

## Ad Hoc Committee on UASI

March 12<sup>th</sup>, 2019

The Honorable Board of Supervisors  
County Administration Building  
1221 Oak Street  
Oakland, CA 94612

**SUBJECT: REPORT ON THE BOARD-DIRECTED CONFERENCE BETWEEN THE AD HOC COMMITTEE ON UASI, ALAMEDA COUNTY SHERIFFS' OFFICE, AND BAY AREA URBAN AREA SECURITY INITIATIVE .**

Dear Board Members:

### **RECOMMENDATIONS:**

- 1. Receive the Conference Report from the Ad Hoc Committee on UASI.**
- 2. Continue to support the Recommendations from the Ad Hoc Committee on UASI, especially the ones where Consensus and Conditional Consensus has been reached.**

### **SUMMARY/DISCUSSION:**

The Ad Hoc Committee on Urban Area Security Initiative (UASI) presented its recommendations to the Alameda County Board of Supervisors on February 26th, 2019. All but three (3) of the recommendations we adopted, across two (2) motions. The second motion included a provision that the Ad Hoc Committee on UASI should meet and confer with the Alameda County Sheriff, and the Urban Area Security Initiative (UASI), with moderation and input from County Counsel, and the intent of ensuring the recommendations adopted as part of the second motion are in compliance with the UASI grant requirements, and to discuss recommendations that had been flagged by the Alameda County Sheriffs' Department.

The Ad Hoc Committee on UASI convened an emergency meeting on Wednesday, March 6th 2019, from 11:00 AM to 4:00 PM (5 hours), to achieve this purpose. Based on this meeting, recommendations can be classified into four (4) categories:

- **Consensus:** there was consensus that these recommendations could be implemented.
- **Conditional Consensus:** in which consensus could be reached through minor alterations or "wordsmithing", which was generally agreed upon during the conference.
- **No Consensus:** the Ad Hoc Committee was unable to come to consensus with the Sheriff.
- **Not Discussed:** these recommendations were not discussed during the meeting, due to time.

Of the 33 recommendations considered as part of the conference, seven (7) reached Consensus, seven (7) reach Conditional Consensus, four (4) reached No Consensus, and fifteen (15) were not discussed due to time limitations. No formal actions were taken by the Ad Hoc Committee during the conference.

**SELECTION CRITERIA/PROCESS:**

The Committee met twelve (12) times, at locations throughout the County, heard expert testimony from multiple emergency management professionals, as well as community-based organizations, and members of the public. Each Committee member was given the opportunity to propose recommendations, which were discussed in depth, received public input, were refined, and eventually voted upon. Recommendations that received a majority of support (at least 3 votes) were included in the report as official recommendations of the Ad Hoc Committee on UASI.

The meet and confer process, which took place during the Emergency Meeting on March 6<sup>th</sup>, contained several steps designed to achieve consensus. The Committee reviewed the actions taken by the Board on February 26<sup>th</sup>, received a presentation on the UASI guidelines, including in depth discussion on the Notice of Funding Opportunity (NOFO) and the Memorandum of Understanding (MOU), then engaged in a discussion with Sheriff Ahern centered around the recommendations he had flagged in the two (2) memos sent to the Board of Supervisors on February 22<sup>nd</sup>.

During the presentation from UASI it was revealed that the Urban Area Working Group, also known as the UASI Approval Authority, would be considering a motion to redistribute the UASI funds at their March 14<sup>th</sup> meeting, unless Alameda County sign and approve the MOU on March 12<sup>th</sup>. Craig Dziedzic, General Manager for UASI stated that the reason for considering this motion is that delays in signing the MOU result in delays to training programs funded through UASI. Even though the Ad Hoc on UASI is not providing recommendations on the training program, funding for these programs has been tied the exercises through action taken by the Approval Authority in November, 2018. Thus, while it is the opinion of the Ad Hoc Committee that UASI would not take action to jeopardize the Urban Shield program, the MOU is before the Board of Supervisors today.

**FINANCING:**

Additional financial analysis is needed, to understand the full fiscal impact of the recommendations that are adopted. However, some recommendations encourage exploring additional funding opportunities for disaster management, outside of the UASI grant process, which could increase funding available to support these recommendations.

**VISION 2026 GOALS:**

The recommendations of the Ad Hoc Committee on UASI align with the Vision 2026 goals of Safe & Livable Communities with a Thriving & Resilient Population, by seeking to increase the capacity of communities and community members to respond in the event of a large scale disaster, and by ensuring that professional first responders receive appropriate training, and are able to exercise that training, on how to mitigate, prepare for, respond to, and recover from such a disaster.

Sincerely,



Erin Armstrong  
Chair, Ad Hoc Committee on UASI

#	<b>Recommendations</b>	Vote Count	<b>Conference Results</b>
27	Conduct training and exercises that prepare agency personnel who are likely to respond to disasters but may not be dedicated disaster-response personnel.	5/0	Consensus
30	Involve various law enforcement personnel in UASI-funded exercises including patrol, detective, and other units.	4/1	Consensus
35	Eliminate the requirement that SWAT teams participate in UASI-funded exercises, and encourage participation beyond SWAT Team members, but leave the decision up to the participating jurisdiction.	3/2	Consensus
41	Because participants in the exercise include law enforcement observers and evaluators, as well as competing teams, the guidelines excluding participation from countries that violate human rights shall apply to evaluators and law enforcement observers as well as teams	4/1	Consensus
42	Extend the mandate of the Board of Supervisors' Ad Hoc Committee on Urban Area Security Initiative Program through February 28, 2020 to oversee implementation of recommendations approved by the Board of Supervisors, receive community input on UASI-funded exercises and other emergency preparedness programs, and make new recommendations, as necessary.	5/0	Consensus
50	Identify County departments to serve as a potential co-applicant and/or lead agency if the Alameda County Sheriff's office no longer assumes this role.	4/1	Consensus
63	Expand the scope of the Compliance Team to address the recommendations contained in this report.	5/0	Consensus
6	UASI-funded exercises should prioritize activities according to the likelihood and severity of respective disasters, in addition to gaps in preparation for those emergencies, with special attention to risks from earthquakes and fires and the mass displacement of people that may result.	4/1	Conditional Consensus
7	UASI-funded activities should focus on preparedness for neighborhoods and communities, addressing access and functional needs, and should prioritize activities that address the needs of the most vulnerable populations, for example, homeless, older, undocumented, physically disabled, mentally ill persons, immigrants, and those with limited English proficiency.	4/1	Conditional Consensus

#	Recommendations	Vote Count	Conference Results
8	UASI-funded resources should build capacity in Alameda County and the Bay Area UASI region for the prevention of and recovery from critical emergencies	5/0	Conditional Consensus
12	Exercises should be sensitive to community concerns related to militarized law enforcement, including military language and appearance. Exercises should not express or reinforce law enforcement tactics that prioritize the use of force or protocols for armed conflict over other means for addressing conflict in civilian contexts. (Militarization does not refer to defensive equipment such as helmets or protective vests, unless specifically made to appear military - i.e. by using jungle camouflage)	5/0	Conditional Consensus
29	Appoint representatives to the work group setting priorities for UASI training and exercises from public health, social service, and housing agencies, as well as the Board of Supervisors that work directly with populations most at-risk in disasters, for example, homeless, older, undocumented, physically disabled, mentally ill persons, immigrants, and those with limited English proficiency within the BAUASI area.	5/0	Conditional Consensus
38	Require that evaluations of law enforcement include assessment of participants' compliance with best practices and their jurisdictions' policies and laws for Use of Force.	3/1	Conditional Consensus
51	An oversight committee (as described in Section II, D-1) or other body designated by the Board of Supervisors will define the following terms in guidelines adopted by Board of Supervisors in 2017 (and other key terms identified by the committee): "surveillance"; "racist stereotypes"; "human rights"; "crowd control"; "military language and appearance"; "prevention"; "recovery"; "de-escalation"; "vulnerable"; and "community members".	5/0	Conditional Consensus
15	Community Empowerment: Build the capacity of vulnerable populations to have an authentic and meaningful voice in the planning, implementation, and evaluation of UASI-funded exercises.	5/0	No Consensus
24	Eliminate the vendor show from the UASI-funded exercise.	3/2	No Consensus
36	Re-design law enforcement portions of the exercise, so that they are not SWAT deployment scenarios.	3/2	No Consensus

#	Recommendations	Vote Count	Conference Results
56	Change the name of Urban Shield, rebrand UASI-funded exercises and create outreach materials that take into account all UASI program audiences, including those with functional and access needs.	5/0	No Consensus
5	UASI-funded exercises should be designed, implemented, and evaluated based on the whole community approach that is suitable for our region.	5/0	Not Discussed
16	Community Engagement and Participation: Appropriately engage the leadership, capacity, and whole membership of diverse populations in our region in all phases of the UASI-funded exercises.	5/0	Not Discussed
17	Community Outreach: Develop and implement a research-based, culturally competent outreach plan that both informs the public and encourages community participation in UASI-funded exercises within the region.	5/0	Not Discussed
18	Project Management/Oversight:		Not Discussed
18	a. Involve a broad cross-section of the community in planning, implementing, and evaluating UASI-funded exercises.	5/0	Not Discussed
18	b. Adopt policies and procedures that promote transparency and accountability at all levels.	5/0	Not Discussed
18	c. Schedule training exercises based on need, capacity, anticipated heavy operational periods and in ways that are sensitive to community concerns, such as the 9/11 anniversary.	4/1	Not Discussed
25	Eliminate the competition aspect of UASI-funded exercises, while retaining standards-based evaluation of participants.	3/2	Not Discussed
31	Require that the amount of time in scenarios for non-law enforcement disciplines be as much if not more than that for law enforcement teams.	3/2	Not Discussed
33	Develop scenarios of sufficient duration to test and practice capabilities besides immediate tactical response (e.g., prevention and recovery), as well as de-escalation techniques.	5/0	Not Discussed

#	<b>Recommendations</b>	Vote Count	<b>Conference Results</b>
40	Use an independent academic evaluator to evaluate UASI-funded exercises in a manner consistent with the goals and strategic aims in this report and provide a final report to the public via the Board of Supervisors. No evaluator shall be used unless it implements and discloses to Alameda County a vetting process to exclude evaluators whose records may create a perception of inconsistency with the goals of the whole community preparedness, rewarding de-escalation tactics, transparency, and valuing of the survival of all persons.	5/0	Not Discussed
43	Create a leadership team or standing committee, consistent with Homeland Security grant requirements, with representatives designated by community based organizations whose primary mission is to serve populations with access and functional needs: public health, fire, emergency managers, and law enforcement (the latter shall not be a majority of the committee). The committee should have responsibility and decision-making authority for planning, implementing, evaluating, scheduling and debriefing UASI-funded exercises in 2019 and subsequent years. The committee shall ensure that the major components of any exercise are coordinated by the actual sectors participating in that exercise (e.g., fire, medical). The leadership team shall provide periodic reports on UASI-funded exercises to the Ad Hoc Committee and the Board of Supervisors based on real-time input from community members, first responders, UASI and other key stakeholders.	5/0	Not Discussed
47	To fulfill recommendation #5 (prioritizing activities according to the likelihood and severity of respective disasters), the entity that implements these recommendations shall compile a risk assessment, which shall complement documents such as THIRA required under UASI. This assessment shall highlight risks and capability gaps for those with access and functional needs, and it will be conducted through consultation with agencies and community-based organizations that work with populations most at-risk in disasters.	3/1	Not Discussed
48	Ensure that UASI funding and other County resources dedicated to disaster preparedness support the design goals and the evaluation processes in these recommendations.	5/0	Not Discussed
52	Those who coordinate UASI-funded exercises shall develop an outreach strategy and invest resources to engage, empower and support nonprofits, faith organizations and their constituencies in disaster preparedness programs. Such a strategy should be designed based on learning what community members know and how to best engage community members in disaster preparedness activities regardless of their legal or social status.	5/0	Not Discussed

#	<b>Recommendations</b>	Vote Count	<b>Conference Results</b>
60	Utilize the following criteria for review and approval of grant applications and Memorandum of Understanding submitted by Alameda County to BAUASI and other emergency preparedness funding sources:	5/0	Not Discussed
60	a. Fidelity to the strategic aims, guiding principles and goals contained in this report;	5/0	Not Discussed
60	b. Focus on the whole community approach;	5/0	Not Discussed
60	c. Diversity (identity, geography, and vulnerability) of participation in all phases of UASI-funded exercises; and;	5/0	Not Discussed
60	d. Role of non-law enforcement personnel and community members in UASI-funded exercises as defined in this report	5/0	Not Discussed
61	Ensure that the strategic aims, goals, principles, guidelines, and other recommendations of this committee are utilized as the framework for redesigning, implementing, and evaluating UASI-funded activities and incorporate as much as legally permissible into the Memorandum of Understanding between Alameda County and Bay Area UASI in 2019 and future years.	3/1	Not Discussed
62	Revise current monitoring and compliance practices to address the following priorities:	5/0	Not Discussed
62	a. Create mechanism(s) and process(es) to include the whole community in the oversight of all UASI-funded programs in Alameda County;	5/0	Not Discussed
62	b. Increase transparency of UASI-funded exercises in Alameda County by engaging the press and the public in all phases of emergency management; and	5/0	Not Discussed
62	c. Establish policies and processes to ensure confidentiality of records and record keeping for all community participants.	5/0	Not Discussed