



William T. Gettman, Jr., MPA
Board Chair

Glenn Liebman, MA
CEO

Memorandum in Support

S.2398 (Brouk)/A.2210 (Bronson)

AN ACT to amend the mental hygiene law, in relation to establishing the statewide emergency and crisis response council to plan and provide support regarding the operation and financing of high-quality emergency and crisis response services for persons experiencing a mental health, alcohol use, or substance use crisis

The Mental Health Association in New York State, Inc. (MHANYS) strongly supports S.2398 /A.2210 (AKA Daniel's Law), which would ensure the establishment of a well-trained, independent crisis response team to provide a public health, non-police response and treatment for persons with mental health or substance use disorders who experience a crisis in communities throughout the state.

This legislation is named after Daniel Prude, who died a tragic death in Rochester NY, after being restrained by police in March, 2020. Mr. Prude was experiencing an acute mental health crisis when his family called 911. Rochester Police responded in force to Mr. Prude who was naked in the street though he posed no immediate risk to others. He was subsequently handcuffed along with a hood placed over his head, and held face down on the pavement until he stopped breathing. Instead of responding to Mr. Prude with care, dignity and an appreciation of his mental health needs police mocked and treated him cruelly. Daniel Prude's experience is not unusual. Police are the default first responders in most mental health crisis intervention models worldwide. Up to half of people who become victims of police violence have a disability – the majority of which are psychiatric disabilities.

The treatment of Daniel Prude's crisis, and countless others, cries out for a fundamental shift in how New York responds to mental health emergencies. Daniel's Law would promote public health, safety and welfare by ensuring that persons experiencing a crisis due to a mental health, alcohol or a substance use disorder will receive the most appropriate public health response and treatment, whenever possible. The stated intent is also to deescalate crisis situations so that few New Yorkers will experience, non-consensual transport, use of force or criminal consequences as a result of such crises.

We must end the role of police as the default response to people experiencing psychiatric emergencies and transform our whole vision of how communities respond to people in crisis. This should start by treating mental health and substance use as public health issues – not public safety issues relegated to the police. For this reason, MHANYS strongly supports S.2398 /A.2210 and urges the Legislature to pass it into law.

Healthy Minds For A Healthy New York

194 Washington Avenue • Suite 415 • Albany, New York 12210-2314
518-434-0439 (P) • 518-427-8676 (F) • MHANYS.org