



# Texas Department of Public Safety



# Division of Emergency Management

**2016 Infectious Disease Task Force Meeting**

---

**May 6, 2016**



# Emergency Management **State Laws**

- Emergency management in Texas is governed by laws, administrative codes (rules), and policy
  - Texas Government Code:
    - Chapter 418 (TX Disaster Act)
    - Chapter 421
    - Chapter 433
  - Texas Administrative Code Title 37



# Chapter 418 Disaster Definition

*"Disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, extreme heat, other public calamity requiring emergency action, or energy emergency.*



# Chapter 418 Overview

- Principal state emergency management legislation
- Outlines definition of disaster, **roles and responsibilities**, declaration **authorities**, and training and preparedness requirements
- Endows local authorities with certain emergency management rights, including ordering evacuations



# Chapter 418 Overview

- 418.013 Emergency Management Council
- 418.014 Declaration of State of Disaster (NOT State of Emergency)
- 418.015 Effect of Disaster Declaration
  - Activates the plan
  - Governor is Commander in Chief



# Chapter 418 Overview

- 418.016 **Suspension** of Certain Laws and Rules
- 418.017 Use of Public and Private **Resources**
- 418.018 **Movement** of People





# Chapter 418 Overview

- Subchapter C – **TDEM**
- Subchapter D – **Finance**
- Subchapter E – **Local** and Interjurisdictional Emergency Management
- 418.1015 Presiding Officer of the governing body (**Judge/Mayor**)
  - Governor's designated **agent**
  - May exercise powers granted to the Governor on appropriate **local scale**.



# TDEM Initiatives

- Texas Government Code Chapter 418 endows TDEM with a variety of powers and duties, including:
  - 418.042 - Prepare and keep current a comprehensive **state emergency management plan**
  - 418.043(6) - Establish and operate **training programs** and programs of public information or assist political subdivisions and emergency management agencies to establish and operate the programs





# TDEM Initiatives

- 418.043(13) - Cooperate with the federal government and any public or private agency or entity in achieving any purpose of this chapter and in **implementing programs for disaster mitigation, preparation, response, and recovery**



# Chapter 418- Declaration Authorities

- Sec. 418.108 (a) and (d)

“(a) ...(e), the **presiding officer of the governing body** of a political subdivision may declare a local state of disaster.”

and....

“(d) ... The appropriate preparedness and **response aspects** of the plans are activated as provided in the plans and take effect **immediately after** the local state of disaster is declared.”



# Chapters 421 and 433

- Texas Government Code Chapter 421
  - Governs **homeland security** management for Texas
- Texas Government Code Chapter 433
  - Applies only to a declaration of **emergency**, which in Texas is similar to a state of **martial law**
  - 72 hours in duration
  - **State Police and State Military**



## Title 37, Part 1, Chapter 7

- Covers emergency management program, planning, and operations requirements
- Reinforces **roles and responsibilities**, including how and when state resources become involved

*Rule §7.25 "Requests for assistance must be made by the **chief elected official** of the city or county or by another official specifically authorized by them."*



# Chapter 418 and Chapter 81

- Chapter 418 is the principal governing document for **ALL emergencies**, including infectious disease outbreaks
- **Authorities are limited** in Chapter 81 WITHOUT a declaration under Chapter 418
- Chapter 81 does **NOT** allow public health authorities to task emergency responders
  - Other than requesting assistance with the flow of traffic



# Texas Public Health Emergencies Laws

- Texas Health and Safety Code Chapter 81
  - Outlines roles, responsibilities, and authorities for the prevention and control of **communicable diseases**
  - Allows public health authorities to take certain, **specific actions** during a communicable disease disaster response





# How do we do it?

- Budget
- People
- Population
- Disaster Thresholds
- Rankings



# TDEM at a Glance

- Budget
  - Federal Disaster
  - Federal Preparedness
  - State Funds
  - Contracts
- Almost 300 FTEs
- Nearly 200 contract employees



# TDEM General Appropriations Act History

- AY 2015
  - Total - \$515,333,209
  - **State Only - \$4,561,072**
- AY 2016
  - Total - \$167,739,520
  - **State Only - \$5,575,721**



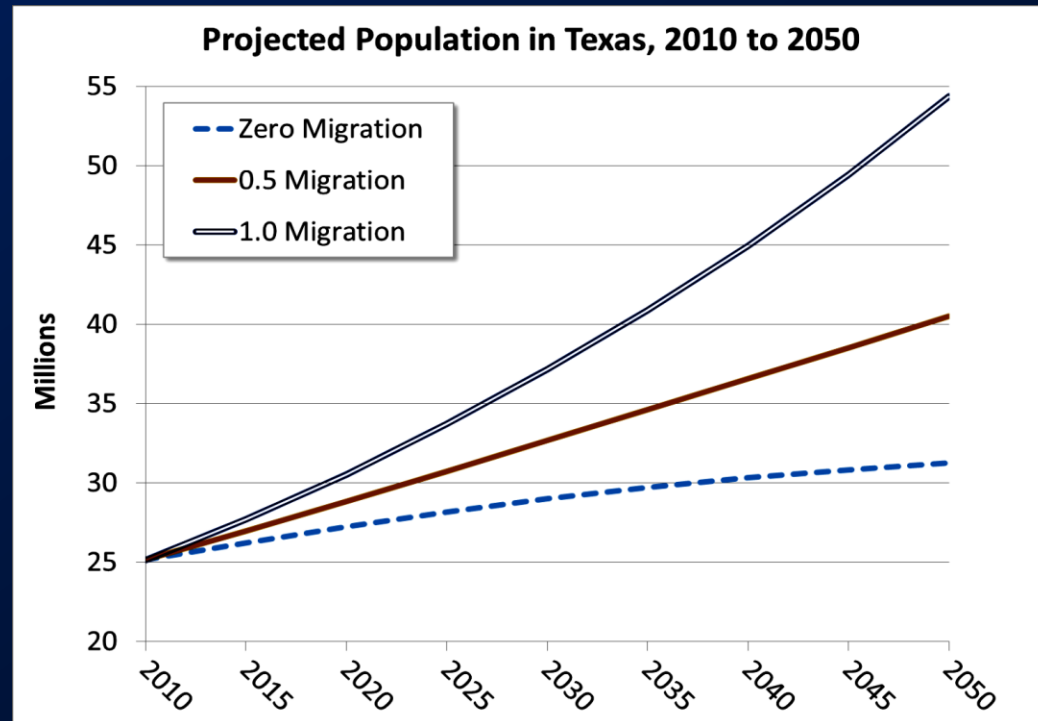
# Texas Population Growth

- Large and growing population compounds disaster numbers
- **2010** Texas population:  
25,145,561
- **2015** Texas population *estimate*:  
27,469,114
- *Estimated* population **increase** of 2,323,553 residents



# ...And Still Growing!

- Texas' population is projected to double to 54.4 million by 2050\*



\* Office of the State Demographer-  
Potter, Lloyd B. and Hoque Nazrul. 2014.



# Texas by the Numbers

- 254 *Counties* | 1,210 *Cities* | 1,024 *ISDs*
- Six of the most populous cities in the U.S.
  - #4 Houston
  - #7 San Antonio
  - #9 Dallas
  - #11 Austin
  - #16 Fort Worth
  - #19 El Paso







# Disasters in Texas

- 2010 – Present:
  - **Federally** Declared Disasters – 10
  - **Emergency** Declarations – 2
  - Fire Management Assistance Declaration (**FMAG**) – 58
  - **State** (only) Declared Disasters – 8



# Disaster Declaration Thresholds

- To qualify for federal assistance after a disaster states must meet a pre-established, population based damage threshold.

Thresholds	
<b>Texas</b>	<b>\$35,455,241</b>
Arkansas	\$ 4,111,444
Louisiana	\$ 6,932,055
Oklahoma	\$ 5,289,405
New Mexico	\$ 2,903,442



# Major Disaster Declarations Since 1953\*

• 10.	Missouri	58
• 9.	Alabama	59
• 8.	Arkansas	60
• 7.	Kentucky	61
• 6.	Louisiana	62
• 5.	Florida	67
• 4.	New York	70
• 3.	Oklahoma	78
• 2.	California	81

\*As of April 26, 2016



# Major Disaster Declarations Since 1953

- 1. TEXAS 93
  - EMER 13
  - FMAG 236
  - **TOTAL 341**
- The Lone Star State has recorded 93 **Major Disasters** in 63 years
- 1 EVERY 8.1 MONTHS



# How is it Managed?

- Local level
- State level
- Federal level



# Incident Management in Texas

- Incidents typically **begin and end locally**, and are managed on a daily basis at the **closest possible** geographical, organizational, and jurisdictional level.







# Local Governments

- **Local governments** (counties, cities, or towns) respond to *emergencies* daily using their own resources
- They rely on **mutual aid** and assistance agreements with neighboring jurisdictions
- When local jurisdictions cannot meet incident response resource needs with their own resources or with help available from other local jurisdictions, they may ask the **state for assistance**



# Local Authority in Texas

- Sec.418.101. (b) The **presiding officer of the governing body of each political subdivision** shall notify the division of the manner in which the political subdivision is **providing or securing an emergency management program**, identify the person who heads the agency responsible for the program, and furnish additional pertinent information that the division requires.
- Sec. 418.108 (a) Except as provided by Subsection (e), the **presiding officer of the governing body** of a political subdivision may **declare a local state of disaster**.



# Emergency Management Directors and Coordinators

- Sec.418.1015. EMERGENCY MANAGEMENT DIRECTORS. (a) The **presiding officer of the governing body** of an incorporated city or a county or the chief administrative officer of a joint board is designated as the **emergency management director** for the officer's political subdivision.
- (c) An emergency management director may **designate** a person to serve as **emergency management coordinator**. The emergency management coordinator shall serve as an assistant to the emergency management director for emergency management purposes.



# Texas Government Code

- Sec. 418.102. COUNTY PROGRAMS.  
(a) Each county **shall** maintain an emergency management program or participate in a local or interjurisdictional emergency management program that, except as otherwise provided by this chapter, has jurisdiction over and serves the entire county or interjurisdictional area.



# Texas Government Code

- Sec. 418.103. MUNICIPAL PROGRAMS.  
(a) The governor shall determine which municipal corporations need emergency management programs of their own and shall recommend that they be established and maintained.
- (b) The emergency management program of a county must be coordinated with the emergency management programs of municipalities situated in the county **but does not apply in a municipality having its own emergency management program.**





# Texas – Strong **Partners** in Disaster Response

- **Local jurisdictions**
- Regional Organizations (RACs)
- Voluntary Organizations
- Special Response Teams (Emergency Medical Task Force [EMTF], Texas Task Force 1, Public Works Response Team [PWRT])
- Local volunteer special response teams (Search One, TEXSAR, TCSAR, AASAR)
- Private Sector
- **State Government (TDEM and the Emergency Management Council)**
- Federal Government (FEMA, USGS, NWS)
- Media (TV, Print, Social)





# Texas State Law

- **Governor** appoints Public Safety Commission (PSC)(five members)
- **Director**, Department of Public Safety (DPS) is appointed by the PSC
- **Chief**, DPS, Texas Division of Emergency Management (TDEM) is appointed by the DPS Director, with approval of the Governor



# Disaster Districts

- Sec. 418.113. DISASTER DISTRICTS. (a) This state is divided into disaster districts to engage in **homeland security preparedness and response activities**.
- (b) A **disaster district committee** is established for each disaster district. Each committee is composed of local representatives of the state agencies, boards, and commissions and organized volunteer groups with representation on the emergency management council.



# Texas Government Code

- Sec.418.113. (d) The public safety director of the Department of Public Safety of the State of Texas shall appoint a commanding officer from the Texas Highway Patrol to serve as **chair of each disaster district committee**. The chair shall:
  - (1) inform the state Director of Homeland Security on all **matters relating to disasters and emergencies** as requested by the state Director of Homeland Security; and
  - (2) inform the public safety director of the Department of Public Safety of the State of Texas on all matters as requested by the public safety director.



# DDC, SC & DC

- Regional Commander
- TDEM Regional State Coordinator (SC)
- Disaster District Chair (DDC)
  - Texas Highway Patrol (THP)
    - Captain/Lieutenant
- TDEM District Coordinator (DC)



# DPS State Regions

- Texas is divided into 6 DPS regions.
- Region 7 is the Capitol Complex.
- Each region has a TDEM Field Response Regional State Coordinator.

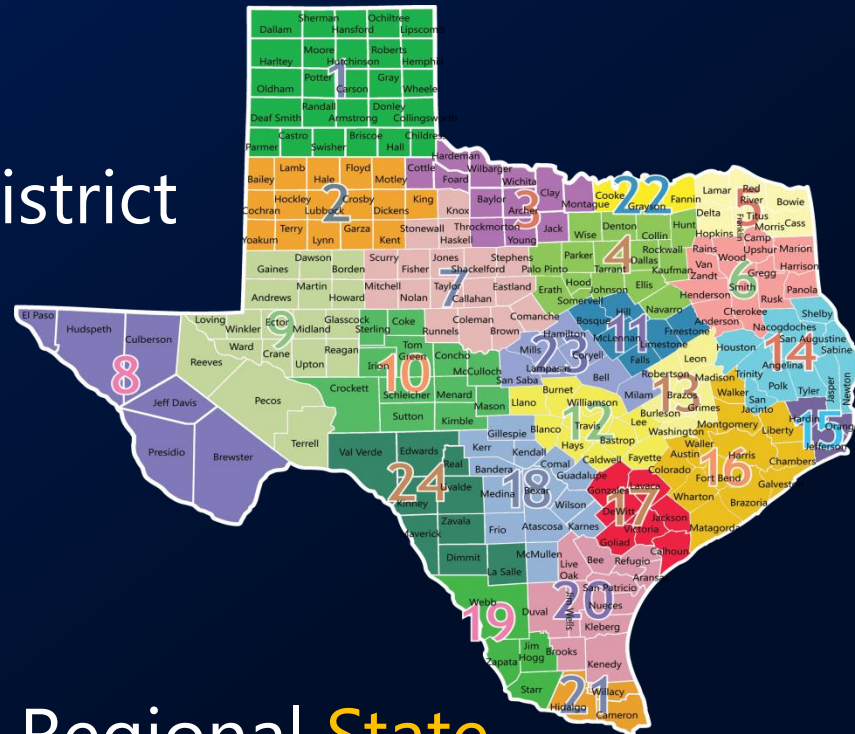






# State Disaster Districts

- Texas has 24 disaster districts.
- Each disaster district has a TDEM District Coordinator(s).
- Field Response Regional State Coordinators oversee the team of district coordinators.







# Emergency Management Council (EMC)

- Texas Military Department
- American Red Cross
- Department of Information Resources
- General Land Office
- Texas Division of Emergency Management
- Public Utility Commission of Texas
- Railroad Commission of Texas
- Salvation Army
- State Auditor's Office
- State Comptroller of Public Accounts
- Texas Animal Health Commission
- Texas Attorney General's Office
- Texas Procurement and Support Services
- Texas Commission on Environmental Quality
- Texas Commission on Fire Protection
- Texas Department of Aging and Disability Services
- Texas Department of Agriculture
- Texas Department of Assistive and Rehabilitative Services
- Texas Department of Criminal Justice
- Texas Department of State Health Services
- Texas Department of Housing and Community Affairs
- Texas Health and Human Services Commission
- Texas Department of Insurance
- Texas Department of Family and Protective Services
- Texas Department of Public Safety
- Texas Department of Transportation
- Texas Education Agency
- Texas A&M Engineering Extension Service
- Texas A&M Forest Service
- Texas Parks and Wildlife Department
- Texas Voluntary Organizations Active in Disaster
- Texas A&M AgriLife Extension Service

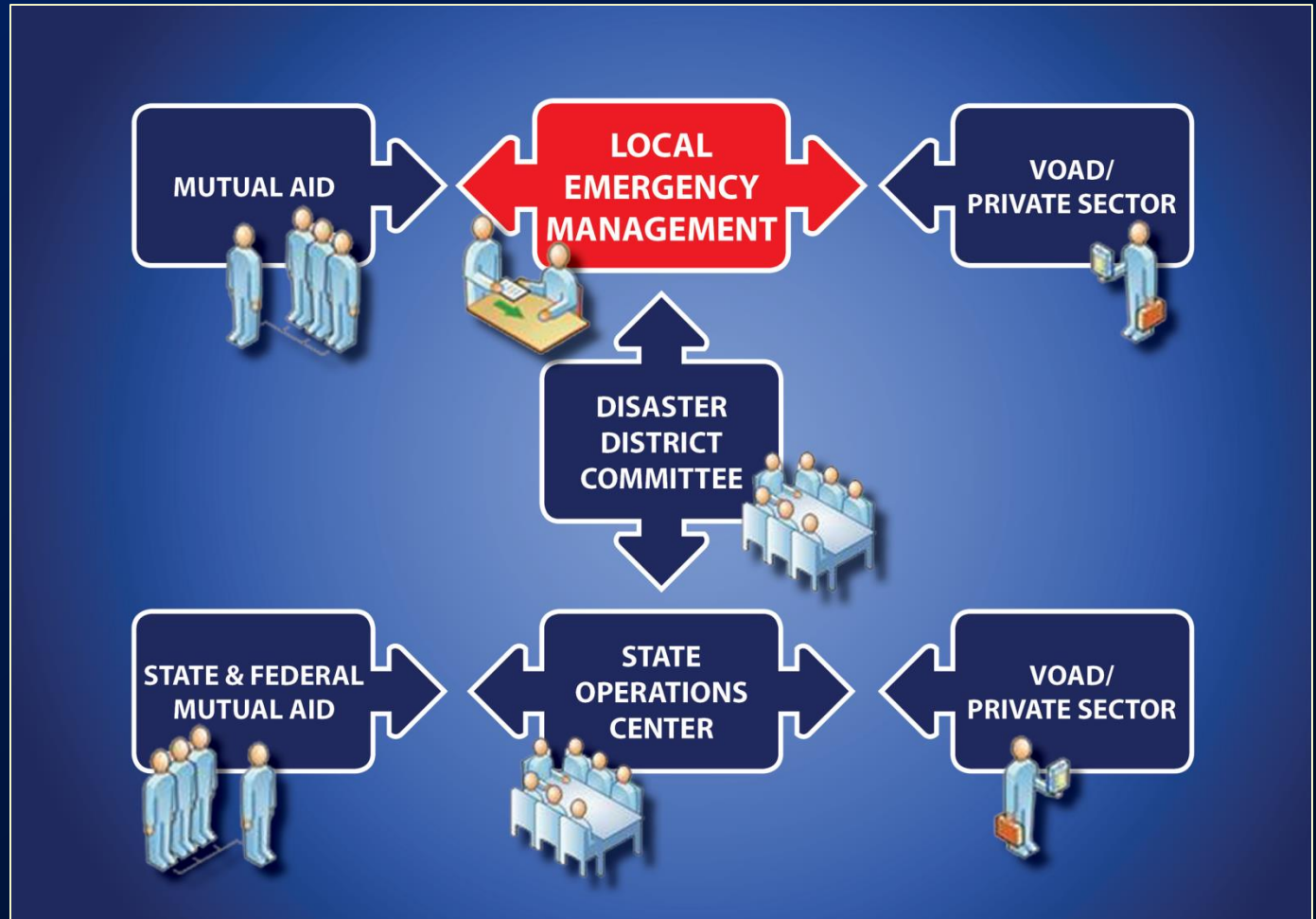


# Texas Government and Administrative Code

- Sec. 418.115. REQUESTING AND PROVIDING MUTUAL AID ASSISTANCE. (a) A request for **mutual aid assistance** may be submitted verbally or in writing. If a request is submitted verbally, it must be confirmed in writing.
- Title 37, RULE §7.24 If local and mutual aid resources prove inadequate for coping with a disaster, the **local government may request assistance from the state** by contacting the local **Disaster District Committee Chairperson.**







# Requesting Assistance



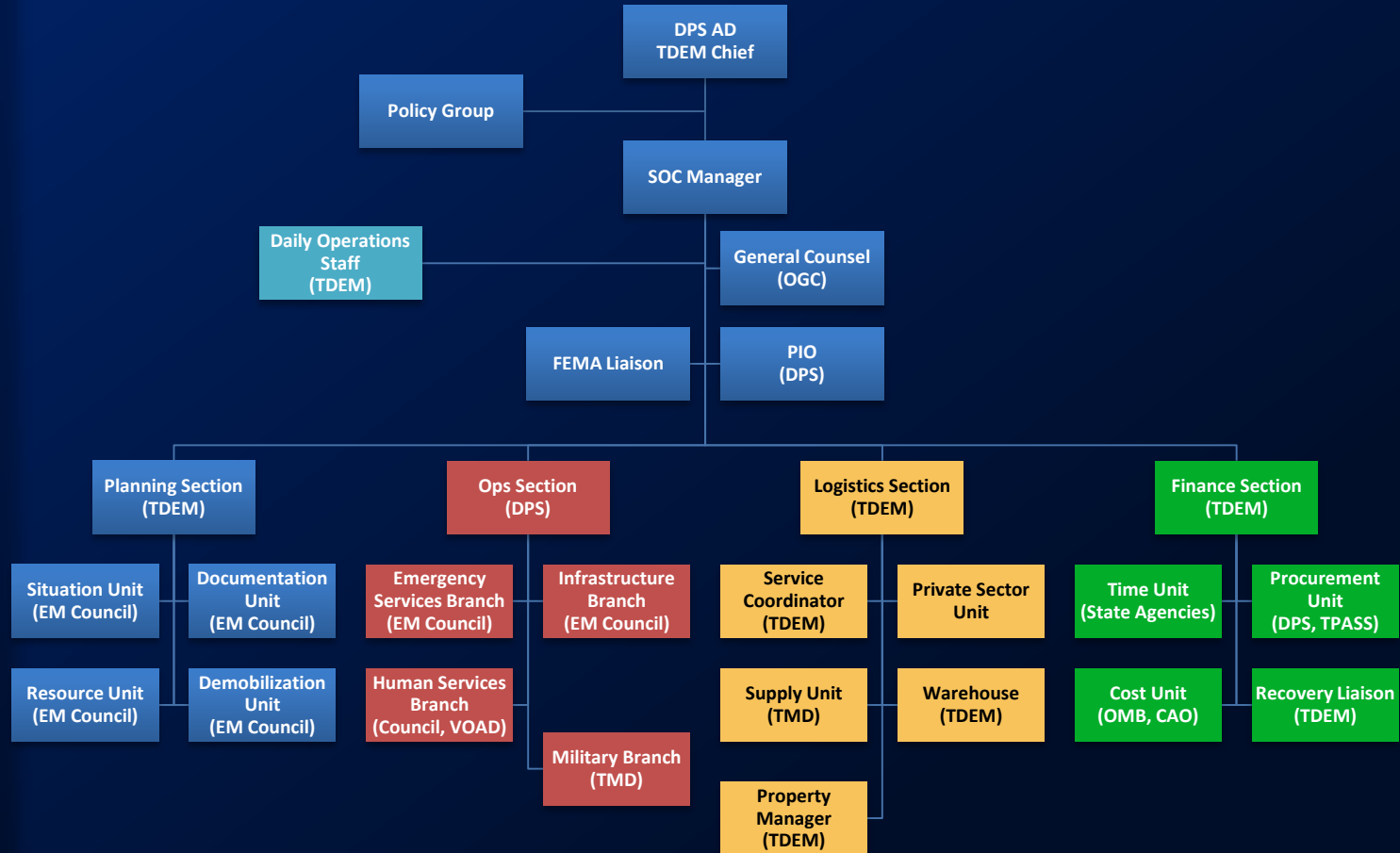


# Emergency Operations

- Level IV  
 Normal Conditions
- Level III  
 Increased Readiness
- Level II  
 Escalated Response Conditions
- Level I  
 Emergency Conditions



# SOC Organization 2010 – 2016







# Emergency Management Council (EMC)

- Texas Military Department
- American Red Cross
- Department of Information Resources
- General Land Office
- Texas Division of Emergency Management
- Public Utility Commission of Texas
- Railroad Commission of Texas
- Salvation Army
- State Auditor's Office
- State Comptroller of Public Accounts
- Texas Animal Health Commission
- Texas Attorney General's Office
- Texas Procurement and Support Services
- Texas Commission on Environmental Quality
- Texas Commission on Fire Protection
- Texas Department of Aging and Disability Services
- Texas Department of Agriculture
- Texas Department of Assistive and Rehabilitative Services
- Texas Department of Criminal Justice
- Texas Department of State Health Services
- Texas Department of Housing and Community Affairs
- Texas Health and Human Services Commission
- Texas Department of Insurance
- Texas Department of Family and Protective Services
- Texas Department of Public Safety
- Texas Department of Transportation
- Texas Education Agency
- Texas A&M Engineering Extension Service
- Texas A&M Forest Service
- Texas Parks and Wildlife Department
- Texas Voluntary Organizations Active in Disaster
- Texas A&M AgriLife Extension Service





# State Operations Center (2016)





# Federal Government

- If an incident is beyond local and state capabilities, the **Governor** can request federal assistance
- The governor's request is made through the **FEMA** Regional Administrator and based on a finding that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and affected local governments, federal assistance is granted

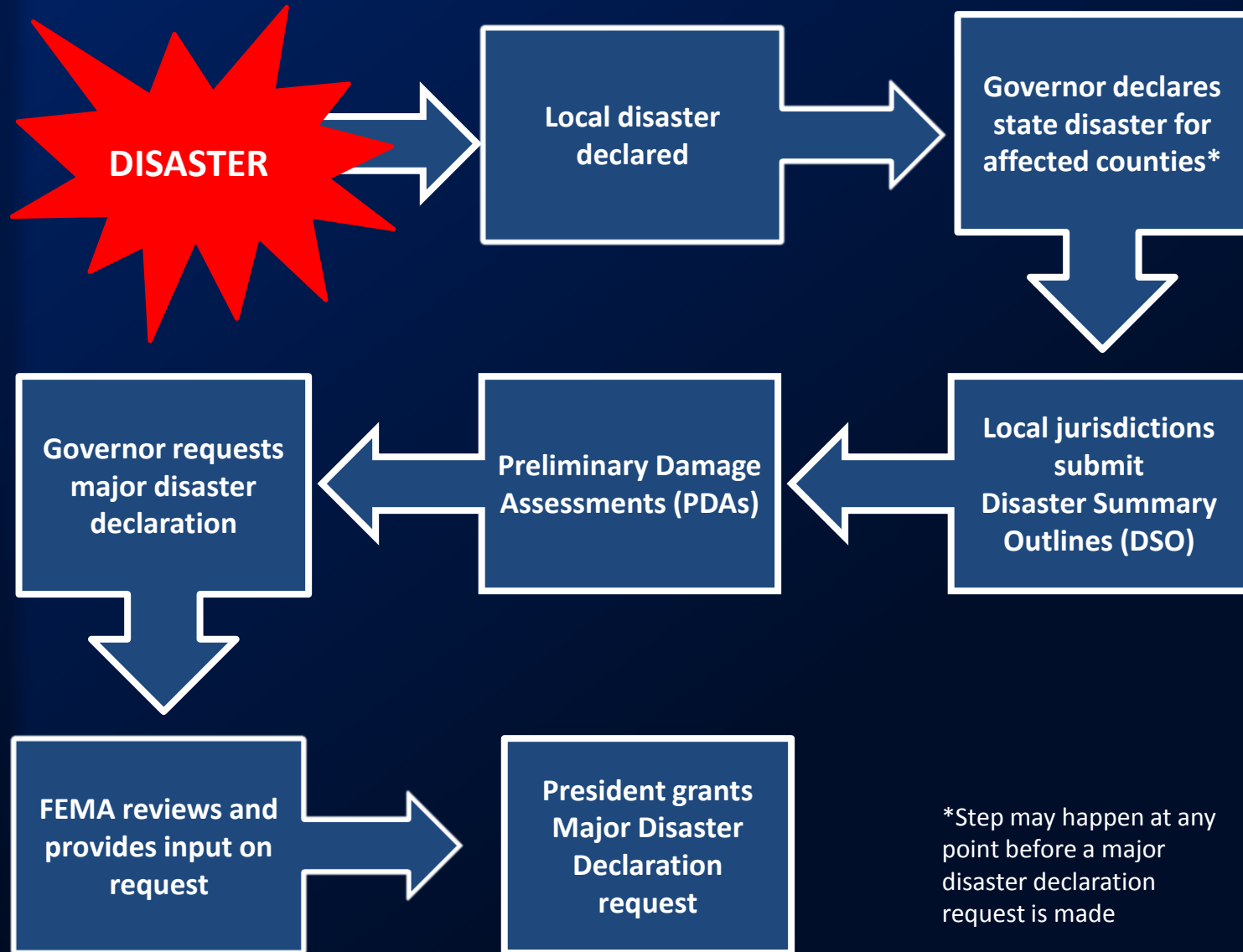


# The Stafford Act

- Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288)
- **Authorizes President** to declare an emergency or major disaster in a state
- Request to President comes from the **governor**
- Makes **federal assistance** available to supplement state and local resources



# Presidential Declaration Process







# Incident Management and Local Control

- Incident management remains under local control for ENTIRE event!
- Texas Administrative Code, Title 37

*Rule §7.26 All local disaster operations will be **directed by officials of local government**. Organized state and federal response teams and teams from other local governments and response organizations providing **mutual aid** will normally work under their existing supervisors, who will take their **mission assignments from the local incident commander**.*



# Lingering Question...

*How, if at all, does the response process change during an event that is not a formally declared disaster?*





# Lingering Question...

*How, if at all, does the response process change during an event that is not a formally declared disaster?*

*The process should remain the same!*



# Remember!

- Federal public health laws are NOT the same as Texas public health laws!
- Often trainings provided by entities like the Emergency Management Institute (EMI) only provide the federal perspective
- Federal laws allow for broader public health authority during a disaster than state law



# Personal Responsibility

- Are you ready?
- Is your family prepared?
- Does your workplace have a plan?
- Does your church, place of worship or civic organization have a plan?
- Does your neighborhood have a plan?

# The Four Challenges





# The Four Challenges

- Be the **expert**



# The Four Challenges

- Be the **expert**
- **Stay in your lane**





# The Four Challenges

- Be the **expert**
- Stay in your **lane**
- **Collaborate** at all cost



# The Four Challenges

- Be the **expert**
- Stay in your **lane**
- **Collaborate** at all cost
- **Make a decision!**



# Texas Department of Public Safety



# Division of Emergency Management



@TDEM  
@TX\_Alerts  
@chiefkidd