

Dawn Wilson: Good afternoon, and good morning to those of you joining us out West. This is Dawn Wilson. I direct the Executive Education Program for the Naval Postgraduate School, Center For Homeland Defense And Security. Today, our center is partnering with the National Criminal Justice Association to deliver a webinar to understand FEMA and coordinating coronavirus response with state and local emergency managers. A couple of quick housekeeping and administrative items before we start today. First, all participants should know that your audio is muted, and questions can be submitted, we ask that you hold those, however, till the end of the presentation.

Dawn Wilson: You are welcome and encouraged to submit those questions electronically using the Q&A box that you can find on the tool bar at the bottom of your screen, just type in your questions and we will answer as many as possible before the end of the webinar today at the end of all of our speakers' presentations. In the event that we're unable to get to all the questions during the webinar, the NCJA team will be happy to work with presenters to get replies to your question and follow up with you after the session. Today's webinar is being recorded, and a link to the recording as well as a copy of the slides from the presentations will be provided by NCJA following the webinar.

Dawn Wilson: Lastly, we'll ask that you complete a short survey at the end of the webinar today, it will pop up automatically and you'll be able to provide your replies there on your screen. We welcome you to complete that and let us know your thoughts on today's program. Thank you again. And before we get started today, I'd like to recognize our host, Chris Asplen, who is the executive director of NCJA. Chris, thanks for joining us today. Welcome to you, and thanks for providing the program.

Chris Asplen: Thank you, Dawn. And welcome to all the participants today on this webinar. Thank you, Dawn for your colleagues' help and enabling us to leverage the expertise of the Center For Homeland Defense And Security and FEMA, we greatly appreciate this partnership. Let me say first on behalf of NCJA that we here hope that all of you out there and your families and your colleagues are all safe in this very difficult time. Our goal today is to really learn how we can best maximize the potential of the coronavirus emergency supplemental funding monies that have been allocated. What we realize is that the only way to do that is to understand... the better for the SAA is understand the relationship between FEMA and coordinating this coronavirus response with local emergency managers and state emergency managers.

Chris Asplen: Again, the idea is to maximize the potential of the funding that is available. What we'd like to do is present you with two experts in the field. First of all, Matt Cowles. Matt currently serves as the deputy director of the National Emergency Management Association where he also served as director of government relations from 2009 and 2015. In this role, he works with the executive director on the strategic priorities and management of the association while maintaining direct responsibility for the staff, budget and priorities of the Washington DC office where he is the liaison between state emergency

manager directors, members of Congress, Federal agencies, and partner organizations.

Chris Asplen: During his tenure, Matt has led coordination efforts to make significant progress on national emergency management priorities, including increased funding for critical grant programs, the allocation of the D Block radio spectrum to public safety, support for the nationwide mutual aid system, and congressional support for critical emergency management programs. Geoff Dean is formerly the sheriff from Ventura County, California. He currently serves as senior advisor for the WPSS Group in Sacramento, California. Geoff took on this role in November of 2018 after retiring as the 19th sheriff of Ventura County, California.

Chris Asplen: Geoff served the agency for 41 years and the last eight as the elected sheriff. During his career in law enforcement, Geoff served as the incident commander for many large critical incidents including the crash of Alaska Airlines Flight 261 off the coast, the La Conchita mudslides, the Northridge earthquake, the Thomas Fire, the opening of the Ronald Reagan Presidential Library, and most recently the Borderline Nightclub mass shooting. Throughout his career in the Sheriff's office, Geoff held many assignments including command of three of the office's four divisions.

Chris Asplen: He was also a contract city police chief, oversaw all field operations, led internal affairs, and served 10 years as a SWAT team member and commander. Geoff was appointed to the California Board of State And Community Corrections in 2012 and served until August of 2018. As sheriff, he has executive experience overseeing multiple jail facilities, and his department also included the Ventura County emergency management operations. What we want to do today is really understand how we strike the balance between ensuring that first responders get all of the resources necessary for them to do their jobs while at the same time realizing that while we may currently be in the middle of an earthquake with coronavirus, there is a tsunami that is coming that will be the collateral consequences, if you will, of everything that will impact the system in six months to a year.

Chris Asplen: And the only way that we can strike that balance and understand again, how we maximize the potential of the CESF funding is by understanding our relationship with our state and local emergency responders. So with that let me turn it over to Matt Cowles. Thank you for being here, Matt.

Matt Cowles: Thank you, Chris. I greatly appreciate the opportunity to be here in the outreach to NEMA. And also thanks to the rest of the NCJA staff and Dawn and CHDS. It's a great opportunity for all of us to come together and have this conversation. As Chris said, I'm deputy director of the National Emergency Management Association. For those of you who may not be familiar with what NEMA is, we represent the state emergency management directors of the 50 states, the territories, and the District of Columbia. So, as you can see here, this gives you just a very brief overview of the state emergency management community. So

you look at where they're being appointed, you've got 34 of them that are being appointed by the governor.

Matt Cowles: But even in circumstances where they're not specifically appointed by the governor, regardless of their location in the state government function, they typically report to governors exclusively during an event. You can see the spread here between the level of appointment where 34 of them are appointed by governors and then where they are functionally. And the same number, you've only got nine there in the governor's office, and they're spread out throughout state government typically. So similar to the structure at DOJ, after the Department Of Homeland Security stood up in 2003, Governor Ridge, who became Secretary Ridge reached out to all of the governors and asked all of them to appoint an SAA, very similar to the role that you all play at DOJ.

Matt Cowles: And as you see here, the structures are similar in that not only are they conducting the same types of activities that you do with Homeland Security funding and the interface with Homeland Security, but they're also spread out throughout state government, and they all have different roles in addition to their SAA responsibilities. One thing I think that's important to note on this slide specifically, when you look at the 17 states that are dual headed between emergency management and Homeland Security director, that number has interestingly gone down over the years, that number was closer to about 30 when DHS first stood up, and it's dwindled over time. It's for any number of reasons, there's no particular reason behind that, but they've definitely spread out more throughout the state government functions.

Matt Cowles: And then there over on the right, you get a flavor of the basic size of state emergency management Offices where you've got the number that are just emergency management, combined it's almost double that number, but on average you're looking at somewhere about 124 in each of these organizations. Now, one of the main grant programs that these folks run for the state emergency management Office is what we call EMPG, The Emergency Management Performance Grant. It functions fairly similar to the way Byrne JAG does in that it's a very flexible program.

Matt Cowles: But one interesting thing is that's program that when it does come to the state, if it's not a dual headed situation where the SAA is the emergency management director and the Homeland Security advisor, it goes directly to the emergency management office and bypasses the SAA. So here we'll start getting into the meat a little bit of managing disasters and what this looks like. It's a very linear process between local, state and Federal Governments. You often hear that all disasters are local, that's at least where they start. Before the state becomes involved typically, the local government has to become overwhelmed in their capacity or their ability to be able to fund and manage the event.

Matt Cowles: Once that occurs and the state steps in, they can provide some assistance as well. Almost 40 states have some form of a disaster assistance program that they can run similar to the way FEMA comes into assist the states. But then

ultimately, there are times when states become overwhelmed as well and Federal assistance is required. You typically see this with the involvement of FEMA as the first line from the Federal Government. And we use predominantly two authorities when this is occurring. One, everybody is well aware of the Robert T. Stafford Act and the other is all of those authorities are codified in 44 CFR, so those are really the two authorities that lay out how this process works.

Matt Cowles: Once a state does go to the Federal Government, there's primarily two main sources of assistance, there's an emergency declaration and a major disaster declaration, and these two are quite different. The emergency declaration is for very small type of events. There's a cap of \$5 million on assistance here, and it typically only covers things like debris removal, emergency protective measures such as setting up roadblocks or something like that, and what we refer to as direct Federal assistance, this is something like an incident management assistance team that could come into the state from FEMA.

Matt Cowles: Now, that \$5 million cap can be exceeded and has been exceeded, it requires notification of Congress, but typically that's either for a very small event or one that will eventually grow into a major disaster declaration. The major declaration, much larger. These are typically the ones that you're reading about in the paper, there is no cap, if it's eligible, it's funded. And the program availability is much broader. We'll talk about some of that in just a second. But all of this is funded out of the Disaster Relief Fund, which is an account in FEMA, and there's really two parts to what we refer to as the DRF. One side called the base funds, predominantly a emergency declaration.

Matt Cowles: And then the other side is much larger and funds the major declarations. The base side typically is funded through normal appropriations of about five to \$600 million. The major side of the DRF can range anywhere from seven to \$18 billion. Both are funded through the regular DHS appropriation, but it's interesting to note that the major side of the DRF does not count against the appropriations cap that they have to operate under, so it's above and beyond and it's calculated based on the current declarations that are open and what assistance is anticipated in funding in future years.

Matt Cowles: The current balance of the DRF is about \$90 billion. It's received several infusions of cash, both through the regular appropriations process for FY20, but also through the supplementals that Congress has recently passed. But again, it's important to note specifically when you're talking about the DRF, that money's not earmarked, that money is not carved out for any specific disaster or event, so when you hear something like Hurricane Harvey was a \$100 billion disaster, there's not that money sitting in the DRF to pay for disasters in Texas, it's a rolling account that's funded over years. A disaster can remain open anywhere from seven to 10 years, so those are really paid in installments over time.

Matt Cowles: Here you get a little bit of a flavor of what programs are available. Like I noted on the previous slide, emergency declarations, you're really only going to get

access to the first two programs, they're under public assistance and there's only a one housing program, individual assistance that is available under that. Everything that you see on this page is available under a major disaster declaration. And between public assistance and individual assistance, they are pretty much what they sound like, so public assistance you can get into, as it says, they're restoring public infrastructure, so rebuilding bridges, public buildings, anything that affects the public at large.

Matt Cowles: Individual assistance focuses really on individual households, things like disaster case management, providing some assistance for legal services and unemployment assistance in there. Hazard mitigation isn't really applicable here to the COVID situation, I put it on there anyway just to give you a sense. That's a percentage based off of the total cost of the disaster, and it allows states based on their hazard mitigation plan to buy down risk for future incidents. It's unclear at this point how HMGP will be utilized here for the COVID disasters.

Matt Cowles: But when you look at the two public assistance and individual assistance above, the two that are bolded, lifesaving emergency protective measures and crisis counseling are really the only two areas where states were given authority to run programs at this point for COVID. All of these programs involve a cost share. They typically start at 75-25. They can be increased to 85-15 or 90-10 based on the programmatic requirements, if states meet certain requirements and that kind of thing. And the president does have the authority to go to 100%, so no cost share at that point.

Matt Cowles: So here we'll talk a little bit more in detail about FEMA's involvement and how this all played out in this most recent COVID incident. This started, as you might recall, with the White House putting HHS in the lead for all of this. And that really created a divide between how the Federal Government was structured at that point and how the states were structured because where the Federal Government had the resources to go directly to HHS and say, "You're now in charge, FEMA is playing a supporting role," FEMA was not leaning forward very far on trying to provide guidance and that to state governments. The problem was created, a situation, where at state governments, it was being managed much differently where governors were bringing in all of their subject matter expertise to try to manage this. So where FEMA may not have been the lead Federal agency in many states, they've were the lead agency.

Matt Cowles: So there was a lack of information at that point coming out of FEMA as this was first getting started. But that changed as the supplemental started being passed and as the events started to escalate, you first saw the \$950 billion in the first supplemental that went to HHS to pay for certain functions. There were a lot of discussion about what that was paying for for state emergency management functions as well. And the answer was based on the public health expenditures, to that point, it wasn't paying for much. So the next step that you saw the White House and the administration take was the president utilized, it was a Friday afternoon, it was a big press conference. I'm sure many of you remember.

Matt Cowles: He utilized his authority under the Stafford Act to grant emergency declarations, as you recall earlier, that's the smaller of the two, use Section 501(b) of the Stafford Act to grant emergency declarations to all the states and territories. So this opened up the first line of funding to states through Stafford and through FEMA. But about the same time, he sent a letter to DHS saying, "Tell the states that if they ask for majors, I anxiously await them, and we'll get those approved." So then you started seeing a trickle, and over the next two to three weeks, every state ended up requesting a major declaration.

Matt Cowles: But if you recall on that last slide, interestingly, despite almost every state asking for the full suite of programs available under the Stafford Act, almost all of them were only limited to the emergency protective measures and to crisis counseling. Now, over time, we've seen some adjustment of those, but the CARES Act threw yet another monkey wrench into this because what the CARES Act did was provided about \$2 trillion out to the Federal Government and to states and locals to address the coronavirus. But it also included language in there that said, "We're going to carefully avoid any duplication of benefit."

Matt Cowles: So now there's been this evaluation of, what is FEMA going to pay for and what are state and locals going to pay for, and what are other agencies across the Federal Government going to pay for? And so you see in that last bullet there where it talks about 13.5 billion for education facilities, three and a half billion for childcare, public health agencies and community development block grants, almost all of that money could also be addressed under the Disaster Relief Fund. So the challenge that most states are having right now is working through the process with FEMA in terms of who's going to be the lead for many of these programs.

Matt Cowles: So while all the additional money has been very helpful, you see like the 150 billion to states and locals for the coronavirus relief fund, it's actually created another layer of questions to begin addressing how these are going to be paid for. But we understand FEMA is in a lot of conversations with the various agencies to determine how this is all going to play out. And just, I believe yesterday or the day before, the Treasury Department and the administration released a very valuable resource, like was said earlier, these slides will be sent around afterwards, so utilize that link there at the bottom to give you a flavor of how some of these programs are going to be divided and conquered amongst the Federal agencies and likely ultimately, managed at the state level.

Matt Cowles: So I tell you all of that to tell you that there's been clarity and confusion, then clarity and more confusion on how this is all going to be funded. In many states, the management of this has started to be centralized in the governor's office to try to coordinate the inner agency at the state level, but many state emergency management Offices are either heavily involved or managing that themselves to try and address how to flush out the influx of Federal money that is coming in. So that pretty much covers the scene. Hopefully that answers some questions as to how this is managed, at least at the state level, and shows you some of the relationship between the state and the locals in the eyes of FEMA, at least. I

can't speak to the other agencies, Federal agencies, but at least in the eyes of FEMA, the state is the primary grantee and all local governments are sub grantees to the state.

Matt Cowles: So they maintain that primary relationship with the state and then the state works with the locals providing briefings on what is eligible, how they're going to run their program in the state to work toward recovery. So as I'm sure will be addressed later and you already know, I encourage you to make sure you develop and maintain that relationship with your state emergency manager. They will be the ones that will be able to shed the best light on what is available and what is out there to help assist you in your response and recovery as well. And with that, Chris, I'll turn it back over to you. Appreciate the time. Thank you.

Chris Asplen: Thank you, Matt for your presentation and that background on, I guess, some of the unique circumstances surrounding the implementation and establishment of some of those funding. With that, let me call Geoff Dean back in and ask Geoff a couple of questions from a law enforcement leadership's perspective regarding the priorities when working with emergency management partners. Geoff, given the clarity and confusion and clarity and confusion that goes on up above at the higher level while the Federal Government is trying to get their arms around this massive problem, take us through what the strategic process is on the part of law enforcement, boots on the ground, the first responders. What are you thinking about while dealing with this situation which is not an immediate emergency that's going to be over in two or three days, but rather something that's really widespread and longterm?

Geoff Dean: Well, thank you. And this is an interesting event in my 42 years, I certainly don't remember anything like this. I will say California and certainly Montana and many other counties have experienced longer term events such as a wildfire. And one of the things, the great points that Matt mentioned and I think is really critical is about people working together. And he talked about how governors are bringing groups together. I'm a believer that no one has the market on good ideas, and it's more critical than ever right now that we bring all elements because often in crisis time, if it's a shooting related or a major accident or an airplane crash, law enforcement is taking the lead role.

Geoff Dean: That's not necessarily what's happening right now, the medical profession is doing an outstanding job taking the lead, but more than ever, we have to be partners with them and we have to work hand in hand. And that becomes just as critical when we look for funding and how are we going to pay for this because it's all local resources that are coming in to pay for this. And when those dry up, we're looking to the state and the Federal Government and how we go forward as a partner with all the stakeholders will show how successful we are in getting those state and Federal dollars to help us with this problem.

Chris Asplen: So Geoff, if you were sheriff today and responsible not only for day-to-day operations, but also for emergency management and maintaining the safety and

health in your jail, how are you assessing your resources and where are you going to look for funding?

Geoff Dean: Well, jails are an interesting creature. We're an essence of microcosm of society, but we're locked in and we tend to be a high propensity of people that have a mental health issues, probably anywhere from 25 to 40% of our populations today, but also have significant co-morbidity health issues that require us to work together. Now, a large percentage of detention facilities around the country, whether it be at the local, state or Federal level, have private partners who provide healthcare.

Geoff Dean: And for those people that use that model, they need to work with those partners and look at what funding mechanisms are coming from the private sector, and what are your contractual obligations that they provide? Are they to provide their own PPEs? Is the county or state to provide PPEs for their employees? And how does that work? And unless we apply for state and Federal disaster funds, are we allowed to incorporate those people because there are certainly first-line health care providers, and you would think that would help qualify not just for PPE and equipment, but is there an opportunity to maybe pay for some additional costs as related to this COVID response?

Geoff Dean: So the partnership and looking at all the funding opportunities are really critical. I know today, I believe on the House Floor, there's an \$11 billion package out there for enhanced testing. So if you're a medical provider, whether they be private or the public sector are paying for those dollars out of local funds. Is this an opportunity with this bill, hopefully that will get through Congress here shortly to offset those local funds to pay for not only the critical testing we have now to determine that someone might be positive, but down the road in the future that we're all looking for is antibody testing so we can look and see which of our staff may be able to return to work and which may be a danger or not a danger to not only the inmate population, but our fellow employees.

Chris Asplen: What kind of relationship does a sheriff or a police chief have with their county emergency planning agency, their state emergency planning agency, and the National Guard?

Geoff Dean: Well, hopefully they have an outstanding relationship. The criteria is certainly different in my jurisdiction, where I came from, the sheriff was the Director Of Emergency Services. And it's amazing during times of crisis when you're going through Federal major disaster declarations, those personal relationships with... and Matt mentioned it so well, turn to those people that have the existing relationships with state and Federal FEMA people because we all know that have been in this business long enough, the devil's in the details. And how you write your application and what you asked for is extremely critical and could determine whether you actually get funding or you don't get funding.

Geoff Dean: So it's a time to utilize those personal relationships that hopefully your EMS, your emergency services director has established with state emergency services

directors and their staff and local associations and Federal FEMA. So you ask properly and you know what to look for. The other thing that is critical dimension and any sheriff or law enforcement person or any disaster service expert that's been through it knows, hopefully we've been catching the documentation that we feel is critical from the very onset, because as we know in times of disasters, at times FEMA may cover employees' overtime or officers' overtime, which can be critically expensive, but they're only going to cover that if you have a documented hour by hour and where that officer, where that deputy sheriff happened to be working.

Geoff Dean: They may cover supplies, they may not cover supplies. So if you haven't been doing up to an hour, it's critical document that as we go so we can substantiate our requests when they go in.

Chris Asplen: So if you were sheriff in California right now, would you be looking to your SAA, which in California is the Board of State And Community Corrections, would you be looking to them for funding and guidance or other support?

Geoff Dean: Well, it's an interesting perspective. I sat on the Board of Community Corrections for five years and each state is different and how they apply that money. So several years ago, California went to a competitive grant for Byrne JAG, which changed how the money was distributed. So that's not really going to be appropriate for this money coming out now, so the locals need to be involved with their state here in California. Our director and deputy directors are really open minded and they seek locals input to establish what's the best criteria for giving that money out, because in the past, it may have been prorated based on population and that might've worked appropriately, but the questions may need to be asked today, should this be based on the number of positive tests, which could be skewed by the level of testing.

Geoff Dean: And you could punish counties or cities or states that were very proactive in reducing the spread and flattening the line. And so it's really critical more than ever to reach out to those SAAs or whatever the Border Corrections agency is in your state and work with them and let them know what the locals need and what would be a fair criteria. And there other models that already exist in the state, California we have this strange thing we call realignment, and money was distributed as a state pushed prisoners out of the state to local entities, And the CEOs of all the counties got together and decided what was the most equitable, tough word, way to distribute those funds as they come in.

Geoff Dean: So this Byrne JAG money coming out, it's probably coming out with less strings attached to it than historically has been in the past, and so there's opportunities to mold in the correct fashion, the most equitable fashion, how that money gets distributed to all the locals.

Chris Asplen: Thank you. Geoff, I think you have some other strategic considerations for law enforcement and jail administration with emergency management partner. So let me just turn it over to you for a little bit.

Geoff Dean: Well, when you're run jails, like I said, it's a microcosm of society and it's really important that again, you partner with your healthcare providers, the local bar, the courts on how you do that. So in California, jail populations and local jails in some places have been reduced by almost 50%. Some would feel that was a little over the top and you're pushing not only non-criminals back out on the street, but pushing people out on the street that are probably going to be homeless and may not have a place to go and exacerbate the problems that you're going to have out on the street.

Geoff Dean: We also need to evaluate what's the best way to deal with the crisis inside the jails. So I heard the DOC for Pennsylvania talk and they've had really good success in some facilities and not as good success in other facilities. And so they're actually moving medical staff from the facilities where they have a low level number of positive tests to place where they have higher. Now, the problem with that is then you have to quarantine those people for 14 days, but they're being very progressive there. And thinking down the road, when we start to come out of this, how do we do it?

Geoff Dean: So one of the models they're discussing, and I think it was an outstanding idea, was that let's take a facility that's had a very low rate of positive tests and start to transition them out of lockdown and transition our employees out from wearing PPEs and see how that works and do it a slice of the pie instead of opening up the entire system and then having to back down and realize it's too late and increase the costs and the impact for everyone. There's a lot of ideas out there and whether it be how you isolate your staff, what concept do you look at that's most effective? There's been a discussion that had to measure what an adequate release a ratio might be, is how many people per square foot do you have?

Geoff Dean: And that automatically increases the social distancing. So is that going to be more effective and does it reduce your costs? So as we're looking at, is it more cost effective, we could reduce the cost to a local jail because we're not housing those many inmates. But if a local entity is having to pay for those also, are we pushing that cost burden back out into the community and government overall that's having to fund this, the cost could be higher. So again, it goes back to getting all the players together on a regular and consistent basis and talking through the problems and seeing what the best solutions might be.

Geoff Dean: We also need to look a few months down the road because if history speaks to us here, just like the 1918 flu, this is probably going to come back and we have to start planning for that, not only financially, well, we're still trying to overcome a loss of sales tax revenue and property tax revenue and all the other losses we're seeing in business that flow in and fund our governments, but we're going to have to deal with what's going to happen in three months. So while think, we certainly don't want to hoard, but we need to plan ahead on how many masks do we need? How much PPEs do we need?

Geoff Dean: How much of the additional swabs do we need for testing? Which I understand was also on the house floor today about the Defense Protection Act to increase the number of swabs and testing vials that need to be made, and what plan do we have to a larger scale testing for antibodies down the road?

Chris Asplen: Yeah. It's not enough to simply move costs and expenses from one sector to the other, we need to make sure that if we're doing so, that if we're moving people, that we're doing so in a way that ultimately on an economies of scale proves beneficial. It doesn't work just to move expenses from one place to another.

Geoff Dean: We can't think in silos, we have to work together and there has to be an overarching goal. And one of the struggles as was mentioned my Matt earlier without FEMA, it's who's going to pay for what? And what's going to happen, it's going to as it does each time, it's going to create challenges for state administrators and local administrators to figure out what pot of money they're going to be able to go to, to get them out of this financial hole and the crisis. Again, that's why it's so important those relationships from our local emergency management people with their state and their FEMA partners to understand the details.

Chris Asplen: Needless to say, thinking outside of our silos is not something that we're known for doing well in the criminal justice system. We're trying to get better at it, but hopefully this will force us to do so, so that we can get our handle on things a little more quickly. So let's transition into a Q&A session now. And our friends at the center are going to help us with that. Dawn, are there some questions out there that we can direct to either Geoff or to Matt?

Dawn Wilson: Yes, absolutely. Thanks Chris. As a reminder to everyone, all participants are welcome and encouraged to submit your questions by clicking on the Q&A box at the bottom of your screen, you'll see that on the webinar toolbar and we will answer as many questions as we can get to today online and the NCJA staff will be sure to follow up to get any additional questions answered that we can address. I'll welcome Matt and Geoff and Chris back on screen with us and we'll start some questions. Chris, it looks like the first question we have here, and this is for any of the speakers, could you speak a little bit about how funding and relationships might work differently and Care's Act Funding with state to state agency relationships versus state to local agency relationships?

Geoff Dean: Matt, can you take a stab at that first given the position that you sit in?

Matt Cowles: Sure. I think the important thing is going to be, it's interesting seeing the tables turn a little bit because we at NEMA often criticize FEMA or the inter-agency about not working with each other and not sharing information and that, and I think the table is turned now and now it's on us to be able to make sure that the state agencies are coordinating about what funds are coming in and what it's going to pay for. And the interesting thing is I think as you get closer to the local level, Geoff alluded to this in some of his comments, the number of people available to manage them get smaller and smaller and smaller. So what appears

to be common sense at the local level is a little more difficult at the state level and even a little more difficult at the Federal level.

Matt Cowles: So it's going to take communication, it's going to take coordination, and right now, I think the website that treasury has put together to talk about what's available out there is going to be a huge step forward because it's going to take guidance and the typical Federal documents that come out of HUD and HHS and FEMA to be able to help define where those funds are going to go and what they're going to pay for because they're taking very seriously the need to ensure that we don't end up in a duplication of benefits situation. And another comment that Geoff alluded to earlier about documentation and that, fully realized that that's a pain sometimes to try to manage, but it's not just a paperwork exercise, it's because not long after this all closes out, the OIG comes around and that creates a whole different situation.

Matt Cowles: We haven't even started having that conversation yet about what that looks like. And when you're pushing this many billions of dollars, trillions of dollars in Federal money out, there's going to be a lot of audits and five years from now we're going to be having conversations about the obligating coronavirus money. So it's important to make sure we get it right on the front end. Those conversations are happening, but we need to make sure everybody's at the table that needs to be.

Chris Asplen: They might want to consider renaming the CARES Act, the Auditor's Employment Act, because I think you're exactly right.

Geoff Dean: You can almost guarantee that some jurisdiction is going to use the money appropriately, and none of us want to be the one on the front page of the headlines to say that the money got used in the wrong place and have the OIG come down and look deep into your pockets.

Chris Asplen: Yeah. And we all understand that can certainly occur in less than intentional circumstances.

Geoff Dean: Absolutely.

Matt Cowles: Absolutely.

Dawn Wilson: Matt, a follow-up question for you. A couple of folks ask, could you repeat your comment about the CARES Act specifically about preventing the duplication of funding between Federal funding sources and any additional insights even if that's speculation or prediction at this point?

Matt Cowles: It's all speculation at this point, but fortunately, to the point we were actually just making, to try and prevent some of the auditing challenges on the back end. FEMA is taking a very deliberative approach in working with other stakeholders to try and deconflict who's going to pay for what on the front end of all of this.

So if you looked at that one slide that was up, it had several examples on there of programs that have been funded in other agencies across the Federal Government, but they're all doing similar activities that you could potentially do under FEMA programs as well.

Matt Cowles: Now, where's the appropriate place to do that? That's the question that needs to be answered in a lot of cases. I think it's just going to take some time at this point to be able to work through some of those deconfliction, but the duplication or benefit issue is one that'll lead very quickly to audit issues and that kind of thing on the back end to make sure that we're only paying for things once.

Dawn Wilson: Matt and Chris, a follow up question for both of you, question or wonders. Will the Federal Government actually have a representative reach out and contact their department or should they start that reach out to begin the rapport? Does their departments individually have to reach out and find a contact at FEMA or any advice or guidance for them?

Chris Asplen: Matt, I'll give that to you.

Matt Cowles: It can work both ways. What I would highly encourage them to do is work through their state emergency management offices and through even the other contacts at state government to be able to begin these conversations, whether it's a community health department, whether it's a transportation department, they're all over the place right now in terms of where these funds would go within state government. You can contact FEMA directly, FEMA is going to maintain that relationship with the state emergency management office. If you're at the local level, they're going to still maintain that relationship.

Matt Cowles: And you can apply directly, I know they've opened up the grant portals to be able to allow locals to apply directly, but even if you're going to go that route, I highly encourage you to continue to work with your state emergency management office because they are there to help provide that technical assistance to make sure that what you're applying for is eligible, that applications are correct, that you've submitted the correct documentation and it'll help prevent folks from doing things twice or three times.

Geoff Dean: I would really encourage people that have personal relationships because it comes down to, Geoff can pick up the phone and call Matt and go, "Hey Matt, I saw this in the guidelines, what does this really mean and what are you really looking for?" It's amazing how those types of more casual calls instead of a formal request can really, really bring success and really allow you to understand what the ultimate goal is and what the best trajectory is for you to be successful in getting these funds.

Matt Cowles: And it allows folks like the state emergency management offices to work some of the deconfliction issues before you get too deep into it. Let somebody else

handle that piece of it, and you don't have to go hunting around all over state government or Federal Government trying to figure that out.

Dawn Wilson: Chris, a question for you. Is this Byrne JAG money different from traditional Byrne JAG money?

Chris Asplen: That's a really good question. It's not really Byrne JAG money per se, what it is it's money provided via the Byrne JAG formula. And so there's a little bit of a distinction there, it's according to the formula but not the same, it is administered through the SAAs obviously. There are some differences, for example, it is not subject to some of the restrictions that were placed based on the sanctuary cities issues that were problematic with some of the Byrne JAG fundings, that does not apply here. But the idea of running through the Byrne JAG formula and running through the money through the SAAs was really to ensure maximum flexibility. So in that regard, it is very much like the annual Byrne JAG funding that you receive.

Dawn Wilson: And Chris, maybe a follow-up question to that, participant would like to know, Would NCJA be playing a role to help coordinate between criminal justice and emergency management?

Chris Asplen: Well, so yes, we have over the next two years, we will be assisting all of our members in that coordination and helping to get out, what are promising practices, what are data driven practices and how we can best facilitate those relationships. Again, as I said as I started the entire webinar off with maximizing the potential of this money of the Coronavirus emergency funding supplemental to maximize it in the context of the FEMA money that also exists. So yes, we will be doing that. One of the things for example, that NCJA does is we provide technical assistance for strategic planning.

Chris Asplen: Well, this is necessarily going to have to be part of that process just to plan strategically, as I said in the beginning also, how we ensure that the that the resources get to our first responders and get to where the emergency is right now, but then again, strategically plan so that we have the money on the back end to deal with the collateral consequences. So we will be actively involved in that.

Dawn Wilson: A question for any of our speakers, will a portion of the EMA funds that have been made available through the CARES Act, are those specifically available to help local law enforcement agencies in their purchases of PPE.

Chris Asplen: They certainly can be, they can certainly be used for PPE.

Geoff Dean: And I think in the first release of the funds, PPEs were specifically pointed out for public safety.

Dawn Wilson: A question for any of our panelists, are there relationships that you would recommend that NCJA members cultivate beyond their local and state emergency management departments with nonprofits or other community organizations to meet some of the same funding and resourcing needs?

Geoff Dean: I like to look to what actually happen, if we look at the first level of the payroll protection funding, we know a lot of large businesses got funded, but a lot of nonprofits got funded also. And I think we have 2-1-1, which in California is where you call for information, I'm not sure what it is around the country, but we have a couple nonprofits that run 2-1-1 and they got a significant level of funding or PPA. And I think if we look at those nonprofit partnerships and where that Federal money might be going or there may be a priority, we don't know, those are certainly important people to engage because they can meet another element of what we're providing, whether it be mental health services, whether it be information services, whether it be outreach and attesting protocol or the actual infield testing that goes on.

Chris Asplen: So I would agree with Geoff 100 %. One of the things that we recognize is that many SAAs may well be providing funding to a lot of different agencies that they've never funded before, just by the sheer nature of the funding that's been allocated. And so they may find themselves wanting to establish relationships with nonprofits that they may never have considered before. But, if those nonprofits do in fact help in the cause of preparing for and preventing and alleviating coronavirus, then that is an appropriate use of the funding.

Matt Cowles: The only thing I would add is don't forget about the public health folks as well, they're obviously a huge focus here. And there's going to be issues, we've already started seeing them in some cases in the state level and being able to get some of this equipment. In a lot of cases, having the money to pay for the equipment isn't as big a problem as being able to get the equipment once you have the money. So we're talking to all of our members right now about utilizing mutual aid agreements and that kind of thing to become a bulk purchaser and then be able to move equipment across state lines and that kind of thing.

Matt Cowles: So you've got to get creative in how you're doing this and one Sheriff's office in one state, in one County trying to buy equipment versus a larger coalition trying to come together and have agreements in place to be able to do that are two entirely different things, if you want to try to be a player, to be able to get into those larger quantities, at least at this point, I think that'll ease overtime.

Chris Asplen: So if I could use Matt's example to illustrate two things. One is, the first thing I just said regarding reaching out to agencies and organizations that SAAs may never have worked with before in a very different way, but also in terms of what NCJA will be doing in the future is identifying programs just like that and recommending those and getting those out to everyone as possibilities for other agencies, other jurisdictions to adopt that they may not have thought of previously.

Dawn Wilson: Geoff, a couple of follow-up questions for you related to relationship building. I'll start with the first and then follow up with a second. In jurisdictions where criminal justice and law enforcement are separated in their agency roles for emergency management and may not have had the strongest relationship before the pandemic, what do you recommend to bring them together and collaborate? Any strategies or success stories from your own experience?

Geoff Dean: Well, I think you have to get everybody in the same room at the same table. And number one, it kills the rumors and allows everybody to feel each other's pain and help each other with their own successes. And as long as you did the best you can, I know it's difficult, especially with the cops, mostly the fireman, to take the egos off the table, it's amazing what you can accomplish, but you got to reach out. And I know sometimes law enforcement and criminal justice and the fire side and public works don't necessarily get together, but you've got to have a leader strong enough to bring the team together and make everybody work together and help them understand how it's mutually beneficial, not only for them, for their individual agencies, but certainly for the public they serve.

Dawn Wilson: Geoff, a second question about relationships, the participant noted that many sheriffs feel that all of the money should flow directly to locals. Any advice on how to balance local needs when funding either comes exclusively or predominantly through the state level?

Geoff Dean: Well, I think we'd all like to have all the money so we can handle it because we think what's best, but I think going back to the SAAs and again, here in California, the Board of Corrections, if they solicit local input, whether it be through a State Sheriff's Association, Safe Police Chief's Association, through this association and bring in all those opinions and try to find a common ground that serves to be most beneficial, I think it works better. Nobody's going to be satisfied, there's people that are always going to be upset. Our County ordered the beaches closed and half people thought it was a good idea, everybody hated it. They opened them yesterday and the parties just switched.

Geoff Dean: So in this type of situation where there's not enough to go around for everybody, nobody's going to be completely satisfied, but I think as much transparency as the agency overseeing it can have and allow the most input, I think is the road to being as successful as you can be.

Dawn Wilson: A question for any of the speakers, would CESF funding be available for PPEs if that expense isn't covered through FEMA down the road?

Chris Asplen: Yes, it would be.

Dawn Wilson: Okay. And also a question on, has there been any discussion about a public database being created to share information about EMA grants to states and locals and other CARES Act grants to be a reference guide so that there's no duplication?

Matt Cowles: So that's the treasury reference that I put on the last slide of my presentation, that's where they're starting that process. I suspect that states will put out similar guidance in some capacity as to how they're going to manage those within the individual states, but it's a really good starting point that treasury's made that first effort to try and delineate what is out there at this point and who's paying for what.

Dawn Wilson: Great. We have one final question here before I turn it back over to Chris for closing comments. Criminal justice agencies generally don't have much experience with state emergency management agencies or FEMA grant programs, are there some of the critical elements that need to be noted to ensure success and getting funding and keeping it?

Matt Cowles: I think that goes to Geoff's point earlier in building that relationship and talking to your state director and delineating what your needs are. They are there to help just like FEMA is there to help the states and the locals. So build the relationships and start having that conversation.

Geoff Dean: I think you need to be really aware about what's in the grants and in the Federal documentation of what's coming out, so you really understand what's available and what's not available because this is different than other things, as Chris mentioned about Byrne JAG, this is a different element of money coming out, and understanding what to apply for and what not to apply for is really critical. Number one, to get it in the first place, and number two, not to have it taken away down the road.

Matt Cowles: And I think the other really important point here is that, when you talk about FEMA grants, everybody talks about them typically in the context of natural disasters. This is the first time that it's been used, not the first time it's been used for pandemic, a couple of states received declarations in 2000 for the West Nile Virus outbreak, but the [inaudible] was not designed to deal with pandemics, it was to deal with hurricanes and floods and tornadoes and stuff that's causing damage that you can go out and look at and measure. So it's being opened up in this context as a conduit for Federal funds, but I just wanted to stress that this is also talking about programs that weren't designed to be able to handle how we're using them now.

Dawn Wilson: Chris, it looks like we were able to get to all of our questions today. Before I turn it back over to you for closing comments just a reminder for all of our participants that after Chris's closing comments and those from our speakers, there'll be a short survey that will pop up on your screen and the leadership at the Center for Homeland Defense and Security and in NCJA, certainly appreciate if you take a moment to give us your feedback and your thoughts today. Chris, back to you.

Chris Asplen: Thank you Dawn. I know we're at the end of our time and so I want to be short, but I do want to leave on this recognition of Geoff's point that there are natural tensions in this system and everybody thinks that they should have the money

because their job is the most important or they think they can do it the best. And we all should, but we hope that here at NCJA that we hope that we can help in that discussion, and that if you're on this webinar, if you're watching this and listening to this and you're not an SAA, that you would also consider us to be a resource in a way to help you connect with SAA or to connect with valuable programs that are out there that may be beneficial as we all seek to maximize the potential of this various funding, whether it's the FEMA funding or it's the CESF funding, whatever it may be to help us all get through this coronavirus crisis together.

Chris Asplen: I can't thank you enough, Geoff and Matt and our colleagues at the Center for Homeland Defense and Security. Just as a reminder, we will be sending out the link to this program after we've finished it up, we will send it out to all of you and please feel free to share it. And again, do not hesitate to get in touch with us at NCJA, if there's anything that we can do. Thank you all. Stay safe. Stay well. Have a good rest of the day.

Geoff Dean: Thank you.

Matt Cowles: Thank you.