

CONCURRENCE IN SENATE AMENDMENTS

AB 118 (Kamlager)

As Amended August 26, 2021

Majority vote

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-based organizations in an emergency response role for vulnerable populations.

Senate Amendments

- 1) Removes the requirement for the California Office of Emergency Services (Cal OES) to run the Program.
- 2) Requires the State Department of Social Services (CDSS) in the Health and Welfare Agency to run the Program.
- 3) Requires the Department to administer the Program so long as appropriate funding is available through an appropriation from the 2021 Budget Act and prohibits the Department from expending more than 5% of appropriated funds on administrative costs, as specified.
- 4) Requires 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.
- 5) Requires the Department to convene a stakeholder workgroup consisting of specified individuals to make recommendations regarding the implementation of the Program, as specified.
- 6) Removes the requirement for the creation of an 11-member C.R.I.S.E.S. Committee selected by the Governor and Legislature that, among other things, would have established 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.
- 7) Clarifies which eligible grantees are prioritized, as specified,
- 8) Requires a grantee to report at least annually to the Department on the use of funding awarded under the Program.
- 9) Specifies how grantees are to publicly solicit partnerships with community-based organizations, as specified
- 10) Clarifies what constitutes as a qualified community-based organization, as specified, and which organizations are prioritized for Program funds, as specified.
- 11) Requires a grantee to award at least 90% of grant funds received to one or more qualifying community-based organizations, as defined.

- 12) Grants immunity to the state from liability resulting from the activities of a grantee or community-based organization under the Program.
- 13) Authorizes the Department to implement, interpret, or make specific the provisions of the Program without taking regulatory action, as specified.
- 14) Changes the sunset date from January 1, 2026, to June 1, 2026.
- 15) Clarifies the intent to inform, leverage, and align the Program with other state investments for mobile crisis support.
- 16) Makes other technical, clarifying, and non-substantive changes

COMMENTS

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): 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.

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."

State Budget: The Budget Act of 2021 appropriated \$10 million to CDSS for a C.R.I.S.E.S. Grant Pilot Program.

According to the Author

"AB 118 scales up community-based responses to emergencies in specific situations instead of the police. Too frequently, police respond to level two emergency calls about homelessness, substance abuse, mental health and other issues with level 10 force. Professionals at community-based organizations have the expertise, relationships and networks to meet the needs of their communities. These professionals are trained in de-escalating and resolving crises and their services should be part of the web of emergency response networks."

Arguments in Support

The California Chapter of the National Association of Social Services wrote in support, stating: "By expanding the participation of community-based organizations in emergency response situations, this bill is designed to de-escalate crises, reduce reactive violence, and to send vital services to people who have a tougher time accessing emergency services. With the CRISES Act, people of color, people with disabilities, people who are gender nonconforming, people more likely to have police contact, the formerly incarcerated, those with immigration status issues, and individuals experiencing homelessness can access quality emergency services from trained professionals that ensure safety, are culturally appropriate, and relationship centered. These vulnerable populations face significant barriers to engaging with law enforcement due to deep rooted fears and stigma generated by their status. Therefore, the presence of trained professionals, including social workers, from community-oriented organizations would be more beneficial than engagement with officers."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) "Costs in the millions of dollars to fund the Community Response Initiative to Strengthen Emergency Systems (C.R.I.S.E.S.) Grant Program (General Fund), subject to a budget appropriation. Staff notes that the Budget Act of 2021 appropriated \$10 million to the Department of Social Services (DSS) for a C.R.I.S.E.S. Grant Pilot Program.
- 2) Unknown, potentially significant costs for the DSS to administer the grant program, convene and facilitate the stakeholder workgroup, and issue the public report. The bill authorizes the DSS to enter into agreements with one or more entities to facilitate the implementation of the program, the cost of which may not exceed five percent of total grant amounts. To the extent that the DSS would require more than five percent of total grant amounts to cover its administrative costs, there may be an additional but indeterminate cost pressure to the Department."

VOTES:**ASM EMERGENCY MANAGEMENT: 6-0-1**

YES: Rodriguez, Aguiar-Curry, Calderon, Gallagher, Gray, Ward

ABS, ABST OR NV: Seyarto

ASM APPROPRIATIONS: 15-0-1

YES: Lorena Gonzalez, Calderon, Carrillo, Chau, Megan Dahle, Davies, Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Holden, Luz Rivas

ABS, ABST OR NV: Bigelow

ASSEMBLY FLOOR: 75-0-3

YES: Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bigelow, Bloom, Boerner Horvath, Burke, Calderon, Carrillo, Cervantes, Chau, Chen, Chiu, Choi, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Fong, Frazier, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Lorena Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, O'Donnell, Petrie-Norris, Quirk, Quirk-Silva, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Smith, Stone, Ting, Valladares, Villapudua, Voepel, Waldron, Ward, Akilah Weber, Wicks, Wood, Rendon

ABS, ABST OR NV: Patterson, Ramos, Seyarto

SENATE FLOOR: 34-4-2

YES: Allen, Archuleta, Atkins, Becker, Borgeas, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hertzberg, Hueso, Hurtado, Jones, Kamlager, Laird, Leyva, Limón, McGuire, Min, Newman, Ochoa Bogh, Pan, Portantino, Roth, Rubio, Skinner, Umberg, Wieckowski, Wiener, Wilk

NO: Bates, Dahle, Grove, Nielsen

ABS, ABST OR NV: Melendez, Stern

UPDATED

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CONSULTANT: Mike Dayton / E.M. / (916) 319-3802

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