

Date of Hearing: April 4, 2018

ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

Adam Gray, Chair

AB 1877 (Limón) – As Amended March 23, 2018

SUBJECT: Office of Emergency Services: communications: translation

SUMMARY: Requires the California Governor's Office of Emergency Services (Cal OES) and the governing body of each political subdivision, including each operational area, to translate any emergency communication into the most commonly spoken language other than English in the impacted county or counties.

EXISTING LAW:

- 1) Establishes Cal OES by the Governor's Reorganization Plan No.2, operative July 1, 2013.
- 2) Requires Cal OES to perform a variety of duties with respect to specified emergency preparedness, mitigation, and response activities in the state, including emergency medical services.
- 3) Specifies that the State Emergency Plan (SEP) shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof.
- 4) Requires the Governor to coordinate SEP and those programs necessary to mitigate the effects of an emergency.
- 5) Requires the Governor to coordinate the preparation of plans and programs for the mitigation of the effects of an emergency by the political subdivisions of the State of California, such plans and programs to be integrated into and coordinated with the SEP and the plans and programs of the federal government and of other states to the fullest possible extent.
- 6) Requires the director of Cal OES to appoint representatives of the disabled community to serve on the evacuation, sheltering, communication, recovery, and other pertinent Standardized Emergency Management System (SEMS) committees. Representatives of the disabled community shall, to the extent practicable, be from the following groups:
 - a) Persons who are blind or visually impaired.
 - b) Persons with sensory or cognitive disabilities.
 - c) Persons with physical disabilities.
- 7) Requires Cal OES, within the SEMS structure, to ensure, to the extent practicable, that the needs of the disabled community are met by ensuring all committee recommendations regarding preparedness, planning, and procedures relating to emergencies include the needs of people with disabilities.

FISCAL EFFECT: Unknown

COMMENTS:

Purpose of the bill: According to the author: “With 44% of Californians over the age of five speaking a language other than English at home, it is vital that emergency communications are made available in languages other than English. Exclusive and inadequate emergency communication does not have isolated consequences but places the health and safety of all Californians, including first responders, at risk during times when efficient communication is most needed. AB 1877 will promote safety and clarity for everyone, by requiring all State and County Office of Emergency Services emergency communications to be made accessible to linguistically diverse communities.”

Background: In 2009, the California Legislature merged the powers, purposes, and responsibilities of the former Cal OES with those of the Office of Homeland Security (OHS) into the newly- created California Emergency Management Agency (CalEMA). On July 1, 2013, Governor Edmund G. Brown Jr.’s Reorganization Plan #2 eliminated CalEMA and restored it to the Governor’s Office, renaming it the California Governor’s Office of Emergency Services (CalOES), and merging it with the Office of Public Safety Communications. Today, CalOES is responsible for overseeing and coordinating emergency preparedness, response, recovery and homeland security activities within the state.

In January 2008, Cal OES established the Office of Access and Functional Needs (OAFN). The purpose of OAFN is to identify the needs of people with disabilities and others with access and functional needs before, during, and after a disaster and to integrate disability needs and resources into emergency management systems. OAFN offers guidance to emergency managers and planners, disability and older adult service systems for planning and responding during disasters and recovery. Translated emergency communications, thus far, have not been required.

Wildfires: California’s 2017 wildfire season will go down as one of the worst in the state’s history. From January 1, 2017, through December 31, 2017, over 9,000 fires burned more than 1.2 million acres, an increase from the previous year which brought 6,986 fires burning around 564,000 acres, according to Cal Fire. The total acreage in 2017 included nearly 300,000 acres burned solely by the Thomas Fire, which grew to the largest wildfire in state history in late December.

The Thomas Fire lasted over 40 days, burning 281,893 acres. The blaze began on December 4 in Ventura County and exploded in growth due to strong Santa Ana winds. It destroyed over 1,000 structures and claimed two lives. While the Thomas Fire became the largest California wildfire in recorded history, it was also the seventh-most destructive, in terms of number of structures destroyed. However, two months prior to the Thomas Fire, a new record was set for most destructive wildfire in state history.

In October, the Tubbs Fire, which burned over 36,000 acres in the state’s wine country, destroyed 5,643 structures and claimed 22 lives in Sonoma and Napa counties. The number of structures destroyed from the Tubbs Fire alone is more than half of the 10,780 total structures lost to wildfire in 2017 statewide. The 22 deaths also make it the third deadliest wildfire on record in California. Along with the Tubbs Fire, multiple other destructive blazes damaged critical infrastructure and forced evacuations from October 8 through October 31 across seven counties.

In the aftermath of the wildfires, local and state governments have looked for ways to improve response, communication and prevention for future disasters. Communication between emergency officials (local and state) to affected constituents has been flagged as an area in need of improvement. This bill is one of several introduced this legislative session that seeks to remedy the issues that arose relating to communication by requiring all emergency communications be translated into the most commonly spoken language other than English.

Standardized Emergency Management System (SEMS): SEMS is the system used for coordinating state and local emergency response in California. SEMS provides a multiple level emergency response organization that facilitates the flow of emergency information and resources. SEMS consists of the Incident Command System (ICS), mutual aid, the operational area concept and multi-interagency coordination. SEMS is designed to be flexible and adaptable to the varied emergencies that can occur in California, and to meet the emergency management needs of all responders. Government Code 8607(a), requires CalOES, in coordination with other state agencies and interested local emergency management agencies, to establish SEMS by regulation.

Operational Area (OA): OAs encompass the county and all political subdivisions within the county. The OA serves as a focal point for all local emergency management information and the provision of mutual aid. It manages information, resources, and priorities among local governments within the OA. The OA also serves as the coordination and communication link between the local government level and the regional level. SEMS regulations authorize each County Board of Supervisors to designate an OA lead agency. This bill would require any emergency communication originating from an OA to be translated into the most commonly spoken language other than English in the county or OA.

Support: California Immigrant Policy Center (CIPC) writes in support: “CIPC supports Assembly Bill 1877 (Limón), which ensures that the emergency communications of the State and County Office of Emergency Services (OES) are made available in the most commonly spoken language other than English, in the impacted county or counties.

In California, approximately 44 percent of Californians over the age of five speak a language other than English at home. In addition, in recent years, extreme climate changes have led to an increase of natural disasters, including fires, that necessitate emergency services provided by the state and by municipalities. It is of utmost importance that emergency communications are made available in languages other than English because California is home to so many linguistically diverse communities...For these reasons the California Immigrant Policy Center supports AB 1877 and urges your ‘aye’ vote.”

Related/Prior legislation: SB 821 (Jackson), 2017-2018 Legislative Session. Would authorize each county, including a city and county, to develop a mechanism to access the contact information of resident accountholders through the records of a public utility or other agency responsible for water service, waste and recycling services, or other property-related services for the sole purpose of enrolling county residents in a county-operated public emergency warning system. (Pending in Senate G.O. Committee)

SB 833(McGuire), 2017-2018 Legislative Session. Would provide for a red alert system designed to issue and coordinate alerts following an evacuation order, as specified. The bill would require the red alert system to incorporate a variety of notification resources and

developing technologies that may be tailored to the circumstances and geography of the underlying evacuation, as appropriate. Additionally, would require a local government agency or state agency that uses the federal Wireless Emergency Alert (WEA) system to alert a specified area of an evacuation order to use the term “red alert” in the alert and notify OES of the alert. (Pending in Senate G.O. Committee)

AB 2311 (Brown), Chapter 520, Statutes of 2016. Requires each county, including a city and county, to integrate access and functional needs into its emergency plan upon the next update.

AB 615 (Torrico), 2007-2008 Legislative Session. Would have required CalOES to consider the needs of people with limited English proficiency in creating emergency and disaster response plans. (Died in Assembly Appropriations Committee)

SB 426 (Kehoe), 2007-2008 Legislative Session. Would have established a "Deputy Director for Access and Functional Needs Coordination" position, within CalOES, responsible for preparedness, response and recovery services for individuals of all ages with functional limitations and disabilities - persons who have one or more functional limitations that reduce their ability to move, see, hear, walk, speak, learn, breathe, understand information, respond quickly, or manipulate or reach controls. (Died in Senate Appropriations Committee)

SB 1451 (Kehoe), Chapter 600, Statutes of 2006. Requires CalOES to ensure that members of the disabled community are represented on all pertinent SEMS Specialist Committees to ensure that the needs of people with disabilities are met during emergency and disaster situations. Requires CalOES to submit a report to the Legislature and appropriate state and local agencies by January 1, 2009 containing recommendations regarding emergency preparedness and the needs of people with disabilities. Requires CalOES to prepare and disseminate sample brochures and other materials on the emergency preparedness and evacuations needs of the disabled community. Requires CalOES and the Office of the State Fire Marshal (SFM) to seek research funding in order to develop new technologies and information systems that will assist in the effort to improve emergency services to people with disabilities.

REGISTERED SUPPORT / OPPOSITION:

Support

California Immigrant Policy Center
California Pan-Ethnic Health Network
Cambodian Family Community Center
Central Coast Alliance United for a Sustainable Economy
Central Coast Immigrant Rights Coalition
City of Santa Rosa
Clinica Monseñor Oscar A. Romero
Having Our Say Coalition
Healthy House within a Match Coalition
Future Leaders of America
Mixteco/Indígena Communication Organizing Project
Services, Immigrant Rights and Education Network
Street Level Health Project

Opposition

None on file.

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