

An Act

To Authorize the Secretary of Health and Human Services to award grants to community-based organizations to hire, train, employ or provide access to comprehensive mental health professionals serving one or more individuals exposed to violent encounters involving law enforcement officers.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Michael Brown Creating Resilient Outcomes through Wider Networks (CROWN) Act of 2021”.

SEC. 2. FINDINGS

Congress finds the following:

(1) Violence at the hands of law enforcement officers continues to be an ongoing problem in the United States.

(2) As a result of unwarranted force that often results in death or serious bodily injury, black people are more likely to be killed by law enforcement officers than any other race, and are killed at higher rates by law enforcement officers than other races.

(3) Currently, no federally-funded program exists to provide mental health support for victims of police brutality, the family members of individuals affected by police violence, or witnesses to police violence.

(3) In certain states, crime victims and their families can apply for assistance to pay for funeral costs, counseling, medical fees, and other expenses that occur due to crime. However, the vast majority of individuals who experience violence at the hands of law enforcement do not qualify for victim compensation funds.

(4) Publicly-funded services, including counseling or compensation, are rarely made available to family members of individuals who are injured or killed by law enforcement officers – even when law enforcement officers are suspected of being involved in crime.

(5) The failure to provide sufficient community-based services (such as supportive housing, assertive community treatment, mobile crisis units, peer support, and supportive employment) after individuals are injured, brutalized, or killed due to police violence would lead to lower rates of mental illness, trauma, and interactions with law enforcement.

SEC. 3. GRANTS FOR COMMUNITY-BASED ORGANIZATIONS TO ACT AS MENTAL HEALTH NAVIGATORS

(a) IN GENERAL. – The Secretary of Health and Human Services (in this section referred to as the “Secretary”), acting through the Assistant Secretary for Mental Health and Substance Use and in conjunction with the Assistant Attorney General for the Civil Rights Division of the Department of Justice (in this section referred to as the “Assistant Attorney General”), and in conjunction with the Secretary of Education, shall, through grants, contracts, or cooperative agreements, award to eligible entities described in subsection (e), to –

(1) hire, employ, train, and dispatch mental health professionals to provide services to individuals who have experienced or witnessed police violence and –

(A) are in a mental health crisis; or

(B) may have a mental illness; or

(C) have been identified as having a mental illness by a first responder, staff, or volunteer of a community-based organization or school.

(2) provide comprehensive mental & behavioral health services and supports to assist individuals in communities and schools (including schools funded by the Bureau of Indian Education), dealing with traumatic experiences, grief, bereavement, risk of suicide, and violence, as a result of –

(A) the death of a family member due to police violence;

(B) the death of a classmate due to police violence;

(C) the death of a colleague or neighbor due to police violence; or

(D) experiencing threats, violence, harm, or brutality during an interaction with law enforcement.

(3) implement school and community-based mental health programs that –

(A) build awareness of individual, community, and intergenerational trauma as a result of witnessing or experience police violence;

(B) train staff and volunteers to identify, and screen for, signs of trauma exposure, mental health disorders, and risk of suicide in the wake of police violence;

(C) incorporate community interventions, family engagement, student supports, and intergenerational counseling

that encourage the development of positive mental health, prevent mental health disorders, and diminish the impact of trauma resulting from police violence;

(D) provide technical assistance to schools or community-based organizations regarding the development of programs described in the preceding paragraphs;

(E) facilitate partnerships among families, students, education agencies, mental health and substance use disorder providers, family-based mental health and substance use disorder providers, child welfare providers, trauma networks, and health care providers (including mental health professionals who specialize in pediatric services); and

(D) establishing mechanisms for individuals, families, and children who have witnessed or experienced police violence to report incidents of violence or plans to commit violence.

(b) DELEGATION. - The Secretary shall delegate responsibility for carrying out the Secretary's responsibilities under this section to the Director of the Center for Mental Health Services of the Substance Abuse and Mental Health Services Administration.

(c) ADDITIONAL AWARDS. - The Secretary shall make an additional award of funds under this section each fiscal year to grantees that demonstrate that their program under this section resulted in a notable increase in the number of individuals provided with mental health services who have experienced, or been witness to, police violence.

(d) PRIORITY. - In awarding grants under this section, the Secretary shall give priority to schools and community-based organizations in communities that -

(1) have high rates of interactions between police and law enforcement officials and people of color or Black residents;

(2) have high rates of arrest and incarceration of persons with mental illness, intellectual disability, or developmental disability;

(3) commit to providing in-kind contributions from non-federal sources, or volunteer hours, for residents, families, and students served by grant recipients.

(e) REQUIREMENTS. -

“(1) IN GENERAL. - To be eligible for a grant, contract, or cooperative agreement under subsection (a), an entity shall be -

“(A) a Local educational agency, as defined in section 8101 of the Elementary and Secondary Education Act of 1965; or;

(B) at least community-based mental health provider, including a public or private mental health entity, health care entity, family-based mental health entity, or trauma network; or

(C) at least 1 community-based organization or nonprofit organization as determined by the Secretary.

“(2) COMPLIANCE WITH HIPAA.- Any patient records developed by covered entities through activities under the grant shall meet the regulations promulgated under 264 (c) of the Health Insurance Portability and Accountability Act of 1996.

(f) GEOGRAPHICAL DISTRIBUTION.- The Secretary shall ensure that grants, contracts, or cooperative agreements under subsection (a) will be distributed equitably among the regions of the country and among urban and rural areas.

(g) DURATION OF AWARDS.- With respect to a grant, contract, or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient shall be 5 years, with options for renewal.

(h) EVALUATION AND MEASURES OF OUTCOMES.-

“(1) DEVELOPMENT OF PROCESS.- The Assistant Secretary shall develop a fiscally appropriate process for evaluating activities carried out under this section. Such a process shall include-

“(A) the development of guidelines for the submission of program data by grant, contract, or cooperative agreement recipients;

(B) the development of measures of outcomes (in accordance with paragraph (2) to be applied by such recipients in evaluating programs carried out this subsection; and

(C) the submission of annual reports by such recipients concerning the effectiveness of programs carried out under this section.

(2) MEASURES OF OUTCOMES.- The assistant Secretary shall develop measures of outcomes to be applied by recipients of assistance under this section to evaluate the effectiveness of programs carried out under this section, including outcomes related to the students, families, local educational systems, and community-based organizations supported by this Act.

(i) AMOUNT OF GRANTS AND AUTHORIZATION OF APPROPRIATIONS.-

“(1) AMOUNT OF GRANTS.- A grant under this section shall be in an amount not more than XXX for each of the first 5 fiscal years following the date of enactment of the Michael Brown CROWN Act of 2021. The Secretary shall determine the amount of each such grant based upon the population of the area to be served under the grant.

“(2) AUTHORIZATION OF APPROPRIATIONS.- There is authorized to be appropriated to carry out this section, XXXX, for each of fiscal years 2022 - 2026