

**Assembly Bill No. 118**

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Passed the Assembly September 8, 2021

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*Chief Clerk of the Assembly*

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Passed the Senate September 1, 2021

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add and repeal Chapter 19 (commencing with Section 18999.90) of Part 6 of Division 9 of the Welfare and Institutions Code, relating to emergency services.

## LEGISLATIVE COUNSEL'S DIGEST

AB 118, Kamlager. Department of Social Services: C.R.I.S.E.S. Grant Pilot Program.

Existing law establishes the State Department of Social Services in the Health and Welfare Agency and sets forth its powers and duties relating to the administration of various programs relating to public social services.

This bill would enact the Community Response Initiative to Strengthen Emergency Systems Act, or the C.R.I.S.E.S. Act, for purposes of creating, implementing, and evaluating the C.R.I.S.E.S. Grant Pilot Program, which the act would establish. The bill would require the department to administer the program if appropriate funding is made available to the department. The bill would require the department to award grants to qualified grantees, which include city, county, and tribal departments of social services, disability services, health services, public health, or behavioral health, based on grant eligibility criteria developed in partnership with a stakeholder workgroup.

This bill would require each grantee to receive a minimum award of \$250,000 per year under the program. The bill would require a grantee to award at least 90% of grant funds received to one or more qualifying community-based organizations, as defined. The bill would require funds awarded under the program to be utilized to create and strengthen community-based alternatives to law enforcement to lessen the reliance on law enforcement agencies as first responders to crisis situations unrelated to a fire department or emergency medical service response.

This bill would require a grantee to report at least annually to the department on the use of funding awarded under the program. The bill would require the department to convene a stakeholder workgroup consisting of specified individuals to make

recommendations to the department regarding the implementation of the program, as specified.

This bill would establish the Community Response Initiative to Strengthen Emergency Systems Program Fund within the State Treasury, and would provide that, upon appropriation by the Legislature, the moneys may be expended by the department for purposes of the program. The bill would prohibit the department from expending more than 5% of appropriated funds on administrative costs, as specified. The bill would require the department to award all grants by January 1, 2023.

This bill would authorize the department to implement, interpret, or make specific the provisions of the program without taking regulatory action, as specified. The bill would grant immunity to the state from liability resulting from the activities of a grantee or community-based organization under the program.

This bill would repeal these provisions on June 30, 2026.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) The complexities of emergency issues surrounding crises in mental health, intimate partner violence, community violence, substance abuse, and natural disasters can, at times, be addressed more safely, with greater impact, and more cost effectively and efficiently by community-based organizations, which often have deeper knowledge and understanding of the issues, trusted relationships with the people and communities involved, and specific knowledge and relationships surrounding the emergency.

(b) Furthermore, young people of color, people with disabilities, people who are gender nonconforming, people who are formerly incarcerated, people who are unemployed, people with immigration status issues, and people who are unhoused or homeless, face significant barriers to engaging with law enforcement and other first responder personnel. Data demonstrates that these populations often do not reach out for needed help when dealing with crises in their communities because of their fear and challenges with engaging law enforcement, which puts lives and families at risk for continued harm and trauma. Community-based organizations that specialize in working with these populations understand those

issues, and by maintaining deep relationships in their communities, have a more successful track record of engaging and supporting them.

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

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

(e) Despite the innovative approaches led by community-based organizations, the state does not have a policy, a set of protocols, or dedicated funding to support community-based organizations' involvement in addressing emergencies.

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

(g) This act also aims to inform, leverage, and align the C.R.I.S.E.S. Grant Pilot Program with other state investments for mobile crisis support, with the goal of continuing to support community involvement in emergency response.

SEC. 2. Chapter 19 (commencing with Section 18999.90) is added to Part 6 of Division 9 of the Welfare and Institutions Code, to read:

CHAPTER 19. COMMUNITY RESPONSE INITIATIVE TO  
STRENGTHEN EMERGENCY SYSTEMS ACT

18999.90. This chapter shall be known, and may be cited, as the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act.

18999.91. The Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act is hereby

established for the purposes of creating, implementing, and evaluating the C.R.I.S.E.S. Grant Pilot Program in accordance with this chapter.

18999.92. For purposes of this chapter:

(a) “Community-based organization” means public or nonprofit organization, or organization fiscally sponsored by a nonprofit, that can demonstrate its ability to effectively provide community-based alternatives to law enforcement, and has a demonstrated involvement with the identified communities to be served.

(b) “Department” means the State Department of Social Services.

(c) “Fund” means the Community Response Initiative to Strengthen Emergency Systems Program Fund established pursuant to Section 18999.94.

(d) “Grantee” means a county, city, or tribe, or a department of a city, county, or tribe, that receives a grant pursuant to this chapter.

(e) “Law enforcement agency” means any police department, sheriff’s department, district attorney, county probation department, transit agency police department, school district police department, highway patrol, the police department of any campus of the University of California, the California State University, or a community college, the Department of the California Highway Patrol, the Department of Justice, the Department of Corrections and Rehabilitation, and federal law enforcement agencies, such as the Department of Homeland Security, the Federal Bureau of Investigation, Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Drug Enforcement Administration.

(f) “Law enforcement officer” means an officer, deputy, employee, or agent of a law enforcement agency as described above.

(g) “Program” means the C.R.I.S.E.S. Grant Pilot Program established by this chapter.

(h) “Stakeholder workgroup” means a group of interested parties convened by the department to make recommendations on the implementation of this program pursuant to this chapter, as described in subdivision (d) of Section 18999.93.

18999.93. (a) (1) Subject to an appropriation in the 2021 Budget Act for purposes of this chapter, the C.R.I.S.E.S. Grant

Pilot Program established pursuant to Section 18999.91 shall be administered by the department.

(2) (A) The department shall award grants to eligible grantees, as determined by the department, based on grant eligibility criteria developed in partnership with the stakeholder workgroup.

(B) For purposes of this paragraph, an eligible grantee is a city, county, or tribe, or a department of a city, county, or tribe, including, but not limited to, departments of social services, disability services, health services, public health, or behavioral health. Law enforcement agencies and organizations are not eligible grantees.

(3) Each grantee shall receive a minimum award of two hundred fifty thousand dollars (\$250,000) per year.

(4) (A) Funds awarded pursuant to this chapter shall be utilized to create and strengthen community-based alternatives to law enforcement to lessen the reliance on law enforcement agencies as first responders to crisis situations unrelated to a fire department or emergency medical service response.

(B) Community-based alternatives may include, but are not limited to, providing mobile crisis response teams or community para-medicine programs. Community-based alternatives shall not include law enforcement officers or agencies as first responders or coresponders.

(5) The department shall prioritize grantees that propose interventions that serve historically marginalized populations and that serve communities with a demonstrated need for community-based alternatives to law enforcement, as evidenced by metrics, including, a high record of police use of force, a high volume of civilian complaints, high rates of imprisonment, and racial profiling.

(b) (1) Grantees shall award 90 percent or more of the grant funds to one or more qualifying community-based organizations, to create and strengthen community-based alternatives to law enforcement as described in paragraph (4) of subdivision (a). No more than 10 percent of the grant funds shall be used to support program administration of the grantee.

(2) Grantees shall publicly solicit partnerships with community-based organizations. This public solicitation shall include, but not limited to, all of the following:

(A) Issuing a public notice and invitation to create a partnership to establish a program pursuant to this chapter.

(B) Inviting letters of intent from community-based organizations.

(C) Convening public meetings to hear questions, concerns, and suggestions from the community that would inform the development of the program.

(3) Grantees shall prioritize the awarding of program funds to qualified community-based organizations that demonstrate the capacity to lead the proposed program and demonstrate experience providing community-based alternatives to law enforcement or civilian crisis response in the communities listed in paragraph (5) of subdivision (a). This includes, but is not limited to, the ability to do any of the following:

(A) Respond to emergency calls.

(B) Provide treatment, screening, and assessment.

(C) Provide stabilization and deescalation services.

(D) Coordinate with health, social services, and other support services, as needed.

(E) Maintain relationships with relevant community partners, including a range of community organizers, and medical, behavioral health, and crisis providers.

(4) A grantee and the community-based organization that receives funds may collaborate on program planning and implementation of community-based alternatives to law enforcement, including, but not limited to, any of the following:

(A) Local stakeholder engagement.

(B) Mechanisms for response requests.

(C) Crisis response activities.

(D) Crisis response followup, including coordination with local services and supports, tracking service delivery data, and submitting grant reports.

(c) A grantee shall report at least annually to the department on the use of program funding, which shall include data reporting on clients served and program outcomes, as determined by the department in consultation with stakeholder workgroup.

(d) (1) The department shall convene a stakeholder workgroup to make recommendations to the department regarding implementation of the program. The department shall convene

regular meetings with the stakeholder workgroup in which the workgroup shall do all of the following:

- (A) Provide input regarding criteria for qualified grantees.
- (B) Provide best practices and program recommendations.
- (C) Provide consultation on implementation and priorities for technical assistance.
- (D) Identify barriers to implementation and suggest solutions to address those barriers.
- (E) Recommend anonymous data to be collected.
- (F) Collaboratively review data and program outcomes.
- (G) Advise on the design of the evaluation.

(2) (A) The members of the stakeholder workgroup shall include, but not be limited to, a minimum of one of each of the following individuals:

(i) Emergency medical system practitioners with experience providing community-based, trauma-informed, culturally competent care, deescalation strategies, and harm reduction support.

(ii) Public health or behavioral health practitioners with specific experience in community health and an understanding of health care, mental health services, trauma-informed, culturally competent care, deescalation strategies, and harm reduction support.

(iii) Members of the public, who have survived an emergency or crisis, and have used community-based services in response to the emergency or crisis.

(iv) Survivors of police brutality.

(v) Surviving family members of someone who has been subject to use of force resulting in death or serious bodily injury by a law enforcement officer.

(B) The stakeholder workgroup shall not include current or former law enforcement officers or immediate family members of law enforcement officers.

(e) The department shall issue a public report, to be posted on its internet website six months following the end of the program, on the programmatic and fiscal savings associated with the program, key conclusions, populations served and the benefits conferred or realized, using quantitative and qualitative data, and resulting policy recommendations to provide guidance to the Legislature and Governor in fully implementing and scaling a permanent program.

18999.94. (a) The Community Response Initiative to Strengthen Emergency Systems Program Fund is hereby created within the State Treasury. Moneys deposited in the fund, upon appropriation by the Legislature, may be expended by the department for the purposes of this chapter.

(b) The department may enter into agreements with one or more entities to facilitate the implementation of the program, which may not exceed 5 percent of funds appropriated for purposes of this chapter, including, but not limited to, any of the following:

(1) Convening and facilitating the stakeholder workgroup.

(2) Providing technical assistance to grantees and community-based organizations receiving funding pursuant to this chapter.

(3) Evaluating program data and information and preparing the public report described in subdivision (e) of Section 18999.93.

(c) Notwithstanding subdivision (b), the department may not expend more than 5 percent of funds appropriated for purposes of this chapter on its administrative costs.

(d) The department shall award all grants pursuant to this chapter on or before January 1, 2023.

18999.95. (a) This chapter shall be implemented only if appropriate funding is made available to the department.

(b) (1) Notwithstanding any other law, funding awarded pursuant to this chapter shall be exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(2) Notwithstanding any other law, funding awarded pursuant to this chapter shall be exempt from the Public Contract Code and the State Contracting Manual, and shall not be subject to the approval of the Department of General Services.

(c) The state shall be immune from any liability resulting from the activities of a grantee or community-based organization under the program.

(d) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement, interpret, or make specific this chapter without taking any regulatory action.

(e) This chapter shall remain in effect only until June 30, 2026, and as of that date is repealed.



Approved \_\_\_\_\_, 2021

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*Governor*