



State of New Jersey

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ATTORNEY GENERAL LAW ENFORCEMENT DIRECTIVE NO. 2020-14

TO: All County Prosecutors

FROM: Gurbir S. Grewal, Attorney General

DATE: December 21, 2020

SUBJECT: Directive Establishing Countywide Working Groups to Address Mental Health and Special Needs Populations and Creating a Framework for Coordination with State Partners

Law enforcement officers frequently encounter persons with disabilities or individuals who are experiencing a mental health crisis. This Directive is designed to establish a framework for County Prosecutors to convene, or in some cases continue, working groups to improve law enforcement interactions with special needs populations and those living with mental or behavioral health issues (County Working Groups). The County Working Groups will review policies, programs and protocols to maximize the effectiveness of their county's response to those with disabilities or those in mental health crisis. In addition, in order to share best practices and provide support and resources to all counties, the Office of Attorney General will establish a Statewide Steering Committee to work collaboratively with the County Working Groups.

I. County Working Groups

When it comes to individuals with mental health issues or special needs, the processes, programs and resources available vary by county across New Jersey. Although all New Jersey communities have an interest in maintaining robust processes for helping residents experiencing acute mental health challenges, some may have more robust levels of organization and resources than others. The same is true for processes for helping persons with disabilities. Building professional relationships between law enforcement and providers, as well as local social service organizations, is an important step in ensuring the multi-dimensional response necessary to reduce tragic and unnecessary law enforcement encounters.



Therefore, each County Prosecutor is tasked with convening a County Working Group¹ to ensure there are adequate countywide protocols, programs and resources available to law enforcement to support those in mental health crisis, as well as those with developmental disabilities, cognitive impairments, substance use disorders, and intellectual disabilities.

When setting up these groups, County Prosecutors should follow the model used for Domestic Violence Working Groups, which have existed in each county for many years. Since resources and programs vary throughout the state, and some counties may share services regionally, a county may join with a neighboring county to create a joint working group, especially if doing so would maximize participation and resources and minimize duplication of effort.

The County Working Groups should include law enforcement, mental health, behavioral health, substance abuse, and special needs professionals, and any other relevant professionals or advocates. County Prosecutors should also consider including representatives from the judiciary, fire and emergency services, 911 operators, police communications personnel, and community advocates. When forming the working group, County prosecutors are also encouraged to consult with their County Mental Health Administrator and County Drug and Alcohol Director. Each County Prosecutor should assign a designee to chair the working group and serve as the liaison to the Steering Committee.

Each County Working Group will be responsible for creating a “Mental Health Toolbox,” which shall include a list of state and countywide mental health resources to assist law enforcement when they encounter individuals in mental health crisis. Examples include the following: programs for mental health or social workers to respond to calls for service instead of law enforcement or along with law enforcement; diversionary programs in the criminal justice system; access to mental health and drug treatment screening and treatment options; county crisis screening services which include mobile outreach and accessibility; and links to follow-up resources for the issues that are identified through the screening.

Finally, the County Working Groups shall provide a quarterly update on progress and plans to a Statewide Steering Committee (“Steering Committee”) (which will be established pursuant to Section II below), pursuant to a schedule and format to be established by the Steering Committee. County Working Groups should also identify gaps in the availability of resources and services, and then propose strategies to the Steering Committee and to local agencies to fill those gaps.

II. Statewide Steering Committee

The Steering Committee shall be comprised of the following representatives and agencies:

¹ Some County Prosecutor’s Offices have existing working groups, such as CIT steering committees, jail diversion and mental health committees, which function similarly to the structure set forth in this directive. There is no requirement to create an additional group, so long as the principles set forth in this directive are incorporated into the existing framework.

- Office of Public Integrity and Accountability;
- the Division of Criminal Justice;
- the New Jersey State Police;
- the County Prosecutor’s Association of New Jersey;
- the New Jersey Association of Chiefs of Police;
- the Sheriff’s Association of New Jersey;
- the County Jail Wardens Association;
- the Department of Human Services;
- the New Jersey Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families;
- a designated County Mental Health Administrator;
- mental health advocates to be designated by the Attorney General; and
- any other organizations as determined by the Attorney General.

The Statewide Steering Committee shall meet on a quarterly basis to review the progress of the County Working Groups, exchange ideas and provide feedback on best practices, emerging trends and latest guidance, identify opportunities for multi-county coordination of programs, and provide information about opportunities for grants and coordinate grant submissions.²

This Directive shall take effect on March 31, 2021. The provisions of this Directive shall remain in force and effect unless and until it is repealed, amended, or superseded by Order of the Attorney General.



Gurbir S. Grewal
Attorney General

ATTEST:



Thomas J. Eicher
Director
Office of Public Integrity and Accountability

Dated: December 21, 2020

² In 2019, the New Jersey Supreme Court established the Mental Health Advisory Committee, of which the Commissioner of Department of Human Services is a co-chair, and the Office of Attorney General is a member. The Statewide Steering Committee will focus primarily on law enforcement’s response to those in crisis, but there should be close coordination and collaboration between the two entities. This Directive serves to further the mission of the Supreme Court’s Mental Health Advisory Committee as it relates to law enforcement by seeking mechanisms and supports that would in appropriate cases avoid the necessity of a court action.