



The Mental Health and Safe Communities Act strengthens federal programs related to mental health in the criminal justice system by: improving the background check system; enhancing the ability of families and communities to identify mental illness; improving treatment for mental illness; and strengthening responses to mental health crises.

Improving the background check system

- Reauthorizes the federal NICS background check system and clarifies the scope of mental health records that states must share/upload.
- Incentivizes state compliance with upload requirements.
- Protects Due Process by requiring notice, a judicial hearing, and a determination that a person is a danger to themselves or others prior to prohibiting them from purchasing or possessing firearms.

Enhancing the ability of families and communities to identify mental illness and improving treatment

- Allows state and local governments to use federal mental health court grants to operate Assisted Outpatient Treatment (AOT) programs—a civil court procedure through which judges supervise the treatment of persons with mental illness without civil inpatient commitment.
- Requires the Attorney General to direct federal judges to operate mental health court pilot programs, allowing incarcerated mentally ill offenders to be diverted from prison to residential treatment facilities or other forms of treatment-based supervised release.
- Requires state and local governments to use drug court and mental health court funding to develop specialized programs for offenders who have co-occurring mental health and substance abuse disorders. Enables existing federal funding to be used to provide treatment, mentoring, and other transitional services to mentally-ill offenders leaving custody.

Strengthening responses to mental health crises

- Facilitates Best Practices on Crisis Response and Prevention for Law Enforcement, Judicial Officials, and Communities.
- Mandates specialized training and requires the use of new technology to ensure federal law enforcement, judicial officials, and uniformed services personnel are properly equipped to respond to individuals with mental illness and mental health crises. Allows state and local governments, including school officials, to use existing federal grant funding to expand the use of Crisis Intervention Teams, who are trained to respond to mental health crises and prevent acts of violence.
- Empowers families to intervene and help prevent mental health crises by providing additional resources for judicially-administered alternative treatment programs.