

Date of Hearing: April 10, 2019

ASSEMBLY COMMITTEE ON COMMUNICATIONS AND CONVEYANCE

Miguel Santiago, Chair

AB 911 (Rodriguez) – As Amended March 21, 2019

SUBJECT: Office of Emergency Services: 911 Emergency Communication System

SUMMARY: Requires the Office of Emergency Services (Cal OES) to establish a statewide 911 Emergency Communication System that enables all Californians to voluntarily share information about themselves to first responders during an emergency. Specifically, **this bill:**

- 1) Requires Cal OES to establish a statewide 911 Emergency Communication System, by January 1, 2022, as specified.
- 2) Requires the specified system to enable all Californians, including older adults, individuals with disabilities, and other at-risk persons, to voluntarily share important, accurate, and up-to-date information about themselves, via a secure internet website, which then may be automatically delivered to public safety answering points that can provide the information to all first responders during an emergency where a “911” call is placed. The information may include, but need not be limited to, all of the following:
 - a) Types of disabilities and existing medical conditions, signals of distress, and other critical conditions;
 - b) Location services, including home and work addresses;
 - c) Emergency contact and family member information; or,
 - d) Photographs, floor plans, and information relating to key personnel.
- 3) Requires Cal OES to assist participating local governments in the adoption of the appropriate technology to implement the specified system in order to safely store information.
- 4) Requires Cal OES to assist participating local governments in determining both of the following for purposes of this bill:
 - a) How best to acquire, store, and safeguard the specified information and to make that information directly available to first responders at, or on the way to, the scene of an emergency; and,
 - b) Which information shall remain confidential under state or federal law.

EXISTING LAW:

- 1) Establishes the Warren-911 Emergency Assistance Act, which establishes the number “911” as the primary emergency telephone number for use in this state and to encourage units of local government and combinations of such units to develop and improve emergency communication procedures and facilities in such a manner as to be able to quickly respond to

any person calling the telephone number “911” seeking police, fire, medical, rescue, and other emergency services. (Government Code (GOV) Section 53100, et seq.)

- 2) Requires a provider of commercial mobile radio service, to provide access for end users of that service to the local emergency telephone systems described in the Warren-911-Emergency Assistance Act, as specified. (Public Utilities Code Section 2896.1)
- 3) Imposes a 911 surcharge on intrastate telephone communication services and/or VoIP service that provides access to the 911 emergency system. (Revenue and Taxation Code (RTC) Section 41020)
- 4) Requires Cal OES to determine annually, on or before October 1, to be effective on January 1 of the following year, a specified surcharge rate that it estimates will produce sufficient revenue to fund the current fiscal year’s 911 costs. (RTC Section 41030)
- 5) Requires the Cal OES to develop a plan and timeline of target dates for the testing, implementation, and operation of a Next Generation 911 emergency communication system, including text to 911 service, throughout California. (GOV Section 53121)

FISCAL EFFECT: Unknown. This bill has been keyed fiscal by the Legislative Counsel.

COMMENTS:

- 1) **Authors Statement:** According to the author, “Law enforcement officers are often the emergency personnel arriving to a situation. One of their primary duties is to de-escalate the situation at hand. To effectively do that, officers must assess a person’s behavior and response to commands. This can be challenging in scenarios where a person with a disability is involved, as officers could misinterpret an erratic gesture from a person with a disability as threatening or non-compliant, and may result to use-of-force. In order for law enforcement to de-escalate situations to the best of their ability, and to reduce the risk of injury to disabled and elderly persons, we must provide officers with as much information as possible before they arrive on scene.”
- 2) **Background:** The Warren-911 Emergency Assistance Act established California’s 911 emergency telephone response system in 1973. California has one of the nation’s largest 911 systems with over 442 call centers to handle its 911 calls. The Warren-911 Act provided a single, primary three-digit emergency number through which emergency service could quickly and efficiently be obtained. California’s 911 system was built on an infrastructure of analog, circuit-switched network technology known as Public Safety Answering Points (PSAP) which is designed mostly to support voice and limited data services.

The Cal OES Public Safety Communication Division is tasked with administering the state’s 911 emergency system which includes reviewing local PSAP equipment and operation, and administration and oversight of the State Emergency Telephone Number Account (SETNA) used to fund 911 services in California.

- 3) **911 Routing:** When the Warren-911 Act was enacted, 911 emergency calls were made primarily on landlines. A call would be routed to a PSAP and the dispatcher would dispatch

emergency services to the location accordingly. As mobile phones were introduced, mobile 911 calls were routed to a California Highway Patrol (CHP) dispatch because most early mobile phones were in cars and the assumption was that calls being made from a mobile phone were primarily to report issues on roadways. As mobile phones became more common, and the use of landlines decreased, more 911 calls were being made from mobile phones than landlines. Today, when a 911 call is made from a mobile phone, the call is routed to an antenna on a cell tower. Each antenna is assigned an Emergency Service Number which determines the PSAP that will handle the call. Calls are then queried until their location is determined by CHP and then transferred to a local dispatch center. This process can often lead to delays due to the inability to identify a caller's exact location in a timely manner.

- 4) **Next Generation 911:** As more California's move away from landlines to more Internet Protocol (IP) based systems, such as wireless and Voice over Internet Protocol, ensuring that the state's emergency communications network capabilities can support this transition is critical to public safety. Next Generation 911 (NG911) is an IP based two way communications system that will allow digital information, such as voice, photos, videos, and text messages, to flow between 911 callers and PSAPs. NG911 will build upon, and eventually replace, the existing 911 system and lay the groundwork for a new communications system for our first responders that has the capabilities to support advancing technologies and uses. The transition to NG911 will require significant planning, training and funding to upgrade the states PSAPs to an IP-based platform.
- 5) **Smart 911 Systems:** According to the author, a person with disability is more likely to interact with public safety personnel. Often times law enforcement officers arriving at the scene is tasked with de-escalating potentially dangerous situations. When such incidents involve a person with a disability, the challenges are amplified due potentially to an individual's inability to respond to commands. In recent years, cities have been experimenting with systems that would create a database of personal information that would be transmitted to first responders during an emergency. These smart 911 systems seek to create safety profiles of individuals in order to pass information to first responders in the field for a faster and more detailed response. The success of these systems have been unclear due to low enrollment and inconsistent adoption across regions.

This bill requires Cal OES to establish a system that would allow individuals to voluntarily share information about themselves which would be transmitted to first responders during an emergency. Creating a system in which individuals can provide information to first responders ahead of time would better help first responders prepare for a situation before they arrive to the scene. This could have a potentially lifesaving impact on many individuals especially among those in the senior or disabled communities.

The author may wish to consider an amendment removing the name of the system to avoid confusion with the current 911 system, and modify the suggested criteria's of information that may be included in the system.

Creating such a new system would require significant funding, training, equipment, and oversight to ensure that the system would provide accurate and updated information, while also ensuring that the personal information submitted to the system are protected and kept private and confidential. In addition, such a system would be dependent on Cal OES' ability

to fund and implement a new IP-based system, such as NG911, in order to have the infrastructure and network capabilities to allow for the transfer of such data over the network to first responders.

6) **Suggested Amendment:**

8592.20. (b) It is the intent of the Legislature to establish a statewide ~~911 Emergency Communication~~ System under the California Office of Emergency Services that would enable all Californians, including older adults, individuals with disabilities, and other at-risk persons to voluntarily provide vital health and safety information to enable first responders to better assist them during an accident or emergency.

8592.21. ~~(b) "System" means the statewide 911 Emergency Communication System established pursuant to this article.~~

8592.22. ~~(a) By January 1, 2022, the office shall establish a statewide 911 Emergency Communication System, described in this article.~~

~~(b) The system shall~~ that enable all Californians, including older adults, individuals with disabilities, and other at-risk persons, to voluntarily share important, accurate, and up-to-date information about themselves, via a secure internet website, which then may be automatically delivered to public safety answering points that can provide the information to all first responders during an emergency where a "911" call is placed. The information may include, but need not be limited to, all of the following:

(1) Types of disabilities and existing medical conditions, signals of distress, and other critical conditions.

~~(2) Location services, including home and work addresses.~~

~~(3) (2) Emergency contact and family member information.~~

~~(4) Photographs, floor plans, and information relating to key personnel.~~

~~(3) Race or ethnicity of the individual.~~

~~(4) Primary language spoken by the individual.~~

- 7) **Arguments in Support:** According to UDW/AFSCME, a co-sponsor of the bill, "Cal OES is currently tasked with transitioning from an analog 911 system to Next Generation 911, an upgraded digital system with location services and dynamic call routing. Although these are significant improvements to the current system, the state's 911 system should also be updated to meet the unique needs of persons with cognitive, intellectual, developmental, and/or mental health disabilities who may be unable to clearly communicate to first responders during emergencies. AB 911 would allow individuals to make available such personal information as the type of disability, signals of distress, calming strategies, special medical conditions, emergency contacts, and photographs, all in advance of an emergency. This will save precious time and assist first responders to make informed decisions about the best course of action."

8) **Related Legislation:** AB 1168 (Mullin) of 2019 requires each public safety answering point to deploy a text to 911 service by January 1, 2021. *Status: Pending in the Assembly Committee on Communications and Conveyance.*

9) **Prior Legislation:** AB 437 (Rodriguez) of 2017 required the Attorney General to establish a Voluntary Online At-Risk Community Network, which would provide information to first responders to prevent harmful interactions between seniors and persons with disabilities. *Status: Died in the Assembly Committee on Appropriations.*

AB 1211 (Padilla) of 2014 required Cal OES to develop a plan and timeline for testing, implementation, and operation of a Next Generation 911 emergency communications system. *Status: Chaptered by the Secretary of State – Chapter 926, Statutes of 2014.*

10) **Double-referral:** This bill is double referred, and if passed by this Committee, will be referred to the Assembly Committee on Governmental Organization.

REGISTERED SUPPORT / OPPOSITION:

Support

The Arc of California (co-sponsor)
UDW/AFSCME Local 3930 (co-sponsor)
American Federation of State, County and Municipal Employees, AFL-CIO
California Fire Chiefs Association
Fire Districts Association of California

Opposition

None on file.

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