

Climate Assessment

Office of Legislative Oversight

Bill 43-23: Crisis Intervention Team - Established

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 43-23 will have no impact on the County's contribution to addressing climate change as the proposed crisis intervention team is unlikely to have a measurable impact on the County's overall community climate resilience.

BACKGROUND AND PURPOSE OF BILL 43-23

Mental Health America lists lack of alternatives to law enforcement among several widespread problems in mental health and substance use crisis response. They note that shortcomings in crisis response could have serious consequences for someone experiencing a behavioral health crisis, including:¹

- ending up in confrontations with law enforcement personnel which have tragic outcomes;
- being transported to emergency rooms and being admitted or committed to inpatient psychiatric facilities when these outcomes are unnecessary and may be harmful to the person; and
- being transported to a jail and subjected to ongoing involvement in the criminal justice system when these outcomes are unnecessary, are harmful to the person and do not lead to increased public safety.

Recognizing the limitations of law enforcement, local jurisdictions throughout the country have considered alternative models for mental health crisis response.² These include models that do and do not involve police. As described by the Congressional Research Service, the co-responder team model in particular "pair[s] law enforcement officers with trained clinicians who together respond to emergency calls involving individuals experiencing a mental health crisis."³

The purpose of Bill 43-23 is to establish a Crisis Intervention Team (CIT) that would implement the co-responder team model for mental health crisis response in the County. The CIT would be jointly staffed and operated by the Montgomery County Police Department (MCPD) and the Department of Health and Human Services (DHHS).

If enacted, Bill 43-23 would require CIT members from DHHS and MCPD to be co-located throughout the County. Other law enforcement agencies could also participate in the CIT subject to written agreements with the County. The CIT would be required to: ⁴

- develop a plan for the County to divert individuals experiencing a mental or behavioral health crisis or substance use disorder crisis from the criminal justice system and into treatment; and
- respond to “acute mental health, behavioral health, or substance abuse crisis” incidents “where there is a significant risk of danger for the individual in crisis or others as a result of the crisis.”⁵ Otherwise, the Bill prescribes the primary response for someone experiencing a crisis should be mobile crisis or emergency medical services clinicians.

Bill 43-23 would also create a 15-member Advisory Committee on crisis intervention that would advise the CIT and County officials on best practices for crisis intervention in the County. The committee would also prepare an annual report on the CIT by January 31 of each year.

Bill 43-23, Crisis Intervention Team – Established, was introduced by the County Council on December 5, 2023.

ANTICIPATED IMPACTS

As defined by the U.S. Department of Health and Human Services’ National Health Security Strategy, “resilient communities are composed of healthy individuals, families, and communities with access to health care and the knowledge and resources to know what to do and care for others in both routine and emergency situations.”⁶ Mental health and mental health supports, like crisis intervention teams (CITs), are one component of community resilience.⁷ While evidence suggests CITs can strengthen emergency services for individuals experiencing a mental health crisis, research of CITs do not explicitly mention how it can improve overall emergency responses during large-scale, disasters, such as a natural disaster.⁸ Instead, research shows CITs primarily focus on improvements of interactions between individuals experiencing a mental health crisis and how they interact with the police and the criminal justice system.⁹

OLO anticipates Bill 43-23 will have no impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.¹⁰ OLO does not offer recommendations or amendments as Bill 43-23 is likely to have no impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ [Position Statement 59: Responding to Behavioral Health Crises](#), Mental Health America, 2017.

² [Issues in Law Enforcement Reform: Responding to Mental Health Crises](#), Congressional Research Service, October 17, 2022.

³ Ibid.

⁴ [Introduction Staff Report for Bill 43-23](#), Montgomery County Council, Introduced December 5, 2023.

⁵ Bill 43-23, Introduction Staff Report for Bill 43-23.

⁶ [Community Resilience and Public Health Practice](#), Morton, M. J. and Lurie, N., American Journal of Public Health, July 2013

⁷ [Building Community Resilience – Prevention and Recovery Services Working Together](#), Substance Abuse and Mental Health Services Administration, November 9, 2021; [Community Resilience: Toward an Integrated Approach](#), Berkes, F. and Ross, H., Society and Natural Resources, 26:1, November 30, 2012

⁸ [Crisis Intervention Team Program: A Best Practice Guide for Transforming Community Responses to Mental Health Crises](#), CIT International, August 2019; [What Is Community Resilience?](#), Substance Abuse and Mental Health Services Administration, April 21, 2022.

⁹ [Effectiveness of Police Crisis Intervention Training Programs](#), Rogers, M. S., McNiel, D. E., and Binder, R. L., Journal of the American Academy of Psychiatry and the Law, September 2019.; [Crisis Intervention Team \(CIT\): Methods for Using Data to Inform Practice: A Step-by-Step Guide](#), Substance Abuse and Health Services Administration, 2018.

¹⁰ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022