

S 162

Justice and Mental Health Collaboration Act of 2013

Congress: 113 (2013–2015, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Jan 28, 2013

Current Status: Motion to proceed to consideration of measure made in Senate. (consideration: CR S3195-3196)

Latest Action: Motion to proceed to consideration of measure made in Senate. (consideration: CR S3195-3196) (May 21, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/senate-bill/162>

Sponsor

Name: Sen. Franken, Al [D-MN]

Party: Democratic • **State:** MN • **Chamber:** Senate

Cosponsors (38 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Ayotte, Kelly [R-NH]	R · NH		Jan 28, 2013
Sen. Blunt, Roy [R-MO]	R · MO		Jan 28, 2013
Sen. Boxer, Barbara [D-CA]	D · CA		Jan 28, 2013
Sen. Brown, Sherrod [D-OH]	D · OH		Jan 28, 2013
Sen. Collins, Susan M. [R-ME]	R · ME		Jan 28, 2013
Sen. Coons, Christopher A. [D-DE]	D · DE		Jan 28, 2013
Sen. Durbin, Richard J. [D-IL]	D · IL		Jan 28, 2013
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jan 28, 2013
Sen. Graham, Lindsey [R-SC]	R · SC		Jan 28, 2013
Sen. Hatch, Orrin G. [R-UT]	R · UT		Jan 28, 2013
Sen. Johanns, Mike [R-NE]	R · NE		Jan 28, 2013
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jan 28, 2013
Sen. Portman, Rob [R-OH]	R · OH		Jan 28, 2013
Sen. Reed, Jack [D-RI]	D · RI		Jan 28, 2013
Sen. Schumer, Charles E. [D-NY]	D · NY		Jan 28, 2013
Sen. Shaheen, Jeanne [D-NH]	D · NH		Jan 28, 2013
Sen. Warren, Elizabeth [D-MA]	D · MA		Jan 28, 2013
Sen. Wyden, Ron [D-OR]	D · OR		Jan 28, 2013
Sen. Begich, Mark [D-AK]	D · AK		Jan 30, 2013
Sen. Heller, Dean [R-NV]	R · NV		Jan 31, 2013
Sen. Klobuchar, Amy [D-MN]	D · MN		Feb 4, 2013
Sen. Blumenthal, Richard [D-CT]	D · CT		Feb 7, 2013
Sen. Schatz, Brian [D-HI]	D · HI		Feb 25, 2013
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Apr 16, 2013
Sen. Grassley, Chuck [R-IA]	R · IA		Apr 22, 2013
Sen. Moran, Jerry [R-KS]	R · KS		Apr 22, 2013
Sen. Roberts, Pat [R-KS]	R · KS		May 16, 2013
Sen. Crapo, Mike [R-ID]	R · ID		Jun 3, 2013
Sen. Murphy, Christopher [D-CT]	D · CT		Jun 11, 2013
Sen. Enzi, Michael B. [R-WY]	R · WY		Jun 13, 2013
Sen. Markey, Edward J. [D-MA]	D · MA		Jan 28, 2014
Sen. Stabenow, Debbie [D-MI]	D · MI		Feb 4, 2014
Sen. Landrieu, Mary L. [D-LA]	D · LA		Apr 10, 2014
Sen. Mikulski, Barbara A. [D-MD]	D · MD		May 7, 2014
Sen. Booker, Cory A. [D-NJ]	D · NJ		May 14, 2014
Sen. Chambliss, Saxby [R-GA]	R · GA		May 20, 2014
Sen. Heinrich, Martin [D-NM]	D · NM		Jun 3, 2014
Sen. Warner, Mark R. [D-VA]	D · VA		Jul 21, 2014

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Jun 20, 2013

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
113 S 2872	Related bill	Sep 18, 2014: Read twice and referred to the Committee on the Judiciary.
113 HR 4574	Related bill	Jul 21, 2014: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
113 HR 4783	Related bill	Jul 21, 2014: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
113 HR 3717	Related bill	Apr 3, 2014: Subcommittee Hearings Held.
113 HR 401	Identical bill	Feb 28, 2013: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, And Investigations.

Justice and Mental Health Collaboration Act of 2013 -Amends the Mentally Ill Offender Treatment and Crime Reduction Act of 2004 to: (1) expand the assistance provided under such Act, and (2) reauthorize appropriations for FY2015-FY2019.

(Sec. 2) Authorizes the Attorney General to award grants to establish or expand: (1) veterans treatment court programs, which involve collaboration among criminal justice, veterans, and mental health and substance abuse agencies to provide qualified veterans (preliminarily qualified offenders who were discharged from the armed forces under conditions other than dishonorable) with intensive judicial supervision and case management, treatment services, alternatives to incarceration, and other appropriate services, including housing, transportation, job training, education, and assistance in obtaining benefits; (2) peer to peer services or programs to assist such veterans in obtaining treatment, recovery, stabilization, or rehabilitation; (3) practices that identify and provide treatment, rehabilitation, legal, transitional, and other appropriate services to such veterans who have been incarcerated; and (4) training programs to teach criminal justice, law enforcement, corrections, mental health, and substance abuse personnel how to identify and respond to incidents involving such veterans. Directs the Attorney General to give priority to grant applications that: (1) demonstrate collaboration between and joint investments by criminal justice, mental health, substance abuse, and veterans service agencies; (2) promote effective strategies to identify and reduce the risk of harm to qualified veterans and public safety; and (3) propose interventions with empirical support to improve outcomes for qualified veterans. Prohibits the use of more than 20% of funds authorized for such Act for such grants.

(Sec. 3) Authorizes the Attorney General to award grants to enhance the capabilities of a correctional facility to: (1) identify and screen for mentally ill inmates; (2) plan and provide assessments of the clinical, medical, and social needs of inmates and appropriate treatment and services that address mental health and substance abuse needs; (3) develop, implement, and enhance the availability of mental health care and substance abuse treatment services, alternatives to solitary confinement and segregated housing, mental health screening and treatment for inmates placed in solitary confinement or segregated housing, and post-release transition plans that coordinate services and public benefits; and (4) train employees in identifying and responding to incidents involving inmates with mental health disorders or co-occurring mental health and substance abuse disorders.

(Sec. 4) Authorizes the Attorney General to: (1) award not more than six grants per year to applicants for the purpose of reducing the use of public services by mentally ill individuals who consume a significantly disproportionate quantity of public resources; and (2) make grants to provide support for programs that teach law enforcement personnel how to identify and respond to incidents involving persons with such disorders, with priority to programs that law enforcement personnel and members of the mental health and substance abuse professions develop and administer cooperatively.

(Sec. 6) Directs the Attorney General to give priority in awarding grants for adult or juvenile collaboration programs to applications that: (1) propose interventions that have been shown by empirical evidence to reduce recidivism, and (2) use validated assessment tools to target preliminarily qualified offenders with a moderate or high risk of recidivism and a need for treatment and services.

(Sec. 7) Defines a "preliminarily qualified offender" as an adult or juvenile accused of an offense who has been diagnosed as having, or who manifests obvious signs of, mental illness or co-occurring mental illness and substance abuse disorders. Directs the relevant prosecuting attorney, defense attorney, probation or corrections official, judge, and mental health or substance abuse agency representative, in determining whether to designate a defendant as a preliminarily qualified offender, to take into account: (1) whether the defendant's participation in the program would pose

a substantial risk of violence to the community, (2) the defendant's criminal history and the nature and severity of the offense for which the defendant is charged, (3) the views of any relevant victims to the offense, (4) the extent to which the defendant would benefit from participation in the program, (5) the extent to which the community would realize cost savings because of the defendant's participation in the program, and (6) whether the defendant satisfies the eligibility criteria for program participation unanimously established by such relevant officials.

(Sec. 8) Requires the Inspector General of the Department of Justice (DOJ) to conduct annual audits of all grant recipients under such Act to prevent waste, fraud, and abuse of funds by grantees. Bars a recipient found to have an unresolved audit finding from receiving grant funds for two fiscal years. Directs the Attorney General to: (1) give priority for grants to eligible applicants that did not have an unresolved audit finding during the three fiscal years before submitting a grant application, and (2) seek to recoup grant funds erroneously awarded to an entity during the two fiscal-year period such entity was barred from receiving grants because of an unresolved audit finding. Directs the Attorney General to submit to the judiciary and appropriations committees an annual certification that: (1) indicates whether all audits have been completed and reviewed, all mandatory exclusions have been issued, and all required reimbursements have been made; and (2) includes a list of any grant recipients who were excluded the previous year.

Prohibits the Attorney General from awarding a grant under such Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying tax on certain unrelated business income.

Requires each nonprofit organization awarded a grant under such Act that uses prescribed procedures to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees to disclose in the grant application the process for determining such compensation.

Prohibits amounts made available to or by DOJ under such Act from being used for any expenditure for conferences of more than \$20,000 without the prior written authorization of the relevant agency. Requires the Deputy Attorney General to submit an annual report to the judiciary committees on all approved conference expenditures.

Directs the Attorney General, before awarding a grant under such Act, to determine if duplicate grant awards are awarded for the same purpose and, if so, to submit a report to the judiciary committees that includes a list of all duplicate grants awarded and the reason the Attorney General awarded the duplicate grants.

Actions Timeline

- **May 21, 2014:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S3195-3196)
- **May 20, 2014:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S3151-3153)
- **May 15, 2014:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S3047)
- **May 14, 2014:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S3019)
- **Jun 20, 2013:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 20, 2013:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **Jun 20, 2013:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 92.
- **Jan 28, 2013:** Introduced in Senate
- **Jan 28, 2013:** Read twice and referred to the Committee on the Judiciary.