

Date of Hearing: April 5, 2021

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Freddie Rodriguez, Chair

AB 118 (Kamlager) – As Introduced December 18, 2020

SUBJECT: Emergency services: community response: grant program

SUMMARY: Establishes the Community Response Initiative to Strengthen Emergency Systems (C.R.I.S.E.S.) Act pilot grant program to expand the participation of community organizations in emergency response for vulnerable populations. Specifically, **this bill:**

- 1) Establishes, for three years, the C.R.I.S.E.S. Act grant pilot program, with the goal of expanding the participation of community organizations in emergency response for vulnerable populations.
- 2) Defines vulnerable populations as people of color, elderly people, people with disabilities, people who are gender nonconforming, people who are likely to face disproportionate police contact, people who are formerly incarcerated, people with immigration status issues, people who are unhoused, people facing mental health crises, people involved in intimate partner violence, people likely to be engaged in community violence, people challenged by substance abuse, and people living in areas that are environmentally insecure and subject to natural and climate disasters.
- 3) Requires the California Office of Emergency Services (Cal OES) to establish and administer the C.R.I.S.E.S. grant program with the goal of making grants to community organizations.
- 4) Specifies that a community organization receiving a grant under this program may use it for the following purposes: project planning; project implementation; staffing; facilities; operational costs; consulting services; training; and program evaluation.
- 5) Requires Cal OES to support the grant program and an 11-member C.R.I.S.E.S. Advisory Committee by providing technical, logistical, consultation and administrative functions to keep the public, the Legislature and the Governor apprised of the program's benefits and any policy recommendations.
- 6) Establishes an 11-member C.R.I.S.E.S. Advisory Committee comprised of the following members appointed by the Governor, Senate Rules Committee, or the Speaker of the Assembly, as specified: an emergency medical system professional; three survivors of emergency crises; two representatives of community organizations providing direct services to vulnerable populations; two public health professionals; two representatives of advocacy or community organizing groups serving vulnerable populations; and a representative of a community organization.
- 7) Requires the Advisory Committee to establish grant application criteria and meet at least quarterly.
- 8) Creates the Community Response Initiative to Strengthen Emergency Systems Act Fund in the State Treasury in support of the program and makes implementation contingent upon appropriate funding and appropriation by the Legislature.

EXISTING LAW:

- 1) Creates, within the office of the Governor, Cal OES, which is responsible for preventing, responding to, recovering from, and mitigating the impacts of both natural and intentional disasters.
- 2) Authorizes cities, cities and counties, and counties to create disaster councils, by ordinance, to develop plans for meeting any condition constituting a local emergency or state of emergency, including, but not limited to, earthquakes, natural or manmade disasters specific to that jurisdiction, or state of war emergency.
- 3) Requires the Standardized Emergency Management System (SEMS) for managing multiagency and multijurisdictional responses to emergencies in California. State agencies are required to use SEMS and local government entities must use SEMS in order to be eligible for any reimbursement of response-related costs under the state's disaster assistance programs.
- 4) Authorizes Cal OES to administer several federal emergency preparedness, homeland security and public safety grant programs, including the Homeland Security Grant Program (HSGP) and the Emergency Management Performance Grant (EMPG).

FISCAL EFFECT: Unknown.

COMMENTS:

Purpose of the bill: According to the author, “we must work to support the health and safety of our most vulnerable Californians. And we must rely on the knowledge, skills, credibility and trusted relationships that community organizations have and can deploy to keep people safe in these critical situations.”

The author adds, “designed to de-escalate crises, reduce reactive violence, and to send vital services to people who have a tougher time accessing critically needed emergency services, this program seeks to expand the participation of community-based organizations in emergency response situations for vulnerable populations. The proposed pilot seeks to fill the void that exists in emergency response services for vulnerable populations so that young people of color, people with disabilities, people who are gender nonconforming, people who are likely to face disproportionate police contact, people who are formerly incarcerated, people with immigration status issues and people who are unhoused or homeless can have ready access to quality emergency services from trained professionals that ensure safety, are culturally appropriate and relationship-centered.”

Emergency Preparedness and Response: The California Office of Emergency Services (Cal OES) is responsible for addressing natural, technological, or manmade disasters and emergencies, and preparing the State to prevent, respond to, quickly recover from, and mitigate the effects of both intentional and natural disasters. As part of their overall preparedness mission, Cal OES is required to develop a State Emergency Plan (SEP), State Hazard Mitigation Plan (SHMP), and maintains Standardized Emergency Management System (SEMS) and the Emergency Management Mutual Aid System (EMMA). Cal OES, in coordination with FEMA and local partners, has developed four Catastrophic Plans to augment the State Emergency Plan.

State Emergency Plan: The SEP describes how response to natural or human- caused emergencies occurs in California. The plan is a requirement of the California Emergency Services Act (ESA), and describes methods for conducting emergency operations, the process for rendering mutual aid, emergency services of government agencies, how resources are mobilized, how the public is informed, and how continuity of government is maintained during emergency. The SEP defines Emergency Support Functions (ESF) which are discipline-specific groups that develop functional annexes to set goals, objectives, operational concepts, capabilities, organization structures, and related policies and procedures. Under the SEP, there are 18 ESFs led by a state agency and represent an alliance of state government and other stakeholders with similar functional responsibilities. California Volunteers is the lead state agency for Volunteers and Donations Management (ESF 17).

Office of Public Safety Communications (PSC): In 2013, a Governor's Reorganization Plan moved PSC from the California Department of Technology to Cal OES. The PSC has responsibility for the state's microwave network and for installing and maintaining the public safety radio communications systems used by the state's public safety first responders. The PSC also oversees the statewide network that supports delivery of 9-1-1 calls to the state's 452 public safety answering points, the administration of the State Emergency Telephone Network Account (SETNA), and the implementation of the First Responder Network Authority (FirstNet) in California. These critical emergency communications authorities and responsibilities are a key component of how Cal OES fulfills its mission to protect lives and critical infrastructure in California.

Whole Community Preparedness: FEMA, in both their *2018-2022 Strategic Plan* and their emergency planning guidelines (*Comprehensive Preparedness Guide 101, Version 2.0*) articulate the need to build a culture of preparedness by ensuring representation and services for under-represented diverse populations that may be more impacted by disasters including children, seniors, individuals with disabilities or access and functional needs, individuals with diverse culture and language use, individuals with lower economic capacity, and other underserved populations.

Community-based Disaster Preparedness: (CBDP) refers to a specific form of local-level capacity building and represents increasingly important elements of vulnerability reduction and disaster management strategies. CBDP strategies leverage the knowledge and capabilities of local community resources. Successful implementation of CBDP requires a deep understanding of the communities involved. NGOs, such as American Red Cross or Salvation Army are well-equipped to implement CBDP strategies. Increasingly, the emergency management profession is realizing that governments alone cannot achieve significant, sustainable risk reduction and that greater investment in local-level and community-based approaches supported by NGOs or other community-based organizations should be made.

The author notes, "while a wide variety of innovative community organizations in successfully meet the needs of vulnerable populations in emergency situations, California does not have a policy, a set of protocols, or dedicated funding to support and strengthen community organizations' involvement. Providing resources to specially trained personnel at community organizations with a track-record in serving vulnerable populations and deep knowledge and experience with these communities will provide more effective and cost-efficient services."

Governor's Veto of similar legislation, AB 2054 (Kamlager):

The Governor vetoed a similar legislation, AB 2054 (Kamlager), last year. The Governor's veto message including the following statements:

"I am returning Assembly Bill 2054 without my signature. This bill would establish a grant pilot program administered by the Office of Emergency Services (OES) to stimulate and support community involvement in emergency response activities that do not require a law enforcement officer. The underlying goal of this legislation is important and implementing an effective solution will help our communities. Unfortunately, OES is not the appropriate location for the pilot program proposed in this legislation. My Administration will work with the Legislature and stakeholders during the next legislative session on an implementable solution. Should a grant program be the consensus, such a pilot should be established through the State Budget process."

The Committee is aware that there is ongoing conversations between the author and the Administration on how best to implement the policy goals of this legislation and whether or not Cal OES is the appropriate state entity to support this pilot program.

Arguments in support: California Insurance Commissioner, Ricardo Lara, showed his support stating that, "as Insurance Commissioner, I have seen firsthand how dedicated crisis counselor programs are critical for survivors of devastating wildfires to help them get back on their feet. AB 118 seeks to fill the void currently existing in emergency services for vulnerable populations so that people can safely access quality emergency services that are culturally and linguistically appropriate and are handled by trained professionals with relationships and a track record of services in their local immediate communities."

The President of We the People -- San Diego, Jean-Huy Tran, expressed their support explaining, "the proposed program seeks to fill the void currently existing in emergency response services for vulnerable populations so that young people of color, people with disabilities, people who are gender nonconforming, people who are likely to face disproportionate police contact, people who are formerly incarcerated, people with immigration status issues and people who are unhoused or homeless can safely access quality emergency services that are culturally appropriate and from trained professionals with relationships and a track record of service in their communities. These vulnerable populations face significant barriers to engaging with law enforcement and other first responder personnel because of deep rooted fears and stigma generated by their status. In these circumstances, the presence of trained professionals from community-oriented organizations with a track-record of service can prove more beneficial than engagement from law enforcement officers."

REGISTERED SUPPORT / OPPOSITION:

Support

Alliance for Boys and Men of Color
American Civil Liberties Union/Northern California/Southern California/San Diego and Imperial Counties
Anti Police-terror Project
Asian Pacific Environmental Network

Asian Prisoner Support Committee
Asian Solidarity Collective
Association of Regional Center Agencies (ARCA)
Berkeley Free Clinic
Brady Campaign
Brady Campaign California
Brotherhood Crusade
California Alliance for Youth and Community Justice
California Association of Nonprofits
California Climate & Agriculture Network (CALCAN)
California Department of Insurance
California Faculty Association
California Immigrant Policy Center
California League of Conservation Voters
California Partnership to End Domestic Violence
California Public Defenders Association (CPDA)
City of Santa Monica
Clergy and Laity United for Economic Violence
Communities United for Restorative Youth Justice (CURYJ)
Consumer Attorneys of California
Drug Policy Alliance
East Bay Women for Peace, SF Bay Area
End Solitary Santa Cruz County
Friends Committee on Legislation of California
Giffords
Housing California
Human Impact Partners
Initiate Justice
Justice Teams Network
Kern County Participatory Defense
Legal Services for Prisoners With Children
National Association of Social Workers, California Chapter
National Institute for Criminal Justice Reform
Pico California
Pillars of the Community
Planned Parenthood Affiliates of California
Prevention Institute
Public Health Advocates
Re:store Justice
Rubicon Programs
Shaw Yoder Antwih Schmelzer & Lange
Silicon Valley De-bug
Stanley Hills Drive Community of Neighbors
SURJ North County San Diego SURJNCSD
SURJ San Diego
Team Justice
Think Dignity
UDW Homecare Providers Union
Voices for Progress

We the People – San Diego
Young Women's Freedom Center
Youth Alive!

Opposition

None on file.

Analysis Prepared by: Mike Dayton / E.M. / (916) 319-3802