

[Second Reprint]

**ASSEMBLY, No. 5326**

**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

INTRODUCED MARCH 20, 2023

**Sponsored by:**

**Assemblyman WILLIAM W. SPEARMAN**

**District 5 (Camden and Gloucester)**

**Assemblywoman SHAVONDA E. SUMTER**

**District 35 (Bergen and Passaic)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Co-Sponsored by:**

**Assemblywomen Carter, McKnight, Assemblyman Wimberly and Senator Turner**

**SYNOPSIS**

Establishes Community Crisis Response Advisory Council and community crisis response teams pilot program; designates “Seabrooks-Washington Community-Led Crisis Response Act;” appropriates \$12 million.

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on January 4, 2024, with amendments.

(Sponsorship Updated As Of: 1/8/2024)

1 AN ACT concerning community crisis response <sup>2</sup>, designated as the  
2 “Seabrooks-Washington Community-Led Crisis Response Act.”<sup>2</sup>  
3 and supplementing Title <sup>2</sup>**[26]** 52<sup>2</sup> of the Revised Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 <sup>2</sup>1. This act shall be known and may be cited as the “Seabrooks-  
9 Washington Community-Led Crisis Response Act.”<sup>2</sup>

10

11 <sup>2</sup>**[1.]** 2.<sup>2</sup> The Legislature finds and declares that:

12 a. New Jersey’s system of policing and incarceration has  
13 staggering racial disparities.

14 b. Since 2015, fatal police encounters in New Jersey have  
15 resulted in the deaths at least 86 members of the public. Almost  
16 half, or 48 percent, of those who lost their lives were Black.

17 c. New Jersey has one of the highest racial disparities among  
18 victims of police violence in the country: Black New Jersey  
19 residents are killed at a rate 8.3 times higher than white residents.

20 d. Between October of 2020 and February of 2021, there have  
21 been over 3,500 documented police use-of-force incidents across  
22 the State. Of these incidents, at least 46 percent involved police  
23 using force on Black individuals.

24 e. According to studies, individuals with untreated severe  
25 mental illness are involved in one-fourth of all fatal police  
26 encounters, making those with untreated mental illness 16 times  
27 more likely to be killed by a police officer.

28 f. Over the last few years, 911 calls for mental health crises in  
29 New Jersey have increased exponentially.

30 g. In 2012, New Jersey passed the Overdose Prevention Act,  
31 which includes Good Samaritan protections that are intended to  
32 encourage people to call 911 if they are with a person who is  
33 experiencing an overdose. Yet, research on the effectiveness of  
34 Good Samaritan laws shows that overdose bystanders continue to  
35 delay or refrain from calling 911 due to fear of police involvement,  
36 social penalties, and stigma.

37 h. According to national studies, the majority of all police  
38 killings in the United States escalate from nonviolent situations,  
39 such as traffic stops, mental health checks, and domestic disputes.

40 i. Current research demonstrates that police-centered models  
41 of public safety have far-reaching harms, especially for young  
42 Black men. Even in the absence of violence, frequent police stops  
43 are linked to adverse mental health outcomes, including anxiety,  
44 depression, and post-traumatic stress disorder.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[ thus ]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ALP committee amendments adopted May 18, 2023.

<sup>2</sup>Senate SBA committee amendments adopted January 4, 2024.

1 j. Other jurisdictions have found that responding to a variety of  
2 calls for service, especially those that involve a mental health crisis,  
3 with an alternative crisis response team not only reduces the  
4 possibility of escalation and thus, use of force, but also provides  
5 monetary savings to the cities implementing these models.

6 k. Research on the state of policing shows that front-line  
7 officers are experiencing physical and mental health challenges  
8 related to burnout and the cumulative stress of responding to  
9 behavioral health incidents.

10  
11 <sup>2</sup>[2.] 3.<sup>2</sup> As used in this act:

12 <sup>2</sup>“Behavioral health” means mental health, substance abuse, or  
13 co-occurring mental health and substance abuse diagnoses, and the  
14 continuum of mental health, substance abuse, or co-occurring  
15 mental health and substance abuse treatment.<sup>2</sup>

16 “Community crisis response team” means a team that provides  
17 professional on-site community-based intervention such as  
18 outreach, de-escalation, stabilization, resource connection, and  
19 follow-up support for individuals who are experiencing a behavioral  
20 health crisis, that shall include certified peer counselors as a best  
21 practice to the extent practicable.

22 <sup>2</sup>“Community-based organization” means a public or private  
23 nonprofit organization that is representative of a community or a  
24 significant segment of a community, and is engaged in meeting  
25 human, educational, environmental, or public safety community  
26 needs.<sup>2</sup>

27 “Crisis response services” mean short-term individualized crisis  
28 stabilization services which follow a crisis screening or assessment  
29 and which are designed to restore the individual to a prior  
30 functional level.

31 <sup>2</sup>[“Community-based organization” means a public or private  
32 nonprofit organization that is representative of a community or a  
33 significant segment of a community, and is engaged in meeting  
34 human, educational, environmental, or public safety community  
35 needs.

36 “Substance use disorders” means the recurrent use of alcohol,  
37 drugs, or both that causes clinically significant impairment,  
38 including health problems, disability, and failure to meet major  
39 responsibilities at work, school, or home.]<sup>2</sup>

40 “Harm reduction services” means policies, programs, and  
41 practices that aim to reduce or minimize the adverse consequences  
42 associated with the use of substances.

43 “Law enforcement agency” means a State, county or municipal  
44 law enforcement agency, department, division, or instrumentality  
45 thereof that is statutorily empowered to act for the detection,  
46 investigation, arrest, conviction, detention, or rehabilitation of  
47 persons violating the criminal laws of the State.

1       <sup>2</sup>["Behavioral health" means mental health, substance abuse, or  
2 co-occurring mental health and substance abuse diagnoses, and the  
3 continuum of mental health, substance abuse, or co-occurring  
4 mental health and substance abuse treatment.] "Substance use  
5 disorders" means the recurrent use of alcohol, drugs, or both that  
6 causes clinically significant impairment, including health problems,  
7 disability, and failure to meet major responsibilities at work, school,  
8 or home.

9       "Violence interrupter community street team" means a non-profit  
10 community service provider who develops and implements violence  
11 intervention and prevention programming for communities  
12 impacted by higher-than-average rates of violence, with a focus on  
13 gun violence, and works with groups and individuals to build their  
14 capacity to seek healthy methods for addressing and resolving  
15 conflict.<sup>2</sup>

16

17       <sup>2</sup>[3.]<sup>4.</sup><sup>2</sup> a. There is established in the Department of  
18 <sup>2</sup>[Health] Law and Public Safety<sup>2</sup> the Community Crisis Response  
19 Advisory Council to provide the department with best practices and  
20 recommendations concerning the development of a community  
21 crisis response program in the form of an annual report to the  
22 department. <sup>2</sup>In developing the best practices and recommendations,  
23 the council shall assess and determine a viable pipeline to train and  
24 resource mental health screeners from within directly impacted  
25 communities.<sup>2</sup> Upon submission to the council, the report  
26 immediately shall be made available to the public.

27       b. The council shall consist of 13 members, as follows:

28       (1) the Deputy Commissioner of Public Health Services <sup>1</sup>[and]  
29 <sup>1</sup>, <sup>1</sup> the Assistant Commissioner of the Division of HIV, STD and TB  
30 Services <sup>1</sup>, and the Director of Emergency Medical Services<sup>1</sup> in the  
31 Department of Health, or their designees, who shall serve ex  
32 officio;

33       (2) the Attorney General or a designee, who shall serve ex  
34 officio;

35       <sup>1</sup>(3) the Executive Director of the Division of Violence  
36 Intervention and Victim Assistance in the Department of Law and  
37 Public Safety, or a designee, serving ex officio;

38       (4) the Director of the Division of Fire Safety in the Department  
39 of Community Affairs, or a designee, serving ex officio;<sup>1</sup> and

40       <sup>1</sup>[(3) Ten] (5) seven<sup>1</sup> public members of the council who shall  
41 be appointed by the Governor, with two members appointed upon  
42 recommendation of the Senate President and two members  
43 appointed upon recommendation of the Speaker of the General  
44 Assembly.

45       c. The <sup>1</sup>[ten] seven<sup>1</sup> public members shall consist of one or  
46 more members: who have prior involvement with the criminal  
47 justice system; who have expertise in crisis response, harm

1 reduction services, or both; who have experience advocating for  
2 their communities; <sup>1</sup>【who are members the New Jersey Association  
3 of State Chiefs of Police; who are members of the County  
4 Prosecutor’s Association of New Jersey;】<sup>1</sup> and who represent New  
5 Jersey-based social justice and civil rights organizations  
6 specializing in criminal justice reform.

7 d. The <sup>2</sup>【Deputy Commissioner of Public Health Services】  
8 Attorney General<sup>2</sup> shall serve as chairperson of the council. The  
9 members of the council shall serve without compensation but shall  
10 be reimbursed for the reasonable expenses necessarily incurred in  
11 the performance of their duties within the limits of funds  
12 appropriated or otherwise made available to the council for its  
13 purposes.

14 e. The council first shall organize not later than 45 days after  
15 the effective date of <sup>1</sup>【this act】 P.L. \_\_\_\_\_, c. \_\_\_\_\_ (C. \_\_\_\_\_) (pending  
16 before the Legislature as this bill<sup>1</sup>). The council shall meet  
17 periodically at the call of the chairperson, but not less than six times  
18 in each <sup>1</sup>calendar<sup>1</sup> year. A majority of the members of the council  
19 shall constitute a quorum for the purposes of the council taking  
20 official action, but a lesser number may hold public hearings. All  
21 meetings of the council shall be open to the public. Agendas,  
22 minutes, documents, and testimony from each meeting shall be  
23 posted on the Internet website of the <sup>2</sup>【Department of Health】  
24 Office of the Attorney General<sup>2</sup>.

25 f. Public members of the council shall serve for a term of three  
26 years. Vacancies in the membership shall be filled in the same  
27 manner in which the original appointments were made. Public  
28 members shall be eligible for reappointment to the advisory council.

29 g. The council shall be entitled to receive assistance and  
30 services from any State, county, or municipal department, board,  
31 commission, or agency, as may be available to it for its purposes.  
32 The Department of <sup>2</sup>【Health】 Law and Public Safety<sup>2</sup> shall provide  
33 staff and administrative support to the council.

34 h. The council shall hold public hearings throughout the State,  
35 at which it may ask individuals to testify who can provide insight  
36 into the need, design, and effectiveness of community-based crisis  
37 intervention.

38  
39 <sup>2</sup>【4.】<sup>2</sup> a. The <sup>2</sup>【Commissioner of Health】 Attorney  
40 General<sup>2</sup> shall establish a pilot program <sup>1</sup>in Camden, Essex,  
41 <sup>2</sup>Hudson,<sup>2</sup> Mercer, Middlesex, and Passaic Counties<sup>1</sup> to permit  
42 <sup>1</sup>eligible<sup>1</sup> municipalities and community-based organizations to  
43 operate community crisis response teams in accordance with the  
44 provisions of P.L. \_\_\_\_\_, c. \_\_\_\_\_ (C. \_\_\_\_\_) (pending before the Legislature  
45 as this bill).

46 b. The <sup>2</sup>【commissioner】 Attorney General<sup>2</sup> shall develop a  
47 request for proposals, in accordance with the minimum application

1 requirements outlined in section <sup>2</sup>~~5~~ <sup>6</sup> of P.L. , c. (C. )  
 2 (pending before the Legislature as this bill), from municipalities and  
 3 organizations interested in participating in the pilot program, to  
 4 review completed proposals, create a scoring panel for submitted  
 5 proposals, and to issue grant awards to municipalities or  
 6 organizations to plan or implement a community crisis response  
 7 team, as defined in section <sup>2</sup>~~2~~ <sup>3</sup> of P.L. , c. (C. )  
 8 (pending before the Legislature as this bill). The <sup>2</sup>~~commissioner~~  
 9 Attorney General<sup>2</sup> shall publish a request for proposals pursuant to  
 10 this section not later than 90 days after the effective date of P.L. ,  
 11 c. (C. ) (pending before the Legislature as this bill). The  
 12 <sup>2</sup>~~commissioner~~ Attorney General<sup>2</sup> shall announce grants awards  
 13 not later than 90 days after the completion of the request for  
 14 proposals. The council shall not be involved in the grant award  
 15 process. Organizations represented by or affiliated with a member  
 16 of the council shall not be disqualified from applying for a grant  
 17 award.

18 c. Grants may be used for the following purposes:

19 (1) project planning and community engagement, including:

20 (a) research and assessment of need;

21 (b) development of staffing plans;

22 (c) resource mapping;

23 (d) training;

24 (e) development of community engagement plan;

25 (f) fiscal planning; <sup>2</sup>~~and~~<sup>2</sup>

26 (g) engagement with technical assistance providers or consulting  
 27 services; and

28 <sup>2</sup>~~(h)~~<sup>2</sup> evaluation planning; and

29 (2) project implementation, including:

30 (a) staffing and recruitment;

31 (b) facilities;

32 (c) operational costs, including costs of startup or expansion  
 33 activities, marketing, language translation, and transportation;

34 (d) engagement with technical assistance providers;

35 <sup>2</sup>~~(e)~~<sup>2</sup> consulting services;

36 <sup>2</sup>~~(e)~~ <sup>2</sup>~~(f)~~<sup>2</sup> training;

37 <sup>2</sup>~~(f)~~ <sup>2</sup>~~g~~<sup>2</sup> program and project evaluation, including evaluation  
 38 of program and project efficacy, staff performance, and service  
 39 delivery; and

40 <sup>2</sup>~~(g)~~ <sup>2</sup>~~h~~<sup>2</sup> programming and service interventions that include  
 41 activities that prioritize human service interventions, by entities  
 42 other than law enforcement, over interventions by law enforcement,  
 43 or activities that include triaging emergencies, through emergency  
 44 dispatch operators, in a manner that results in a referral to a wholly  
 45 non-police entity.

1       <sup>2</sup>[5.] 6.<sup>2</sup> a. To be eligible to receive a grant pursuant to the  
2 pilot program established in section <sup>2</sup>[4] 5<sup>2</sup> of P.L.       ,   
3 c. (C.       ) (pending before the Legislature as this bill):

4       (1) a municipality shall <sup>1</sup>be a municipality of the first class in  
5 Essex <sup>2</sup>, Hudson,<sup>2</sup> and Passaic Counties; a municipality of the  
6 second class having a population of more than 70,000 and density  
7 of 8,000 to 12,000 according to the 2020 federal decennial census in  
8 Camden and Mercer Counties; and a municipality of the second  
9 class having a population of more than 55,000 and density of  
10 between 10,000 and 11,000 according to the 2020 federal decennial  
11 census in Middlesex County; and<sup>1</sup> have an entity <sup>1</sup>[authorized to  
12 provide harm reduction services, pursuant to section 4 of P.L.2006,  
13 c.99 (C.26:5C-25), operating] that operates as a violence interrupter  
14 community street team<sup>1</sup> within its boundaries; and

15       (2) a community-based organization shall be located within  
16 <sup>1</sup>[the] a<sup>1</sup> municipality <sup>1</sup>that meets the criteria set forth in paragraph  
17 (1) of this subsection<sup>1</sup>.

18       Additionally, an applicant is required to demonstrate an  
19 established relationship with a State-approved harm reduction  
20 center <sup>2</sup>[or reliable access to other harm reduction services] , be a  
21 State-approved community violence intervention program, or both<sup>2</sup>.  
22 The Department of <sup>2</sup>[Health] Law and Public Safety<sup>2</sup> shall be  
23 required to prioritize issuing grants to <sup>1</sup>[applicants] an applicant<sup>1</sup>  
24 that <sup>1</sup>[have] currently operates as a violence interrupter community  
25 street team and has<sup>1</sup> <sup>2</sup>[demonstrated a process for engaging  
26 members of the community and <sup>1</sup>[for]]<sup>1</sup> receiving public comments  
27 with respect to its community crisis response team] been State-  
28 approved for a period of not less than two years<sup>2</sup>.

29       b. An applicant shall submit an application to the Department  
30 of <sup>2</sup>[Health] Law and Public Safety<sup>2</sup> as outlined in the request for  
31 proposals that includes, at a minimum, the following:

32       (1) for planning grants:

33       (a) a list of stakeholders and potential stakeholders that will  
34 participate in the planning process, which <sup>2</sup>[m] may<sup>2</sup> include  
35 community-based organizations and government partners, and shall  
36 include a state-approved harm reduction center or another  
37 organization that provides harm reduction services; and

38       (b) strategies for sustained community engagement and  
39 feedback processes; and

40       (2) for implementation grants:

41       (a) a list of stakeholders and potential stakeholders that will  
42 participate in the project, which shall include a State-authorized  
43 harm reduction center or another organization that provides harm  
44 reduction services;

- 1 (b) a framework for how the program will be incorporated into a  
 2 government department or work in cooperation with a government  
 3 department;
- 4 (c) a dispatch model and flowchart;
- 5 (d) the metrics by which the program will be evaluated;
- 6 (e) strategies for peer staffing and retention;
- 7 (f) strategies for warm handoff and sustained follow-up of  
 8 participants;
- 9 (g) a statement describing the manner in which a community  
 10 crisis response team will divert behavioral health calls from the  
 11 purview of law enforcement of response while ensuring rapid,  
 12 sufficient medical response when needed;
- 13 (h) a statement describing the manner in which a community  
 14 crisis response team will prevent and divert individuals from  
 15 involvement in the criminal justice system;
- 16 (i) a statement describing the manner in which the program will  
 17 prioritize racial and gender equity in the allocation of services and  
 18 resources; and
- 19 (j) a proposed community crisis response team budget.

20 c. Grants awarded <sup>1</sup>under the pilot program<sup>1</sup> shall not exceed  
 21 <sup>1</sup>[\$2,000,000 per project per year] a total of <sup>2</sup>[\$10,000,000]  
 22 \$12,000,000<sup>2</sup> and the amount awarded to applicants in each eligible  
 23 municipality shall not exceed \$2,000,000 per municipality<sup>1</sup>. A law  
 24 enforcement agency shall not be the recipient of a grant.  
 25

26 <sup>2</sup>[6.] 7.<sup>2</sup> The <sup>2</sup>[commissioner] council<sup>2</sup> shall submit an annual  
 27 report to the Governor and the Legislature, pursuant to section 2 of  
 28 P.L.1991, c.164 (C.52:14-19.1), on the status of the pilot program.  
 29 Three years following the date of enactment, the <sup>2</sup>[commissioner in  
 30 collaboration with the] council, shall submit a final report to the  
 31 Governor and the Legislature, pursuant to section 2 of P.L.1991,  
 32 c.164 (C.52:14-19.1), on the outcomes resulting from the pilot  
 33 programs and recommendations for the actions necessary to support  
 34 the continuation and expansion of community crisis response  
 35 models in the State of New Jersey. The reports issued pursuant to  
 36 this section shall be public.  
 37

38 <sup>2</sup>[7.] 8.<sup>2</sup> There is appropriated from the General Fund to the  
 39 Department of <sup>2</sup>[Health] Law and Public Safety<sup>2</sup> the sum of  
 40 <sup>1</sup>[\$20,000,000] <sup>2</sup>[\$10,000,000<sup>1</sup>] \$12,000,000<sup>2</sup> for use by the  
 41 department in supporting activities and staffing of the council and  
 42 the awarding of grants to participants of the pilot program  
 43 established in section 4 of P.L. , c. (C. ) (pending before  
 44 the Legislature as this bill).  
 45

46 <sup>2</sup>[8.] 9.<sup>2</sup> The department may adopt any regulations necessary  
 47 to effectuate the purposes of this act on an expedited basis, which



A5326 [2R] SPEARMAN, SUMTER

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1 regulations shall be effective immediately upon filing with the  
2 Office of Administrative Law for a period not to exceed 18 months,  
3 and may, thereafter, be amended, adopted, or readopted in  
4 accordance with the provisions of the "Administrative Procedure  
5 Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

6

7 <sup>2</sup>[9.] 10.<sup>2</sup> This act shall take effect immediately.