



House of Representatives

File No. 589

General Assembly

February Session, 2022

(Reprint of File No. 339)

Substitute House Bill No. 5420
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 22, 2022

**AN ACT CONCERNING MENTAL HEALTH NEEDS OF AND
SERVICES FOR POLICE OFFICERS, CERTAIN REQUIREMENTS
REGARDING POLICE TRAINING AND CERTAIN REPORTS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (a) of section 7-291d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (a) (1) No law enforcement unit, as defined in section 7-294a, shall
5 discharge, discipline, discriminate against or otherwise penalize a police
6 officer, as defined in section 7-294a, who is employed by such law
7 enforcement unit solely because the police officer (A) seeks or receives
8 mental health care services, [or] including such services as a result of a
9 behavioral health assessment conducted pursuant to section 7-291e, or
10 (B) surrenders his or her firearm, ammunition or electronic defense
11 weapon used in the performance of the police officer's official duties to
12 such law enforcement unit during the time the police officer receives

13 mental health care services.

14 (2) The provisions of this subsection shall not be applicable to a police
15 officer who [(1)] (A) seeks or receives mental health care services to
16 avoid disciplinary action by such law enforcement unit, or [(2)] (B)
17 refuses to submit himself or herself to an examination as provided in
18 subsection (b) of this section.

19 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than July 1, 2023,
20 the Police Officer Standards and Training Council shall (1) after
21 consultation with persons with mental or physical disabilities and
22 advocates on behalf of such persons, develop a training curriculum for
23 police officers regarding interactions with persons who have mental or
24 physical disabilities, and (2) after consultation with persons who are
25 deaf, hard of hearing or deaf-blind and advocates on behalf of such
26 persons, develop a training curriculum for police officers regarding
27 interactions with persons who are deaf, hard of hearing or deaf-blind.

28 (b) On and after October 1, 2023, each police basic or review training
29 program conducted or administered by the Police Officer Standards and
30 Training Council, the Division of State Police within the Department of
31 Emergency Services and Public Protection or a municipal police
32 department shall include the training curriculum developed pursuant
33 to subsection (a) of this section.

34 Sec. 3. (*Effective from passage*) (a) There is established a task force to
35 study the mental health needs of law enforcement officers. The task
36 force shall (1) examine the mental health needs of law enforcement
37 officers, (2) list the programs that serve or could be available to serve the
38 mental health needs of officers, (3) identify barriers to accessing such
39 programs, such as issues regarding confidentiality and disclosure of
40 information regarding treatment, and (4) make recommendations for
41 policies, practices and legislation to address the mental health needs of
42 officers, encourage officers to access programs and eliminate barriers to
43 accessing programs.

44 (b) The task force shall consist of the following members:

45 (1) One appointed by the speaker of the House of Representatives,
46 who shall be a representative of the Honor Wellness Center or a
47 nonprofit organization providing mental health treatment for police
48 officers;

49 (2) One appointed by the president pro tempore of the Senate, who
50 shall be a representative of the Connecticut Alliance to Benefit Law
51 Enforcement or a nonprofit organization that provides training to police
52 officers on mental health issues;

53 (3) One appointed by the majority leader of the House of
54 Representatives, who shall be a representative of a labor organization
55 representing sworn members of the Division of State Police within the
56 Department of Emergency Services and Public Protection;

57 (4) One appointed by the majority leader of the Senate, who shall be
58 a police officer from a municipal police department;

59 (5) One appointed by the minority leader of the House of
60 Representatives, who shall be a representative of the Police Officers
61 Association of Connecticut;

62 (6) One appointed by the minority leader of the Senate, who shall be
63 a police officer from a municipal police department;

64 (7) The Commissioner of Emergency Services and Public Protection,
65 or the commissioner's designee;

66 (8) The Commissioner of Mental Health and Addiction Services, or
67 the commissioner's designee;

68 (9) The chairperson of the Police Officer Standards and Training
69 Council, or the chairperson's designee; and

70 (10) Two appointed by the Governor, one of whom shall be a
71 municipal police chief representing the Connecticut Police Chiefs
72 Association and one of whom shall be a representative of a labor
73 organization representing sworn members of municipal police

74 departments.

75 (c) Any member of the task force appointed under subdivision (1),
76 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
77 of the General Assembly.

78 (d) All initial appointments to the task force shall be made not later
79 than thirty days after the effective date of this section. Any vacancy shall
80 be filled by the appointing authority.

81 (e) The speaker of the House of Representatives and the president pro
82 tempore of the Senate shall select the chairpersons of the task force from
83 among the members of the task force. Such chairpersons shall schedule
84 the first meeting of the task force, which shall be held not later than sixty
85 days after the effective date of this section.

86 (f) The administrative staff of the joint standing committee of the
87 General Assembly having cognizance of matters relating to public safety
88 and security shall serve as administrative staff of the task force.

89 (g) Not later than January 1, 2023, the task force shall submit a report,
90 in accordance with the provisions of section 11-4a of the general statutes,
91 on its findings and recommendations to the joint standing committee of
92 the General Assembly having cognizance of matters relating to public
93 safety and security. The task force shall terminate on the date that it
94 submits such report or January 1, 2023, whichever is later.

95 Sec. 4. (*Effective from passage*) Not later than January 1, 2023, the
96 Institute for Municipal and Regional Policy at The University of
97 Connecticut, in consultation with the United Way of Connecticut, shall
98 submit a report, in accordance with the provisions of section 11-4a of the
99 general statutes, to the joint standing committee of the General
100 Assembly having cognizance of matters relating to public safety and
101 security. Such report shall include a study of a representative sample of
102 9-1-1 dispatch call data and an analysis of the percentage of such calls
103 that would be more appropriately directed to the 2-1-1 Infoline program
104 operated by the United Way of Connecticut.

105 Sec. 5. (*Effective from passage*) Not later than January 1, 2023, the Police
106 Officer Standards and Training Council, established pursuant to section
107 7-294b of the general statutes, shall submit a report, in accordance with
108 the provisions of section 11-4a of the general statutes, to the joint
109 standing committee of the General Assembly having cognizance of
110 matters relating to public safety and security. Such report shall:

111 (1) (A) Provide the implementation status of the interactive electronic
112 computer platform described in subdivision (9) of subsection (a) of
113 section 7-294d of the general statutes, and (B) describe any criteria used
114 by the council to determine when it is appropriate to allow officers to
115 complete certified review training using such platform;

116 (2) Determine whether any other training required of police officers
117 after initial certification may be conducted through such an electronic
118 computer platform or through any other on-line or remote format
119 without compromising the quality of such training; and

120 (3) Make recommendations for any legislation necessary to
121 implement the council's findings.

122 Sec. 6. (*Effective from passage*) Not later than January 1, 2023, the
123 Department of Mental Health and Addiction Services shall submit a
124 report, in accordance with the provisions of section 11-4a of the general
125 statutes, to the joint standing committee of the General Assembly
126 having cognizance of matters relating to public safety and security. Such
127 report shall include an examination of the Community and Law
128 Enforcement for Addiction Recovery project, including an analysis of
129 whether such project has been successful in achieving its goals, and
130 recommendations as to improvements to such project and whether it
131 should be expanded throughout the state.

132 Sec. 7. Section 7-294r of the general statutes is repealed. (*Effective*
133 *October 1, 2023*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	7-291d(a)
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>October 1, 2023</i>	Repealer section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires (1) studies by the Institute for Municipal and Regional Policy and the Police Officer Standards and Training (POST) Council, (2) a task force to study the mental health needs of law enforcement, and (3) POST to develop a training program for police officers interacting with people with mental or physical disabilities, has no fiscal impact.

House "A" eliminates the cost of the underlying bill by striking section 3 and the associated appropriation of \$100,000 to the Department of Mental Health and Addiction Services (DMHAS) in FY 23.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5420 (as amended by House "A")******AN ACT CONCERNING MENTAL HEALTH NEEDS OF AND SERVICES FOR POLICE OFFICERS, CERTAIN REQUIREMENTS REGARDING POLICE TRAINING AND CERTAIN REPORTS.*****SUMMARY**

This bill makes several changes affecting law enforcement and related agencies, including the Police Officer Standards and Training Council (POST), mainly about mental health (for both police officers and those with whom they interact). Generally, it:

1. extends existing employment protections to certain police officers who seek or receive mental health care services after undergoing a required behavioral health assessment (§ 1);
2. eliminates police basic and review training on handling incidents involving a person affected with a serious mental illness and replaces it with training on interacting with people who (a) have mental or physical disabilities or (b) are deaf, hard of hearing, or deaf-blind (§§ 2 & 7);
3. sets up a task force to study law enforcement officers' mental health needs (§ 3);
4. by January 1, 2023, requires UConn's Institute for Municipal and Regional Policy, in consultation with the United Way of Connecticut, to submit a report to the Public Safety and Security Committee that includes a study of a representative sample of 911 calls and analyzes the percentage of the calls that would be more appropriately directed to the 2-1-1 Infoline program (which the United Way of Connecticut operates) (§ 4);

5. requires a report on the use of online or remote technology by POST for police officer training after initial certification (§ 5); and
6. requires the Department of Mental Health and Addiction Services (DMHAS) to report to the legislature about the Community and Law Enforcement for Addiction Recovery project's status (§ 6).

The bill also makes technical and conforming changes.

*House Amendment "A" eliminates the underlying bill's \$100,000 FY 23 appropriation for DMHAS to give grants to nonprofit organizations to provide crisis intervention training to police officers.

EFFECTIVE DATE: Upon passage, except the repeal of the current training on handling incidents involving an individual affected with a serious mental illness is effective October 1, 2023.

§ 1 — EMPLOYMENT PROTECTIONS

Existing law generally prohibits a law enforcement unit from discharging, disciplining, discriminating against, or penalizing a police officer it employs only because the officer, among other things, seeks or receives mental health care services. The bill extends this protection to officers who seek or receive services due to a required behavioral health assessment. (By law police officers must submit to a behavioral health assessment at least every five years as a condition of continued employment (CGS § 7-291e).)

Under existing law and the bill, the protection does not apply to officers who seek or receive mental health care services to avoid disciplinary action.

§§ 2 & 7 — OFFICER TRAINING CURRICULA

Current law requires state and local police basic and review training to include a course on handling incidents involving a person affected with a serious mental illness (CGS § 7-294r). The bill eliminates this course requirement and instead requires POST to develop training

curricula, by July 1, 2023, for police officers on interacting with people who (1) have mental or physical disabilities and (2) are deaf, hard of hearing, or deaf-blind. In developing both curricula, POST must first consult with individuals with these characteristics and advocates on their behalf. Beginning October 1, 2023, each police basic or review training program conducted or administered by POST, the State Police, or a municipal police department must include the new curricula.

Existing law, unchanged by the bill, requires police basic and review training programs to include training on handling incidents involving juveniles and adults with autism spectrum disorder, cognitive impairment, or nonverbal learning disorder (CGS §§ 7-294h).

§ 3 — MENTAL HEALTH TASK FORCE

Purpose

The bill creates an 11-member task force to study law enforcement officers' mental health needs. The task force must:

1. examine these officers' mental health needs;
2. list the programs that serve or could be available to serve them;
3. identify barriers to accessing those programs, such as issues of confidentiality and disclosure of treatment information; and
4. make recommendations for policies, practices, and legislation to address these officers' mental health needs, encourage officers to access programs, and eliminate access barriers.

Under the bill, the task force must submit a report with its findings and recommendations to the Public Safety and Security Committee by January 1, 2023.

Membership

The task force consists of the Department of Emergency Services and Public Protection and DMHAS commissioners and POST chairperson, or their respective designees; two gubernatorial appointments; and six

legislative appointments. Table 1, below, provides the qualifications for the appointed members.

Table 1: Task Force Appointments and Qualifications

<i>Appointing Authority</i>	<i>Qualification</i>
Governor	<ul style="list-style-type: none"> • a municipal police chief representing the Connecticut Police Chiefs Association • a labor organization representative for sworn members of municipal police departments
House speaker	<ul style="list-style-type: none"> • a representative of the Honor Wellness Center or another nonprofit organization that provides mental health treatment for police officers
Senate president pro tempore	<ul style="list-style-type: none"> • a representative of the Connecticut Alliance to Benefit Law Enforcement or another nonprofit organization that trains police officers on mental health issues
House majority leader	<ul style="list-style-type: none"> • a labor organization representative for sworn members of the State Police
Senate majority leader	<ul style="list-style-type: none"> • a police officer from a municipal police department
House minority leader	<ul style="list-style-type: none"> • a representative of the Police Officers Association of Connecticut
Senate minority leader	<ul style="list-style-type: none"> • a police officer from a municipal police department

Under the bill, the appointing authorities must make their appointments within 30 days after the bill's passage and fill any vacancies. The legislative appointments may be legislators.

The bill requires the House speaker and the Senate president to select the task force's chairpersons from among its members. The chairpersons must schedule and hold the task force's first meeting within 60 days after the bill's passage.

Administration

The Public Safety and Security Committee's administrative staff serves as task force staff. The task force terminates when it submits its

report or January 1, 2023, whichever is later.

§ 5 — ONLINE POLICE TRAINING REPORT

Under existing law, POST may (1) develop an interactive electronic computer platform to administer training courses and (2) authorize police officers to complete certified review training at a local police department facility using the platform (CGS § 7-294d(a)(9)). The bill requires POST, by January 1, 2023, to submit a report to Public Safety and Security Committee that:

1. provides the implementation status of its interactive electronic computer platform;
2. describes any criteria it used to determine when officers may use the platform to complete certified review training;
3. determines whether any other police officer training that is required after initial certification may be done through the platform or another online or remote format without compromising training quality; and
4. recommends any legislation necessary to carry out its findings.

§ 6 — COMMUNITY AND LAW ENFORCEMENT FOR ADDICTION RECOVERY REPORT

The bill requires DMHAS to submit a report to the Public Safety and Security Committee by January 1, 2023, that examines its Community and Law Enforcement for Addiction Recovery project. The report must include (1) an analysis of whether the project has successfully achieved its goals, (2) recommendations on improving the project, and (3) whether it should be expanded throughout the state.

BACKGROUND

Law Enforcement Unit and Police Officers

By law, a “law enforcement unit” is any state or municipal agency or department (or tribal agency or department created and governed under a memorandum of agreement) whose primary functions include

enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime.

“Police officers” generally are sworn members of an organized local police department or the State Police; appointed constables who perform criminal law enforcement duties; special police officers appointed under law (e.g., public assistance fraud investigators); or any members of a law enforcement unit who perform police duties (CGS § 7-294a).

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 23 Nay 0 (03/22/2022)

Appropriations Committee

Joint Favorable

Yea 48 Nay 0 (04/18/2022)