

SENATE BILL NO. 1162

October 01, 2020, Introduced by Senators CHANG, HERTEL, WOJNO, MOSS, BRINKS, BULLOCK, SANTANA, POLEHANKI, GEISS, MCMORROW, BAYER, ANANICH and HOLLIER and referred to the Committee on Judiciary and Public Safety.

A bill to create the office of social work and police partnerships and to prescribe its powers and duties; to create the social work and police partnerships council and to prescribe its powers and duties; to prescribe the powers and duties of state departments and agencies; to create certain funds; to impose certain duties on certain state and local officials; to make appropriations for various state departments; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. This act shall be known and may be cited as the
- 2 "sociat work and police partnerships act".

1 Sec. 2. As used in this act:

2 (a) "Advisory council" or "council" means the social work and
3 police partnerships advisory council described in section 5.

4 (b) "Community agency" means a community mental health agency
5 or a social service agency.

6 (c) "Community mental health agency" means a department-
7 designated community mental health entity as that term is defined
8 under section 100a of the mental health code, 1974 PA 258, MCL
9 330.1100a.

10 (d) "Department" means the department of health and human
11 services.

12 (e) "Disproportionate racial impact" means the percentage of
13 individuals from a particular race who are arrested or incarcerated
14 is significantly higher than the percentage of that group in the
15 population, for that geographical area.

16 (f) "High crime rate" means the rate of crime in the local
17 unit of government is higher than for 75% of local units of
18 government in this state as determined by the council.

19 (g) "High incarceration rate" means the rate of incarceration
20 for individuals from that local unit of government is greater than
21 that for 75% of communities in this state as determined by the
22 council.

23 (h) "Licensed professional counselor" means that term as
24 defined in section 18101 of the public health code, 1978 PA 368,
25 MCL 333.18101.

26 (i) "Local unit of government" means a city, village, or
27 township.

28 (j) "Office" means the office of social work and police
29 partnerships created in section 3.

(k) "Organization" means an organization exempt from taxation under section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, with experience in grantmaking in a target community and that contracts with the office to administer a social work and police partnerships grant program under this act.

(l) "Psychologist" means that term as defined in section 18201 of the public health code, 1978 PA 368, MCL 333.18201.

(m) "Social service agency" means an agency or organization that provides services toward the prevention, improvement, or resolution of health, mental health, social, or environmental problems that affect individuals, families, specific groups, or communities.

(n) "Social worker" means an individual who is a licensed bachelor's social worker or a licensed master's social worker as those terms are defined in section 18501 of the public health code, 1978 PA 368, MCL 333.18501.

(o) "Target community" means a local unit of government with a high crime rate, high incarceration rate, or disproportionate racial impact.

Sec. 3. (1) The office of social work and police partnerships is created in the department of health and human services.

(2) The head of the office is the director of the department or his or her designee.

(3) The office shall do all of the following:

(a) Create the social work and police partnerships council under section 5.

(b) Create the social work and police partnerships grant program, review grant applications, and distribute grants under section 4.

1 (c) Develop a model memorandum of understanding between
2 community mental health and social service agencies and law
3 enforcement.

4 (d) Manage external evaluation and ensure that grant data are
5 collected by grant recipients in order to determine best future
6 practices and criteria for future grants.

7 (e) Provide technical assistance and coordination, and
8 facilitate sharing of best practices among grant recipients.

9 (f) Assist with cross-training resources between law
10 enforcement and social workers, licensed professional counselors,
11 or psychologists.

12 (g) Work with social work stakeholders and advocates to ensure
13 proper training for social workers, licensed professional
14 counselors, or psychologists working with law enforcement.

15 Sec. 4. (1) The office shall create a social work and police
16 partnerships grant program to provide competitive grants to assist
17 local units of government and organizations in target communities
18 identified by the council in section 5.

19 (2) The social work and police partnerships grant program
20 shall provide that the grant proceeds may be used, as determined by
21 the office, to provide social workers, licensed professional
22 counselors, or psychologists to partner with law enforcement
23 agencies at a community mental health or social service agency.
24 Each community agency and law enforcement agency receiving a
25 partnership grant must have and provide to the office a copy of
26 their memorandum of understanding that delineates how the social
27 workers, licensed professional counselors, or psychologists and law
28 enforcement will be integrated or coordinated. The social workers,
29 licensed professional counselors, or psychologists shall perform

1 duties including, but not limited to, the following:

2 (a) Responding with law enforcement to emergency calls,
3 including, but not limited to, calls involving mental illness,
4 substance abuse, and homelessness.

5 (b) Referring individuals to treatment, housing, and other
6 social services.

7 (c) Counseling crime victims.

8 (d) Counseling individuals on community reentry after
9 incarceration.

10 (e) Assisting law enforcement officers with trauma and other
11 mental health needs.

12 (3) Grants provided under subsection (2) must be matched \$1.00
13 by the local unit of government for every \$2.00 of grant money
14 received, potentially utilizing savings from jail reforms or
15 forfeiture funds. Grants provided under subsection (2) to a local
16 unit of government must not exceed \$2,000,000.00 in a fiscal year.

17 (4) The office shall create an application process with
18 selection criteria for grants under subsection (2) and a grant
19 dispersal process, and post the application process, selection
20 criteria, and grant dispersal process on the office's website.

21 (5) Each year, a local unit of government or organization that
22 receives a grant under this section shall report the following to
23 the office:

24 (a) An accounting of all expenditures under the grant program.

25 (b) The number of calls for service responded to by social
26 workers, licensed professional counselors, or psychologists,
27 victims counseled or referred to appropriate services, law
28 enforcement officers counseled or referred to appropriate services,
29 or individuals counseled for community reentry after incarceration.

1 (c) Whether a call for service was initially a police contact
2 followed by a response by a social worker, licensed professional
3 counselor, or psychologist, the reverse, or neither.

4 (d) Whether an arrest or jail admission was made as a result
5 of the call for service.

6 (e) If an arrest or jail admission was made under subdivision
7 (d), what was the result of criminal justice involvement.

8 (f) The types of services and referrals provided.

9 (g) The number of arrests, jail admissions, repeat arrests, or
10 community agency visits in a local unit of government for the same
11 individual for that year and the percentage change in arrests, jail
12 admissions, repeat arrests, or community agency visits in a local
13 unit of government as reported in the immediately preceding
14 reporting year.

15 (h) The number of clients served by the community agencies
16 serving the local unit of government for the year and the
17 percentage change from the number of clients served as reported in
18 the immediately preceding reporting year.

19 (i) The rate of recidivism as related to number of contacts
20 with social workers, licensed professional counselors, or
21 psychologists in a local unit of government and the percentage
22 change in the rate of recidivism as reported in the immediately
23 preceding reporting year.

24 (6) Not later than December 31, 2022 and annually thereafter,
25 the office shall submit a report to the governor and each house of
26 the legislature and publish a copy of the report on its internet
27 website. The report must contain all of the following for the
28 immediately preceding fiscal year:

29 (a) The name of each local unit of government or organization

1 that received a grant and the total amount of the grant.

2 (b) The number and amounts of grants disbursed by each local
3 unit of government or organization that received a grant under this
4 act.

5 (c) A detailed analysis of the grants disbursed by the office
6 to each local unit of government agency or organization.

7 (d) Best practices of the grant recipients.

8 (e) Recommendations for improvements to grant criteria
9 described in subsection (4).

10 Sec. 5. (1) Within 60 days of the effective date of this act,
11 the office shall create a social work and police partnerships
12 advisory council.

13 (2) The council shall consist of the following 15 members
14 appointed by the office:

15 (a) Three social workers who are community mental health
16 representatives.

17 (b) Two formerly incarcerated individuals.

18 (c) One jail official.

19 (d) Two law enforcement officers.

20 (e) Two social workers with experience treating substance
21 abuse issues.

22 (f) Two individuals who were victims of a crime.

23 (g) One public defense attorney.

24 (h) One prosecutor.

25 (i) One community organization representative.

26 (3) Within 90 days of the effective date of this act, the
27 office shall call the first meeting of the council. At the first
28 meeting, the council shall select from among its members a
29 chairperson. The council shall meet at the call of the chairperson.

1 (4) If a vacancy occurs on the council, the office shall make
2 an appointment for the unexpired term in the same manner as the
3 original appointment.

4 (5) The head of the office may remove a member of the council
5 for incompetence, dereliction of duty, malfeasance during his or
6 her tenure in office, or any other good cause.

7 (6) A majority of the members of the council constitute a
8 quorum for the transaction of business at a meeting of the council.
9 An affirmative vote of a majority of the members present and
10 serving is required for official action of the council.

11 (7) The business that the council may perform shall be
12 conducted at a public meeting of the council held in compliance
13 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

14 (8) A writing prepared, owned, used, in the possession of, or
15 retained by the council in the performance of an official function
16 is subject to the freedom of information act, 1976 PA 442, MCL
17 15.231 to 15.246.

18 (9) Members of the council shall serve without compensation.
19 However, members of the council may be reimbursed for their actual
20 and necessary expenses incurred in the performance of their
21 official duties as members of the council.

22 (10) No later than 60 days after its first meeting, the
23 council shall submit a final report to the office with
24 recommendations of target communities for grants from the social
25 work and police partnerships grant program created under section 4.

26 Sec. 6. (1) The social work and police partnerships fund is
27 created within the state treasury.

28 (2) The state treasurer may receive money or other assets from
29 any source for deposit into the fund. The state treasurer shall

1 direct the investment of the fund. The state treasurer shall credit
2 to the fund interest and earnings from fund investments.

3 (3) Money in the fund at the close of the fiscal year must
4 remain in the fund and must not lapse to the general fund.

5 (4) The department of treasury shall be the administrator of
6 the fund for auditing purposes.

7 (5) The office shall expend money from the fund, upon
8 appropriation, for the following purposes:

9 (a) Making grant distributions as provided in this act.

10 (b) Paying the reasonable expenses of providing staff services
11 to the office and council for administering and enforcing the
12 statutory requirements of this act.