "peace officer" is defined as a sheriff, deputy sheriff, State police officer, county police officer, municipal or other local police officer, or Secret Service agent.

In 1995, the Baltimore County Police Department launched a week-long training initiative to teach law enforcement officers strategies and skills to effectively respond, communicate, and resolve issues related to mental health crises. The department, in conjunction with the National Alliance for the Mentally Ill, developed a curriculum to help officers (1) become educated about the medical and behavioral aspects of mental illness; (2) identify situations where a person with a mental illness, law enforcement, and mental health providers might interact; (3) learn specific intervention techniques for managing a mentally ill person in crisis; and (4) become familiar with mental health resources available in the community.

In 2010, all Baltimore City police trainees began receiving Behavioral Emergency Services Team (BEST) training prior to graduating as patrol officers. BEST is a certification course based on national models, which equips police officers with methods to properly and safely interact with individuals who have behavioral health disorders. Through the training, officers learn to effectively de-escalate mental health crises, to minimize arrests, to reduce the risk of officer injuries, and when to call for support from Baltimore City mental health

crisis programs. Officers are educated about the mental health resources available to help link citizens to needed services and treatment. In 2014, the BEST program was expanded to include in-service training for veteran officers and commanders as well.

State Fiscal Effect: BHA advises that it has existing resources that police departments can utilize to train officers and that it is already collaborating with Baltimore County and Baltimore City to provide similar training as is required under the bill. BHA funds crisis response teams in Baltimore City and Baltimore County in which law enforcement officers are trained in interacting with individuals with behavioral health problems, including how to de-escalate situations and what mental health services are available. Police departments can also utilize, for a fee, the Mental Health First Aid program, which is available statewide and includes training modules on mental health disorders.

Local Fiscal Effect: The Baltimore County Police Department advises that it already has a mental health unit, and as a result, the bill has no fiscal or operational impact.

The Baltimore City Police Department advises that, while the required study can be handled with existing resources, costs increase in order to establish a behavioral health unit. The department advises that, although officers receive some training through the BEST program and from BHA, the department does not have a dedicated behavioral health unit; the department was also downsized by 200 officers in fiscal 2015 due to labor negotiations. Consequently, the department advises that it must hire six additional officers to staff such a unit.

As the bill specifies that the Baltimore City Police Department must, to the extent practicable, establish a unit by October 1, 2016, it is unclear whether the bill requires establishment of the unit, with some allowance for implementation beyond that date, or only requires the unit to be established *if practicable*. This analysis assumes establishment is required after the study is completed. However, because there is flexibility on timing to do so and the requirement terminates in June 2019, this analysis does not include a cost estimate.

Additional Information

Prior Introductions: None.

Cross File: HB 926 (Delegate Sydnor, *et al.*) - Health and Government Operations and Judiciary.

Information Source(s): Baltimore City, Baltimore County, Department of Health and Mental Hygiene, Maryland Association of County Health Officers, Department of Legislative Services

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Analysis by: Sasika Subramaniam

Direct Inquiries to:
(410) 946-5510
(301) 970-5510