



Legislation Text

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Int. No. 41

By Council Member Ayala

A Local Law to amend the administrative code of the city of New York, in relation to requiring mental health assistance to persons in need following police encounters

Be it enacted by the Council as follows:

Section 1. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 19 to read as follows:

Chapter 19
Mental Health Assistance Following Police Encounters

§ 17-1901 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Emotionally disturbed person. The term “emotionally disturbed person” means a person who appears to be mentally ill or temporarily deranged and is conducting themselves in a manner that a police officer reasonably believes is likely to result in serious injury to self or others.

Police encounter. The term “police encounter”

1. Means:

(a) An interaction between a police officer and an emotionally disturbed person that results in a desk appearance ticket or a criminal summons;

(b) An interaction between a police officer and an emotionally disturbed person that results in such person being transported to a health care facility in lieu of an arrest; or

(c) An interaction in which a police officer responds to a call involving an emotionally disturbed person

that does not result in a law enforcement action.

2. Does not mean an interaction in which an emotionally disturbed person has been stopped, questioned or frisked by a police officer pursuant to subdivision 4 of section 140.50 of the criminal procedure law.

§ 17-1902 Post-encounter follow-up teams. a. Within five days of a police encounter the department shall attempt to locate the emotionally disturbed person using all available contact information. If the department fails to locate such person upon its initial attempt, the department shall make an additional attempt within 14 days of the initial attempt.

b. If the department is able to locate such person, the department shall offer services and resources offered by the city that the department deems appropriate for such person, and shall advise such person of additional appropriate services and resources offered by other governmental and non-governmental entities.

§ 2. This local law takes effect 180 days after it becomes law.

JJD
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