

SUPPORTING AND TREATING OFFICERS IN CRISIS ACT
OF 2019

JULY 9, 2019.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. NADLER, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 2368]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 2368) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand support for police officer family services, stress reduction, and suicide prevention, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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Purpose and Summary

H.R. 2368, the “Supporting and Treating Officers in Crisis Act of 2019,” would modify an existing, but expired, authorization that provided support to law enforcement officers’ (LEO) families to add mental health and suicide prevention programs directed at LEOs.

The proposed bill would also reauthorize the family support provisions and would appropriate up to \$7,500,000 per fiscal year, from 2020 to 2024, to carry out both family and LEO mental health programs.

Background and Need for the Legislation

BACKGROUND

The Violent Crime Control and Law Enforcement Act of 1994¹ authorized the Attorney General to create a grant program that provided family support services to LEOs.² From 1996 to 2000, the program, which required a dollar-for-dollar match from the grant recipient, provided grant recipients funds and technical support to establish and expand mental health services for LEOs and their families.³ Congress last appropriated \$7,500,000 for the program in 2000,⁴ and the Department of Justice (DOJ) last awarded funding for the program in 2005.⁵ In 2017, Congress passed the Law Enforcement Mental Health and Wellness Act of 2017,⁶ which required the DOJ to publish reports of the Department’s officer mental health efforts and established a pilot peer-to-peer mentoring grant program for LEOs. H.R. 2368 expands upon the Law Enforcement Mental Health and Wellness Act by authorizing grant funding to provide direct mental health services to LEOs.

NEED FOR THE LEGISLATION

Studies consistently show that LEOs have above-average stress levels in their jobs.⁷ Among the top stress-inducing events that LEOs report regularly facing are:

- Dealing with family disputes and crisis situations (83%);
- Responding to felonies in progress (80%);
- Dealing with insufficient department support for their mission (77%);
- Situations requiring the use of force (59%);
- Exposure to dead or battered children (27%); and
- Being physically attacked (23%).⁸

Physical manifestations of stress pervade the LEO community. One study estimated that between 25% and 30% of police officers have stress-based physical health problems, most notably high blood pressure, coronary heart disease, and gastrointestinal disorders.⁹ Given the high exposure to stressful events, it follows that the mental health consequences for LEOs are pervasive. A study of Ohio police officers found that 7% of officers sampled met the cri-

¹Pub. L. No. 103–322, 108 Stat. 1796 (1994).

²*Id.*

³34 U.S. Code § 10493(b)(1)(1) (2019) (“Counseling for law enforcement family members”), (4) (“Stress reduction programs”).

⁴NOT SURE IF THIS CITE IS CORRECT: Pub. L. No. 103–322. (it’s the Violent Crime Control & Law Enforcement Act of 1994).

⁵34 U.S.C. § 10495(b) (2019) (authorizing grants under this program for up to five years).

⁶Pub. L. No. 115–113; 131 Stat. 2276 (2018).

⁷Vincent B. Van Hasselt et al., *The Law Enforcement Officer Stress Survey: Evaluation of Psychometric Properties*, Behavior Modification, vol. 32, no. 1 (Jan. 2008), <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.589.8492&rep=rep1&type=pdf>.

⁸John M. Violanti et al., *Highly Rated & Most Frequent Stressors Among Police Officers: Gender Differences*, Am. J. of Crim. Just., tab. 2 (Dec. 2016), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5330309>.

⁹Darrien R. Bush & Phillip Neely, *Stress Recognition In Law Enforcement Organizations*, Am. J. of Health Sci. vol 6, no. 1 (June 2015), <https://clutejournals.com/index.php/AJHS/article/download/9292/9299>.

teria for post-traumatic stress disorder.¹⁰ Exposure to stressful events leads to a greater instance of adverse outcomes for LEOs than the general population. The Centers for Disease Control concluded that the rate of suicides among workers in protective services, those that are employed in law enforcement and firefighting, is 50% higher than the national average.¹¹ In recent years, more LEOs have died from suicide than in the line of duty. According to Blue H.E.L.P., an advocacy organization that works to reduce mental health stigma in the law enforcement community, 167 LEOs committed suicide in 2018, compared to 169 suicides in 2017 and 142 suicides in 2016.¹² By comparison, 144 LEOs died in the line of duty, from homicides, traffic accidents, and other causes in 2018.¹³ H.R. 2368 would help address these serious issues.

Hearings

No legislative hearings were held on H.R. 2368.

Committee Consideration

On June 12, 2019, the Committee met in open session and ordered the bill, H.R. 2368, favorably reported, without amendment, by voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that no rollcall votes occurred during the Committee's consideration of H.R. 2368. The bill passed by unanimous voice vote.

Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

New Budget Authority and Tax Expenditures

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

Congressional Budget Office Cost Estimate

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to

¹⁰Ingrid Carlier et al., *Risk Factors for Posttraumatic Stress Symptomatology in Police Officers: A Prospective Analysis*, J. of Nervous & Mental Disease, vol. 185, issue 8 (Aug. 1997), https://journals.lww.com/jonmd/Abstract/1997/08000/Risk_Factors_for_Posttraumatic_Stress.4.aspx.

¹¹Cora Peterson et al., *Suicide Rates by Occupational Group—17 States, 2012 and 2015*, Ctr. for Disease Control & Prevention, Morbidity & Mortality Wkly. Rep. (Nov. 16, 2018), https://www.cdc.gov/mmwr/volumes/67/wr/mm6745a1.htm?s_cid=mm6745a1_w.

¹²BLUE H.E.L.P., <https://bluehelp.org/> (last visited June 15, 2019).
¹³Doug Stanglin, *144 Police Officers Died in the Line of Duty in 2018, Reversing a One-Year Decline*, USA TODAY, Dec. 27, 2018, https://www.usatoday.com/story/news/2018/12/27/police_deaths_144_killed_line_duty_2018/2423797002/.

the bill, H.R. 2368, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 26, 2019.

Hon. JERROLD NADLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2368, the Supporting and Treating Officers in Crisis Act of 2019.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

MARK P. HADLEY
(For Phillip L. Swagel, Director).

Enclosure.

H.R. 2368, Supporting and Treating Officers in Crisis Act of 2019			
<small>As ordered reported by the House Committee on the Judiciary on June 12, 2019</small>			
By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Deficit Effect	0	0	0
Spending Subject to Appropriation (Outlays)	0	25	38
Statutory Pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 2368 would authorize the appropriation of \$7.5 million annually over the 2020–2024 period for Department of Justice to make grants to state and local law enforcement agencies and other organizations to provide family support services to law enforcement personnel. Assuming appropriation of the authorized amounts, CBO estimates that implementing the bill would cost about \$25 million over the 2020–2024 period and \$13 million after 2024. Estimated outlays are based on historical spending patterns for similar programs.

The costs of the legislation (detailed in Table 1) fall within budget function 750 (administration of justice).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION

	By fiscal year, millions of dollars—						
	2019	2020	2021	2022	2023	2024	2019–2024
Authorization	0	8	8	8	8	8	38
Estimated Outlays	0	2	4	5	7	8	25

Details may not sum to totals because of rounding.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

Duplication of Federal Programs

No provision of H.R. 2368 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 2368 would expand the type and scope of mental health services recipients of the grant program are able to provide to law enforcement officers and their families. The STOIC Act seeks to specifically expand funding that buttresses grantee suicide prevention efforts.

Advisory on Earmarks

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 2368 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

Section-by-Section Analysis

The following discussion describes the bill as reported by the Committee.

Sec 1. Short Title. Section 1 sets forth the short title of the bill as the “Supporting and Treating Officers In Crisis Act of 2019.”

Sec 2. Expanding Support for Police Officer Family Services, Stress Reduction, and Suicide Prevention. Section 2 renames the subsection from “Family Support” to “Support for Law Enforcement Officers and Families.” It requires the Attorney General to provide technical assistance and training programs to state and local law enforcement agencies so that they may develop psychological services and suicide prevention programs, in addition to the stress reduction and family support programs previously authorized. This section expands the general authorization of the family support grant program to include mental health services.

Additionally, section 2 adds a number of options for grant recipients to choose from when providing services. Under the expired program, the grant conditions required that recipients choose from various services to provide LEO family support. This section proposes additions to the list to include counseling for law enforcement officers and their family members and evidence-based programs to reduce stress, prevent suicide, and promote mental health. The proposed changes add mental health and suicide prevention hotlines, counseling for injured or permanently disabled LEOs who were injured in the line of duty, and specialized training for responding to officer mental health crises and suicide. This section also expands

the optional program offering involving human immunodeficiency virus to cover counseling for all infectious diseases.

Sec 3. Reauthorizing Grant Programs for Supporting Law Enforcement Officers and Families. Section 3 authorizes funding of up to \$7,500,000 for each fiscal year from 2020 through 2024.

Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, H.R. 2368, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no changes are proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

* * * * *

TITLE I—JUSTICE SYSTEM IMPROVEMENT

* * * * *

PART J—FUNDING

AUTHORIZATION OF APPROPRIATIONS

SEC. 1001. (a)(1) There is authorized to be appropriated \$30,000,000 for fiscal year 1992 and \$33,000,000 for each of the fiscal years 1994 and 1995 to carry out the functions of the Bureau of Justice Statistics.

(2) There is authorized to be appropriated \$30,000,000 for fiscal year 1992 and \$33,000,000 for each of the fiscal years 1994 and 1995 to carry out the functions of the National Institute of Justice.

(3) There are authorized to be appropriated such sums as may be necessary for fiscal year 1992 and \$28,000,000 for each of the fiscal years 1994 and 1995 to carry out the remaining functions of the Office of Justice Programs and the Bureau of Justice Assistance other than functions under parts D, E, F, G, L, M, N, O, P, Q, or R or EE.

(4) There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out part L of this title.

(5) There are authorized to be appropriated such sums as may be necessary for fiscal year 1992 and \$1,000,000,000 for each of the fiscal years 1994 and 1995 to carry out the programs under parts D and E (other than chapter B of subpart 2) (other than chapter B of subpart 2 of part E) of this title.

(6) There are authorized to be appropriated such sums as may be necessary for fiscal year 1992, \$245,000,000 for fiscal year 1993, and such sums as may be necessary for fiscal year 1994 and 1995 to carry out chapter B of subpart 2 of part E of this title.

(7) There is authorized to be appropriated to carry out part N \$1,000,000 for each of fiscal years 2001 through 2005.

(8) There are authorized to be appropriated such sums as may be necessary for fiscal year 1992, \$16,500,000 for fiscal year 1993, and such sums as may be necessary for fiscal year 1994 and 1995.

(9) There are authorized to be appropriated to carry out part O—

(A) \$24,000,000 for fiscal year 1996;

(B) \$40,000,000 for fiscal year 1997;

(C) \$50,000,000 for fiscal year 1998;

(D) \$60,000,000 for fiscal year 1999; and

(E) \$66,000,000 for fiscal year 2000.

(10) There are authorized to be appropriated \$10,000,000 for each of the fiscal years 1994, 1995, and 1996 to carry out projects under part P.

(11)(A) There are authorized to be appropriated to carry out part Q, to remain available until expended \$1,047,119,000 for each of fiscal years 2006 through 2009.

(B) Of funds available under part Q in any fiscal year, up to 3 percent may be used for technical assistance under section 1701(d) or for evaluations or studies carried out or commissioned by the Attorney General in furtherance of the purposes of part Q. Of the remaining funds, 50 percent shall be allocated for grants pursuant to applications submitted by units of local government or law enforcement agencies having jurisdiction over areas with populations exceeding 150,000 or by public and private entities that serve areas with populations exceeding 150,000, and 50 percent shall be allocated for grants pursuant to applications submitted by units of local government or law enforcement agencies having jurisdiction over areas with populations 150,000 or less or by public and private entities that serve areas with populations 150,000 or less. In view of the extraordinary need for law enforcement assistance in Indian country, an appropriate amount of funds available under part Q shall be made available for grants to Indian tribal governments or tribal law enforcement agencies.

(16) There are authorized to be appropriated to carry out projects under part R—

(A) \$20,000,000 for fiscal year 1996;

(B) \$25,000,000 for fiscal year 1997;

(C) \$30,000,000 for fiscal year 1998;

(D) \$35,000,000 for fiscal year 1999; and

(E) \$40,000,000 for fiscal year 2000.

(17) There are authorized to be appropriated to carry out the projects under part S—

(A) \$27,000,000 for fiscal year 1996;

(B) \$36,000,000 for fiscal year 1997;

(C) \$63,000,000 for fiscal year 1998;

(D) \$72,000,000 for fiscal year 1999; and

(E) \$72,000,000 for fiscal year 2000.

(18) There is authorized to be appropriated to carry out part T \$222,000,000 for each of fiscal years 2014 through 2018.

(19) There is authorized to be appropriated to carry out part U \$73,000,000 for each of fiscal years 2014 through 2018. Funds appropriated under this paragraph shall remain available until expended.

(20) There are authorized to be appropriated to carry out part V, \$10,000,000 for each of fiscal years 2001 through 2004.

[(21) There are authorized to be appropriated to carry out part W—

- [(1) \$2,500,000 for fiscal year 1996;
- [(2) \$4,000,000 for fiscal year 1997;
- [(3) \$5,000,000 for fiscal year 1998;
- [(4) \$6,000,000 for fiscal year 1999; and
- [(5) \$7,500,000 for fiscal year 2000.]

(21) *There are authorized to be appropriated to carry out part W, \$7,500,000 for each of fiscal years 2020 through 2024.*

(22) There are authorized to be appropriated to carry out part X—

- (1) \$1,000,000 for fiscal year 1996;
- (2) \$3,000,000 for fiscal year 1997;
- (3) \$5,000,000 for fiscal year 1998;
- (4) \$13,500,000 for fiscal year 1999; and
- (5) \$17,500,000 for fiscal year 2000.

(23) There is authorized to be appropriated to carry out part Y, \$30,000,000 for fiscal year 2020, and each fiscal year thereafter.

(24) There are authorized to be appropriated to carry out part BB, to remain available until expended—

- (A) \$35,000,000 for fiscal year 2001;
- (B) \$85,400,000 for fiscal year 2002;
- (C) \$134,733,000 for fiscal year 2003;
- (D) \$128,067,000 for fiscal year 2004;
- (E) \$56,733,000 for fiscal year 2005;
- (F) \$42,067,000 for fiscal year 2006;
- (G) \$20,000,000 for fiscal year 2007;
- (H) \$20,000,000 for fiscal year 2008;
- (I) \$20,000,000 for fiscal year 2009; and
- (J) \$13,500,000 for fiscal year 2017;
- (K) \$18,500,000 for fiscal year 2018;
- (L) \$19,000,000 for fiscal year 2019;
- (M) \$21,000,000 for fiscal year 2020; and
- (N) \$23,000,000 for fiscal year 2021.

(25)(A) Except as provided in subparagraph (C), there is authorized to be appropriated to carry out part EE \$75,000,000 for each of fiscal years 2018 through 2023.

(B) The Attorney General shall reserve not less than 1 percent and not more than 4.5 percent of the sums appropriated for this program in each fiscal year for research and evaluation of this program.

(C) No funds made available to carry out part EE shall be expended if the Attorney General fails to submit the report required to be submitted under section 2401(c) of title II of Division B of the 21st Century Department of Justice Appropriations Authorization Act.

(26) There are authorized to be appropriated to carry out part CC \$10,000,000 for each of fiscal years 2009 and 2010.

(27) There are authorized to be appropriated to carry out part LL \$103,000,000 for each of fiscal years 2017 and 2018, and \$330,000,000 for each of fiscal years 2019 through 2023.

(28) There are authorized to be appropriated to carry out section 3031(a)(4) of part NN \$5,000,000 for each of fiscal years 2019, 2020, 2021, 2022, and 2023.

(b) Funds appropriated for any fiscal year may remain available for obligation until expended.

(c) Notwithstanding any other provision of law, no funds appropriated under this section for part E of this title may be transferred or reprogrammed for carrying out any activity which is not authorized under such part.

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PART W— [FAMILY SUPPORT] SUPPORT FOR LAW ENFORCEMENT OFFICERS AND FAMILIES

SEC. 2301. DUTIES.

The Attorney General shall—

(1) establish guidelines and oversee the implementation of family-friendly policies within law enforcement-related offices and divisions in the Department of Justice;

(2) study the effects of stress on law enforcement personnel and family well-being and disseminate the findings of such studies to Federal, State, and local law enforcement agencies, related organizations, and other interested parties, *including any research and reports developed under the Law Enforcement Mental Health and Wellness Act of 2017 (Public Law 115–113; 131 Stat. 2276)* ;

(3) identify and evaluate model programs that provide support services to law enforcement personnel and families;

(4) provide technical assistance and training programs to develop stress reduction, *psychological services, suicide prevention*, and family support to State and local law enforcement agencies;

(5) collect and disseminate information regarding family support, stress reduction, and psychological services to Federal, State, and local law enforcement agencies, law enforcement-related organizations, and other interested entities; and

(6) determine issues to be researched by the Department of Justice and by grant recipients.

SEC. 2302. GENERAL AUTHORIZATION.

The Attorney General may make grants to States and local law enforcement agencies and to organizations representing State or local law enforcement personnel to provide family support services *and mental health services* to law enforcement personnel.

SEC. 2303. USES OF FUNDS.

(a) IN GENERAL.—A State or local law enforcement agency or organization that receives a grant under this Act shall use amounts provided under the grant to establish or improve training and support programs for law enforcement personnel.

(b) REQUIRED ACTIVITIES.—A law enforcement agency or organization that receives funds under this part shall provide at least one of the following services:

- (1) Counseling for law enforcement *officers and* family members.
- (2) Child care on a 24-hour basis.
- (3) Marital and adolescent support groups.
- 【(4) Stress reduction programs.】
- (4) *Evidence-based programs to reduce stress, prevent suicide, and promote mental health.*
- (5) Stress education for law enforcement recruits and families.
- (6) Technical assistance and training programs to support any or all of the services described in paragraphs (1), (2), (3), (4), and (5).

(c) OPTIONAL ACTIVITIES.—A law enforcement agency or organization that receives funds under this part may provide the following services:

- (1) Post-shooting debriefing for officers and their spouses.
- (2) Group therapy.
- (3) Hypertension clinics.
- (4) Critical incident response on a 24-hour basis.
- (5) Law enforcement family crisis, *mental health crisis, and suicide prevention* telephone services on a 24-hour basis.
- (6) Counseling for law enforcement personnel exposed to the 【human immunodeficiency virus】 *infectious disease* .
- (7) Counseling for peers.
- (8) Counseling for families of personnel killed, *injured, or permanently disabled* in the line of duty.
- (9) Seminars regarding alcohol, drug use, gambling, and overeating.
- 【(10) Technical assistance and training to support any or all of the services described in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), and (9).】
- (10) *Specialized training for identifying, reporting, and responding to officer mental health crises and suicide.*
- (11) *Technical assistance and training to support any or all of the services described in paragraphs (1) through (10).*

* * * * *

