

ASSEMBLY BILL

No. 118

Introduced by Assembly Member Kamlager

December 18, 2020

An act to add and repeal Article 8.5 (commencing with Section 8601) of Chapter 7 of Division 1 of Title 2 of the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 118, as introduced, Kamlager. Emergency services: community response: grant program.

Existing law creates the Office of Emergency Services (office) within the office of the Governor. The office is responsible for the state's emergency and disaster response services for natural, technological, or man-made disasters and emergencies. Existing law requires the office to establish by rule and regulation various classes of disaster service workers, the scope of the duties of each class, and to adopt rules and regulations for the registration of each class of these workers. Existing law requires the office to work with advocacy groups representing the deaf and hard of hearing for the purpose of improving accessibility to emergency information and services for the populations that they serve. Existing law requires the office to develop a plan for state and local utilization of volunteers during a state of emergency.

This bill would, until January 1, 2026, enact the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act for the purpose of creating, implementing, and evaluating the 3-year C.R.I.S.E.S. Grant Pilot Program, which the act would establish. The bill would require the office to establish rules and regulations for the program with the goal of making grants to community organizations,

over 3 years, for the purpose of expanding the participation of community organizations in emergency response for specified vulnerable populations. The bill would require that grantees receive a minimum award of \$250,000 per year. The bill would require a community organization receiving funds pursuant to the program to use the grant to stimulate and support involvement in emergency response activities that do not require a law enforcement officer, as specified. The bill would require the Director of Emergency Services (director) to assemble staff and resources to carry out certain duties in support of the program.

The bill would require the office to support an 11-member C.R.I.S.E.S. Committee, selected by the Governor, the Chair of the Senate Committee on Rules, and the Speaker of the Assembly, as specified, to be inclusive of community organizations with a proven history of leadership and partnership on emergency response. The committee’s duties would include, among other things, establishing grant application criteria and parameters for eligible community organizations, reviewing and deciding upon grant proposals, ensuring grants are adhering to standards, and making recommendations to the office on program development, implementation, and oversight.

The bill would also establish the Community Response Initiative to Strengthen Emergency Systems Program Fund in the State Treasury in support of the program, to be administered by the director. The bill would authorize the moneys deposited in the fund, upon appropriation by the Legislature, to be expended for the purposes of the act. The bill would require that the act be implemented only if appropriate funding is made available to the office, and after making a determination to this effect, the office would be required to publish a notice on its internet website. The bill would make findings and declarations in regard to innovative approaches to emergency responses.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The complexities of emergency issues surrounding crises in
- 4 mental health, intimate partner violence, community violence,
- 5 substance abuse, and natural disasters can, at times, be addressed
- 6 more safely, with greater impact, and more cost effectively and

1 efficiently with community organizations, which often have deeper
2 knowledge and understanding of the issues, trusted relationships
3 with the people and communities involved, and specific knowledge
4 and relationships surrounding the emergency.

5 (b) Furthermore, young people of color, people with disabilities,
6 people who are gender nonconforming, people who are formerly
7 incarcerated, people with immigration status issues, and people
8 who are unhoused or homeless, face significant barriers to engaging
9 with law enforcement and other first responder personnel. Data
10 demonstrates that these populations often do not reach out for
11 needed help when dealing with crises in their communities because
12 of their fear and challenges with engaging law enforcement, which
13 puts lives and families at risk for continued harm and trauma.
14 Community organizations that specialize in working with these
15 populations understand those issues, and by maintaining deep
16 relationships in their communities, have a more successful track
17 record of engaging and supporting them.

18 (c) Elected officials and philanthropic and community
19 organizations have recognized the need to create alternatives to
20 law enforcement and expand innovative approaches to emergencies
21 and have established programs to do so in school districts, cities,
22 and counties throughout the state.

23 (d) These alternative approaches have strengthened the response
24 to emergencies in places throughout the state by deepening impact,
25 preventing violence, deescalating volatile situations, protecting
26 property and the environment, reducing law enforcement use of
27 force, and ensuring the health and safety of communities while,
28 at the same time, saving money by decreasing calls for service and
29 the sole reliance upon first responders for emergency situations.

30 (e) Despite the innovative approaches led by community
31 organizations, the state does not have a policy, a set of protocols,
32 or dedicated funding to support community organizations’
33 involvement in addressing emergencies.

34 (f) This act seeks to remedy those issues by articulating a policy
35 framework to support innovative approaches to build capacity in,
36 and to make grants for, community organizations to support
37 emergency response.

38 SEC. 2. Article 8.5 (commencing with Section 8601) is added
39 to Chapter 7 of Division 1 of Title 2 of the Government Code, to
40 read:

1 Article 8.5. Community Response Initiative to Strengthen
2 Emergency Systems Act

3
4 8601. This article shall be known, and may be cited, as the
5 Community Response Initiative to Strengthen Emergency Systems
6 Act or the C.R.I.S.E.S. Act.

7 8601.1. (a) The Community Response Initiative to Strengthen
8 Emergency Systems Act or the C.R.I.S.E.S. Act is hereby
9 established, as a three-year program, for the purposes of creating,
10 implementing, and evaluating the C.R.I.S.E.S. Grant Pilot Program
11 in accordance with this article.

12 (b) For purposes of this article the following definitions apply:

13 (1) "Committee" means the C.R.I.S.E.S. Committee, as
14 described in Section 8601.2.

15 (2) "Community organization" means a public or private
16 nonprofit organization, or organization fiscally sponsored by a
17 nonprofit, of demonstrated effectiveness that is representative of
18 significant segments of a community and provides educational,
19 direct, or related services to individuals in the community.

20 (3) "Director" means the Director of Emergency Services.

21 (4) "Fund" means the Community Response Initiative to
22 Strengthen Emergency Systems Program Fund.

23 (5) "Law enforcement agency" means any police department,
24 sheriff's department, district attorney, county probation department,
25 transit agency police department, school district police department,
26 highway patrol, the police department of any campus of the
27 University of California, the California State University, or a
28 community college, the Department of the California Highway
29 Patrol, and the Department of Justice.

30 (6) "Law enforcement officer" means an officer, deputy,
31 employee, or agent of a law enforcement agency.

32 (7) "Office" means the Office of Emergency Services.

33 (8) "Program" means the C.R.I.S.E.S. Grant Pilot Program
34 established by this article.

35 (c) The C.R.I.S.E.S. Grant Pilot Program is hereby established.
36 The office shall establish rules and regulations for the program
37 with the goal of making grants to community organizations.
38 Grantees shall receive a minimum award of two hundred fifty
39 thousand dollars (\$250,000) per year. The program shall create
40 and strengthen community-based alternatives to law enforcement

1 in response to crisis situations not related to a fire department or
2 emergency medical service response in communities where there
3 is a history and pattern of racial profiling, law enforcement
4 violence, gaps in law enforcement service, or where vulnerable
5 populations live, including people of color, elderly people, people
6 with disabilities, people who are gender nonconforming, people
7 who are likely to face disproportionate police contact, people who
8 are formerly incarcerated, people with immigration status issues,
9 people who are unhoused, people facing mental health crises,
10 people involved in intimate partner violence, vulnerable youth,
11 people likely to be engaged in community violence, people
12 challenged by substance abuse, and people living in areas that are
13 environmentally insecure with vulnerable populations and subject
14 to natural or climate disasters or public health emergencies.

15 (d) A community organization receiving assistance pursuant to
16 the program shall use the grant to stimulate and support
17 involvement in emergency response activities that do not require
18 a law enforcement officer. Those activities include, but are not
19 limited to, all of the following:

20 (1) Project planning and community engagement.

21 (2) Project implementation.

22 (3) Staffing, subject to the requirement that grantees adhere to
23 all applicable laws relating to scope of practice, licensure, and
24 certification.

25 (4) Facilities, subject to the requirement that the facility is to
26 be utilized by the grantee, which may extend beyond the term of
27 the program.

28 (5) Operational costs, including, but not limited to, startup or
29 expansion, marketing, language translation, and transportation
30 costs.

31 (6) Consulting services.

32 (7) Training.

33 (8) Program and project evaluation, including, but not limited
34 to, evaluation of program and project efficacy, staff performance,
35 and service delivery.

36 (e) The director shall assemble staff, resources, and, if necessary,
37 engage consultants with technical expertise, to carry out all of the
38 following duties and responsibilities:

39 (1) Following appointment of the committee, provide organizing,
40 staffing, and facilitation support, including, but not limited to,

1 outreach and engagement, cooperatively creating meeting agendas,
2 providing recordkeeping and facilitation support, reimbursements
3 for travel and participation in committee meetings and activities,
4 and detailed information on rules, regulations, and relevant
5 deadlines.

6 (2) With the guidance of the committee, develop the program,
7 with grants to be issued no later than January 1, 2023.

8 (3) Provide technical assistance to prospective applicants, solicit
9 and review all grant proposals, and support the committee’s review
10 and scoring of proposals, as well as preparing proposals for final
11 approval by the committee.

12 (4) Publish and maintain an internet website to report details
13 relevant to the committee for the public to view, including, but not
14 limited to, committee meeting agendas, minutes, vote counts,
15 committee member information, photos, and videos.

16 (5) Consult with local emergency services personnel and
17 community-based or grassroots organizations for input and
18 potential approaches on issues related to emergency response.

19 (6) Assist the committee in carrying out its work and perform
20 other duties as directed by the committee.

21 (f) (1) The office shall issue a public report, to be posted on its
22 internet website six months following the end of the program, on
23 the programmatic and fiscal savings associated with the program,
24 key conclusions, populations served and the benefits conferred or
25 realized, and resulting policy recommendations to provide guidance
26 to the Legislature and Governor in fully implementing and scaling
27 a permanent program.

28 (2) The report required by this subdivision shall be submitted
29 in compliance with Section 9795.

30 8601.2. (a) The office shall support an 11-member C.R.I.S.E.S.
31 Committee, selected pursuant to subdivision (b), that shall be
32 inclusive of community organizations with a proven history of
33 leadership and partnership on emergency response, for the
34 three-year period of the program.

35 (b) The committee shall be selected by the Governor, Chair of
36 the Senate Committee on Rules, and Speaker of the Assembly as
37 described in this subdivision. Racial, gender, and ethnic diversity,
38 and representation of communities described in subdivision (c) of
39 Section 8601.1, shall be considered for all appointments. The
40 members shall serve at the pleasure of the appointing entities.

- 1 (1) The Governor shall select all of the following members:
2 (A) An emergency medical system professional.
3 (B) A survivor of an emergency or crisis.
4 (C) A representative from a community organization providing
5 direct services to vulnerable populations.
6 (D) A public health professional.
7 (E) A representative of an advocacy or community organizing
8 group serving vulnerable communities.
9 (2) The Chair of the Senate Committee on Rules shall select all
10 of the following members:
11 (A) A survivor of an emergency or crisis.
12 (B) A representative from a community organization.
13 (C) A representative of an advocacy or community organizing
14 group serving vulnerable communities.
15 (3) The Speaker of the Assembly shall select all of the following
16 members:
17 (A) A survivor of an emergency or crisis.
18 (B) A representative from a community organization providing
19 direct services to vulnerable populations.
20 (C) A public health professional.
21 (c) (1) The committee shall establish grant application criteria
22 and parameters for eligible community organizations, review and
23 decide upon grant proposals, ensure grants are adhering to
24 standards, and monitor progress, conclusions, and challenges. The
25 committee shall make recommendations to the office on program
26 development, implementation, and oversight on an ongoing basis.
27 Scoring of grant proposals shall prioritize, and give preference to,
28 projects in locations with a demonstrated need, as evidenced by
29 metrics such as a high record of police use of force, a high volume
30 of civilian complaints, and racial profiling, and community
31 organizations that have a history of serving the populations
32 described in subdivision (c) of Section 8601.1.
33 (2) After an initial meeting, the committee shall meet a minimum
34 of once per quarter. A majority of the appointed committee shall
35 constitute a quorum. Committee meetings shall be held in
36 accordance with the Bagley-Keene Open Meeting Act (Article 9
37 commencing with Section 11120) of Chapter 1 of Part 1 of
38 Division 3).
39 8601.3. (a) The Community Response Initiative to Strengthen
40 Emergency Systems Program Fund is hereby created in the State

1 Treasury in support of the program that shall be administered by
2 the director. Moneys deposited in the fund, both public and private,
3 upon appropriation by the Legislature, may be expended by the
4 office for the purposes of this article.

5 (b) This article shall be implemented only if appropriate funding
6 is made available to the office. Upon finding that appropriate
7 funding has been made available to implement the article, the
8 office shall publish a notice stating this on its internet website. If
9 the appropriation is not made, the office bears no responsibility
10 for implementation of this article.

11 8601.4. This article shall remain in effect only until January
12 1, 2026, and as of that date is repealed.