
THIRD READING

Bill No: AB 118
Author: Kamlager (D), et al.
Amended: 8/26/21 in Senate
Vote: 21

SENATE GOVERNMENTAL ORG. COMMITTEE: 13-1, 7/6/21
AYES: Dodd, Allen, Archuleta, Becker, Borgeas, Bradford, Glazer, Hueso, Jones,
Kamlager, Portantino, Rubio, Wilk
NOES: Nielsen
NO VOTE RECORDED: Melendez

SENATE APPROPRIATIONS COMMITTEE: 6-0, 8/26/21
AYES: Portantino, Bradford, Jones, Kamlager, Laird, McGuire
NO VOTE RECORDED: Bates

ASSEMBLY FLOOR: 75-0, 5/27/21 - See last page for vote

SUBJECT: Department of Social Services: C.R.I.S.E.S. Grant Pilot Program

SOURCE: Alliance for Boys and Men of Color
Anti Police-Terror Project
Berkeley Free Clinic
Communities United for Restorative Justice
PolicyLink
Public Health Advocates

DIGEST: This bill establishes the Community Response Initiative to Strengthen Emergency Systems (C.R.I.S.E.S.) Grant Pilot Program for the purpose of funding community-based alternatives to law enforcement.

ANALYSIS: Existing law establishes the California Department of Social Services (CDSS) and authorizes the department to administer numerous grant programs. (*WIC 10550 et seq.*)

This bill:

- 1) Makes a series of legislative findings and declarations regarding the complexities of emergency issues surrounding crises in mental health, intimate partner violence, community violence, substance abuse, and natural disasters and the need to support community involvement in emergency response.
- 2) Establishes the C.R.I.S.E.S. Act for the purposes of creating, implementing, and evaluating the C.R.I.S.E.S. Grant Pilot Program.
- 3) Defines a series of terms including community-based organization (CBO), department, fund, grantee, law enforcement agency, law enforcement officer, program and stakeholder workgroup for purpose of the C.R.I.S.E.S. Grant Pilot Program.
- 4) Requires that the C.R.I.S.E.S. Grant Pilot Program shall be administered by CDSS, subject to an appropriation in the 2021 Budget Act.
- 5) Requires CDSS to award grants to eligible grantees, as determined by CDSS, based on grant eligibility criteria developed in partnership with the stakeholder workgroup.
- 6) Provides that 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. Further provides that law enforcement agencies and organizations are not eligible grantees.
- 7) Requires that each grantee shall receive a minimum award of two hundred fifty thousand dollars (\$250,000) per year.
- 8) Requires that grant funds awarded 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.
- 9) Provides that community-based alternatives may include, but are not limited to, providing mobile crisis response teams or community para-medicine programs. Further provides that community-based alternatives shall not include law enforcement officers or agencies as first responders or coresponders.
- 10) Requires CDSS to 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.

- 11) Requires grantees to award 90 percent or more of the grant funds to one or more qualifying CBOs, to create and strengthen community-based alternatives to law enforcement. Further requires that no more than 10 percent of the grant funds shall be used to support program administration of the grantee.
- 12) Requires grantees to publicly solicit partnerships with CBOs, as specified.
- 13) Requires grantees to prioritize the awarding of program funds to qualified CBOs 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 with a demonstrated need for community-based alternatives to law enforcement, as specified
- 14) Permits a grantee and the CBO that receives funds to collaborate on program planning and implementation of community-based alternatives to law enforcement, including, but not limited to, any of the following: local stakeholder engagement; mechanisms for response requests; crisis response activities; and, crisis response followup, including coordination with local services and supports, tracking service delivery data, and submitting grant reports.
- 15) Requires a grantee to report at least annually to CDSS on the use of program funding, including data reporting on clients served and program outcomes, as determined by CDSS in consultation with stakeholder workgroup.
- 16) Requires CDSS to convene a stakeholder workgroup to make recommendations to CDSS regarding implementation of the program. Further requires CDSS to convene regular meetings with the stakeholder workgroup in which the workgroup shall provide input on grantee criteria, best practices, and other recommendations, as provided.
- 17) Establishes membership requirements for the stakeholder workgroup, including that the stakeholder workgroup shall not include current or former law enforcement officers or immediate family members of law enforcement officers.
- 18) Requires CDSS to 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.

- 19) Creates the C.R.I.S.I.S. Program Fund within the State Treasury. Permits moneys deposited in the fund, upon appropriation by the Legislature, to be expended by CDSS, as specified.
- 20) Permits CDSS to 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, as specified.
- 21) Provides that CDSS may not expend more than 5 percent of funds appropriated for purposes of this chapter on its administrative costs.
- 22) Requires CDSS to award all grants on or before January 1, 2023.
- 23) Exempts Grant funding from specified contracting laws and provides immunity to CDSS for any liability resulting from the activities of a grantee or CBO under the program.
- 24) Provides that the C.R.I.S.I.S. Grant Program shall be implemented only if appropriate funding is made available to CDSS.
- 25) Permits CDSS to implement, interpret, or make specific this chapter without taking any regulatory action.
- 26) Repeals the C.R.I.S.E.S. Act on June 30, 2026.

Comments

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.”

Community-Based Alternatives to Law Enforcement

In recent years, the public has become more aware of and concerned about incidents during which law enforcement responds to calls for assistance when a

person is in crisis that result in the person who is in crisis and needs help being harmed or even killed. These incidents have often involved persons with mental or behavioral health conditions. For example, the San Francisco Police Department estimates that up to 80 percent of calls for service in the city are for people in mental health crises and that police officers bring close to 4,000 people per year to psychiatric facilities. Some have observed that, while law enforcement officers may be well-intentioned, police presence can exacerbate a situation involving a person or people in crisis.

This bill is the author's second attempt to establish the C.R.I.S.I.S. Grant Program. The author introduced AB 2054 (Kamlager) in 2020, which was substantially similar to this bill. AB 2054 was vetoed by Governor Newsom because the bill placed the C.R.I.S.I.S. Grant Program within the Office of Emergency Services (this bill places the grant program within CDSS). Despite the fact that he vetoed AB 2054, Governor Newsom signaled his support for the concept of the C.R.I.S.I.S. grant in his veto message when he wrote:

“Many situations involving those who are unhoused, facing mental health challenges, have been exposed to violence, or are experiencing substance use issues may be better addressed with resources and pathways for long-term healing rather than a punitive approach. We must also address the reality that people of color and other marginalized members of our communities are disproportionately harmed by interactions with law enforcement, too often in instances where a badge and a gun are unnecessary.”

This bill and AB 2054 (Kamlager, 2020) were introduced in response to calls for change in how communities respond to crisis situations that may not warrant law enforcement interventions. This bill establishes the C.R.I.S.E.S. Grant Pilot Program for the purpose of creating community-based alternatives to law enforcement interventions during crisis situations that do not require to a fire department or emergency medical service response. The Grant Program will provide a minimum of \$250,000 per year to qualified and approved grantees. The Budget Act of 2021 appropriates \$10 million for this purpose.

Under the C.R.I.S.E.S. Grant Program, funds will be provided to cities, counties or tribes that apply for and meet the criteria established by CDSS in consultation with a stakeholder workgroup. This workgroup will consist of emergency medical, public health and behavioral health practitioners with experience providing community-based, trauma-informed, culturally competent care, deescalation strategies, and harm reduction support. The stakeholder workgroup will also

consist of members of the public who have survived an emergency or crisis, and have used community-based services in response to the emergency or crisis; survivors of police brutality; and 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. The author might want to consider adding a representative of the Regional Centers, which provide services and support to people with developmental disabilities.

As to funding, this bill requires CDSS to 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. Grant recipients (cities, counties, or tribes) will disseminate the funds to qualified CBOs that can demonstrate ability to effectively provide community-based alternatives to law enforcement, and have a demonstrated involvement with the identified communities to be served. The funds will 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. Per the bill, such community-based alternatives may include, but are not limited to, providing mobile crisis response teams or community para-medicine programs. The alternatives could also include:

- Responding to emergency calls, which might entail creating a hotline that could be used to get help in a crisis in lieu of calling 911.
- Providing treatment, screening, and assessment.
- Providing stabilization and deescalation services.
- Coordinating with health, social services, and other support services, as needed.
- Maintain relationships with relevant community partners, including a range of community organizers, and medical, behavioral health, and crisis providers.

This bill prohibits law enforcement from receiving grant funds, sitting on the working group or being responders within the community-based alternatives. However, it is likely that some sort of engagement and coordination between the CBOs and local government entities will be necessary.

Existing Crisis Response Programs

This bill proposes to build on existing crisis response programs that are operating in communities around the state, some of which are listed below:

- **Mental Health First:** In Sacramento and Oakland, Mental Health First manages hotlines for residents in need of immediate mental health intervention. After support teams address the immediate crisis, they work to strengthen the individual's support system and connect them to resources.
- **Services Not Sweeps Coalition:** An LA-based coalition working to address the conditions and immediate needs of people living on the streets, including sanitation supplies throughout this pandemic.
- **Youth Justice Coalition:** In Los Angeles, the Youth Justice Coalition and community members are mobilizing to build a countywide network of "CAT 911" (Community Alternatives to 911/Community Action Team) teams to operate as community alternatives to law enforcement as both first responders and ongoing support.
- **West Oakland Punks with Lunch:** A volunteer-based non-profit that builds community through providing "life -saving services, along with harm reduction resources to underserved and marginalized individuals experiencing homelessness."
- **Graton Day Labor Center:** A day labor center serving immigrant communities in Sonoma County during the pandemic by offering remote job dispatch, guidance on health and safety, and testing for laborers.
- **Marin County Cooperation Team (MCCT):** Formed in response to COVID-19, this organization is an extension of the Marin County School District, and consists of seven teams, one of which is an Emergency Crisis Outreach Team, that operates a 24-hour emergency hotline and is a collaboration between public and private sectors to integrate services for people experiencing homelessness, mental illness, domestic violence, substance use disorders, etc.

Reporting Requirement

This bill also requires CDSS to issue a public report 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. The report is required to include policy recommendations that would provide guidance to the Legislature and Governor in order to implement and scale a permanent program.

Related/Prior Legislation

AB 988 (Bauer-Kahan, 2021) implements a comprehensive "988" system for suicide prevention and mental health crisis response, funded by a surcharge imposed on each telephone line in an amount sufficient to pay the costs of the 988 system.

AB 2054 (Kamlager, 2020) would have created the C.R.I.S.E.S. Act for the purposes of implementing and evaluating the C.R.I.S.E.S. Grant Pilot Program to stimulate and support community involvement in emergency response activities that do not require a law enforcement officer, as specified. This bill was vetoed by the Governor.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Costs in the millions of dollars to fund 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 CDSS for a C.R.I.S.E.S. Grant Pilot Program.
- Unknown, potentially significant costs for the CDSS to administer the grant program, convene and facilitate the stakeholder workgroup, and issue the public report. The bill authorizes the CDSS 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 CDSS 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.

SUPPORT: (Verified 8/27/21)

Alliance for Boys and Men of Color (co-source)
 Anti Police-Terror Project (co-source)
 Berkeley Free Clinic (co-source)
 Communities United for Restorative Justice (co-source)
 PolicyLink (co-source)
 Public Health Advocates (co-source)
 UDW/AFSCME Local 3930

OPPOSITION: (Verified 8/27/21)

None received

ASSEMBLY FLOOR: 75-0, 5/27/21

AYES: 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

NO VOTE RECORDED: Patterson, Ramos, Seyarto

Prepared by: Taryn Smith / HUMAN S. / (916) 651-1524
8/31/21 9:25:27

**** **END** ****