



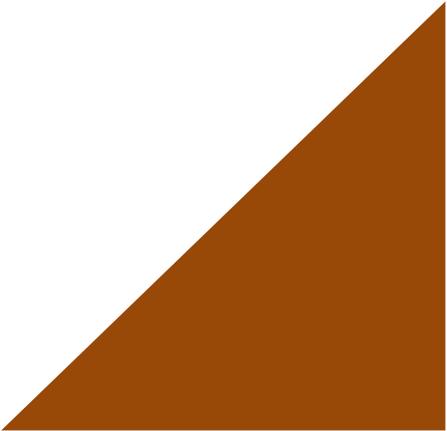
9-1-1

Oklahoma Statewide 9-1-1 Advisory Board

2011
Annual Report
to the
Governor of Oklahoma

and

Senate Bill 175
Recommendations
to the
Oklahoma Legislature



This report by the Oklahoma Statewide 9-1-1 Advisory Board shall serve as both the 2011 *Annual Report to The Governor of Oklahoma* (as required by Oklahoma Statutes) and the *Senate Bill 175 Recommendations to the Oklahoma Legislature* addressing the legislation which was enacted by Governor Fallin and the 53rd Oklahoma Legislature in 2011.

Senate Bill 175

Earlier this year Senate Bill 175 was enacted charging the Oklahoma Statewide 9-1-1 Advisory Board with *producing specific recommendations to be submitted to the Legislature on the following:*

1. *Setting the amount charged for fees that are currently provided in law for the nine-one-one (911) system and any need for additional fees in order to adequately maintain current systems and to uniformly provide the highest levels of technology for emergency nine-one-one (911) systems throughout the state;*
2. *Determining a state agency that may authorize the appointment of the current Statewide Nine-One-One Coordinator to the agency in order to carry out the powers and duties as may be prescribed in the most consistent and efficient manner; and*
3. *Identifying methods for the Statewide Nine-One-One Coordinator to derive more authority in carrying out any directives in implementing and improving the emergency nine-one-one (911) services of this state.*

To create this report the Advisory Board established three committees each assigned to address these three tasks. The committees met regularly during the months of July, August and September. Each committee was chaired by a member of the Advisory Board and consisted of both board members and other professionals from throughout the state.

The October 25, 2011 Statewide 9-1-1 Advisory Board meeting was held in conjunction with the Oklahoma Public Safety Conference in Tulsa. This conference was attended by nearly 200 public safety communications professionals from throughout the state. At the October meeting, the board as well as conference attendees received the final recommendations from each of the committees. In addition, the floor was open for public comments from those in attendance. After discussion and public comments the Statewide 9-1-1 Advisory Board adopted the recommendations contained in this report.

9-1-1 Fees

Task Assigned:

1. Setting the amount charged for fees that are currently provided in law for the nine-one-one (911) system and any need for additional fees in order to adequately maintain current systems and to uniformly provide the highest levels of technology for emergency nine-one-one (911) systems throughout the state;

Recommendations:

1. The Oklahoma State Legislature should establish a new flat fee (9-1-1 surcharge) to be assessed across all communication technologies for every user in the state.
2. The state 9-1-1 surcharge should be remitted to the Oklahoma Tax Commission, which will then distribute the funds collected to the State 9-1-1 Coordinator.
3. The funds collected through this state 9-1-1 surcharge would be allocated by the State 9-1-1 Coordinator as directed by the Oklahoma Statewide 9-1-1 Advisory Board.
4. The principal purposes of this fund would be to:
 - a. Provide grants to 9-1-1 systems to implement and upgrade their 9-1-1 system pursuant to criteria established by the Oklahoma Statewide 9-1-1 Advisory Board (similar to the Washington State model)
 - b. Fund the State 9-1-1 Coordination Office

Discussion:

The committee that addressed this issue weighed several options. The general consensus of the committee was to provide an independent **state** funding source to fund the **state** organization without doing any additional financial harm to the fees already established (in many cases by the vote of the people) at the local level. It was universally agreed that a new state organization could not be funded out of the existing

local 9-1-1 fees. The current 9-1-1 funding model is not sufficient to maintain PSAP operations at today's level, let alone for migration to next generation (NG) 9-1-1 system.

Much debate occurred over the amount this "state fee" should be. The committee looked at other states and discovered while evaluating both local and state fees currently being collected averages 87-cents per wireless subscriber. Before an amount could be proposed, the committee recommended an extensive study be done on the amount of funds needed to build out the local systems, and to fund a state office. Wireless carrier representation on the committee indicated that any fee imposed would have to be "flat" allowing one amount charged for each customer state-wide (verses varying amounts dependent upon sub-jurisdiction).

Serious debate also focused around eligible expenses to be allowed through formula grants. Discussion seemed divided over limiting grants to capital expenses versus funding overall operations (such as personnel and ancillary equipment used to dispatch 9-1-1 calls). The committee decided to defer this debate to the State 9-1-1 Advisory Board so that further statewide information could be gathered.

Concerns also were discussed relating to a new service fee in the current general anti-tax political environment at both the state and national level, and the view of many that this is a tax instead of a service fee. The committee saw no way around the fact that additional revenue would need to be infused into this new system in order to fund a state office and provide a uniform level of 9-1-1 service throughout the state. However, the committee also recalled that nearly all elections for 9-1-1 services have been successful, and in many cases exceeding 75% positive vote.

Ultimately, sufficient funds must be provided to pay for migration to and maintenance of a next generation (NG) 9-1-1 system, as well as Public Safety Answering Point (PSAP) equipment and operational and training costs, to ensure all emergency communications are routed to the appropriate emergency response entities. In assessing and collecting 9-1-1/ emergency communication funds, some basic principles should be adhered to:

1. Funds collected must be used for their intended purpose-No raiding for non 9-1-1/emergency communication purposes.
2. Fee should be assessed from all access methods and technology neutral – any communication device in which the public has an expectation to receive emergency services.
3. If the fees are assessed, the service should be delivered within a specified time frame.

State 9-1-1 Agency

Task Assigned:

2. Determining a state agency that may authorize the appointment of the current Statewide 9-1-1 Coordinator to the agency in order to carry out the powers and duties as may be prescribed in the most consistent and efficient manner;

Recommendations:

1. The state legislature should create an independent Office of the State 9-1-1 Coordinator similar in format to the Oklahoma Office of Homeland Security in order to implement the duties already outlined in Oklahoma law.
2. The agency should be housed within either the Department of Public Safety or the Office of the Chief Information Officer in order to provide the synergy necessary for the implementation of state of the art enhanced 911.

Nine-one-one administration is unique. It combines the duties of an emergency first responder with the technology of a 21st century network administrator. It is not a perfect fit for any executive agency.

The structural organization of the 9-1-1 office is as important as its location within the executive branch. The office will be small. No matter where it is housed, the agency will be large. The danger will be that 911 coordination will be co-opted into the much larger function of the bureaucracy. Many statewide 911 offices have experienced the raiding of their dedicated 911 funds to pay for other state functions in a shrinking economy.

To prevent that, the structure of the 911 office should be independent but accountable. The Office of Homeland Security provides a good template for consideration. In that agency, the Governor is authorized to appoint the director and set the salary, but other agencies can assign personnel to the office by interagency agreement. The Governor was authorized to choose which agency will house the OHS, provide administrative personnel and support. Using this model for the 9-1-1 Coordinator's office, would allow for the independence of the office, but the support and expertise of a larger agency without duplication of personnel.

The Statewide 911 Advisory Board committee looked at the mission and organization of the Department of Health, the Office of Emergency Management, the Office of Homeland Security, the Department of Public Safety, the Oklahoma Corporation Commission and the office of the Chief Information Officer.

The factors considered by the committee were: 1) whether the agency already has relationships built with local governments, 2) whether the agency is “tech-savvy” especially about networks, databases and mapping, 3) whether the agency has a healthy internal culture that would not be hostile to a new 9-1-1 officer, 4) whether the agency has mapping resources at hand, and, 5) whether the agency knows anything about public safety.

The committee also reviewed how other states have organized their 911 function. Out of the 50 states reviewed, about 11 located their 911 central office in a department for public safety and about 5 chose the office dedicated to information technology.

The Oklahoma Department of Public Safety has expertise in emergency first response. Like 911, their goal is to get the right help to the right location as rapidly and efficiency as possible. ODPS also has experience in dealing with local governments in deploying and coordinating an interoperable radio system. The department has provided staff support to the Statewide 911 Advisory Board free of charge. The currently appointed State 911 Coordinator is an employee of that department.

The Department of Public Safety does not have expertise in telephonic communications, networks, managing a large 911 database, and has lesser knowledge GIS mapping.

The Office of the Chief Information Officer (CIO) was created to coordinate the information technologies of the various state agencies, with the goal being to prevent duplication and increase efficiencies. That is also the dream of Next Generation 911, where individual 911 agencies would be connected and completely interoperable with one another. Personnel in the CIO would understand networks and the management of the large 911 database. Personnel would have the expertise to understand the role of GIS mapping.

The CIO does not have the contacts in local governments or the expertise in emergency response.

Neither agency could absorb the duties of 911 coordination into its existing operation using existing personnel. The specialized knowledge of 911 administration is not present in any agency at this time.

Statewide 9-1-1 Coordinator Duties

Task Assigned:

3. Identifying methods for the Statewide 9-1-1 Coordinator to derive more authority in carrying out any directives in implementing and improving the emergency 9-1-1 services of this state.

Recommendations:

The Oklahoma State 9-1-1 Coordinator serves as the chief executive and operating officer of the Oklahoma Statewide 9-1-1 Advisory Board. The Coordinator serves at the pleasure of the Advisory Board, and is administratively attached to an agency to be determined.

The coordinator is charged with carrying out the duties of the Statewide 9-1-1 Advisory Board as outlined in 63 O.S. 2847:

1. *Secure resources for the creation, operation, expansion and cooperative undertaking of local public safety answering points;*
2. *Secure and direct the distribution of public funds and grants as needed;*
3. *Facilitate information-sharing among public safety answering points;*
4. *Create and maintain best practices databases for public safety answering point operations;*
5. *Encourage equipment and technology sharing among small jurisdictions;*
6. *Take steps to expand enhanced wire-line nine one-one service to every telephone user in the state;*
7. *Assist public safety answering points in implementing Phase I and Phase II wireless technology;*
8. *Provide a clearinghouse of contact information for all telephone companies operating in the state and contact information and 9-1-1 fees charged in each jurisdiction;*
9. *Develop training program standards for nine-one-one call takers;*
10. *Designate a Statewide 9-1-1 Coordinator; and*
11. *Take any steps necessary to carry out the duties provided for in this subsection.*

In performing the duties of the board, the Coordinator would manage the day-to-day operation of the State 9-1-1 Office, implementing all actions approved by the Advisory Board and providing leadership and recommendations to the Advisory Board aimed at fulfilling its legislative mandates. The Coordinator may serve as the Advisory Board's spokesperson before state and federal governmental entities, public groups and the media.

Discussion:

The committee that evaluated the coordinator's duties began its task with a survey to other state 9-1-1 coordination offices. The questionnaire sought information regarding job description, pay range, funding, staffing and location of office in state government.

It was the consensus of the committee that the state coordinator be a collaborator and resource for 9-1-1 entities within the state. The Statewide 9-1-1 Advisory Board should be highly involved in managing the activities and direction of the state coordinator to ensure accountability to the 9-1-1/ emergency communications missions.

The committee agreed that in order to perform all the duties outlined, more than one staff member would be required. Depending upon the agency that houses the coordinator's office, assignment of existing agency staff to additional chores could be possible, especially where technology such as mapping and network development is required.

The committee developed a complete job duties list which is provided in Appendix A of this report.

Background

Though much progress has been made, Oklahoma continues to face many of the challenges outlined in 2007 in the statewide 9-1-1 Advisory Board's Assessment and Strategic Plan. A primary cause for the lack of E9-1-1 service in many of these locations is directly related to the lack of adequate funding. In Oklahoma, E9-1-1 services are paid for via a local E9-1-1 surcharge placed on landline, wireless, and VoIP telephone customers. In order to receive such funds, local jurisdictions must have enacted the E9-1-1 surcharges on each of these communication services.

A number of counties lack the population and the associated telephone subscriber base necessary to fund the implementation and operation of E9-1-1 services. As such, those counties have not enacted a E9-1-1 surcharge on telecommunications services since it would not raise sufficient monies to fund the system. Yet worse, counties have imposed the fee only to discover the start-up costs so exorbitant that E9-1-1 services are not delivered, or not delivered at the most enhanced levels (i.e. Phase I or Phase II wireless location information).

Additionally, in some Oklahoma counties, the ability for a local jurisdiction to fund the ongoing operation of the system is eroding as subscribers substitute wireless service in place of their landline telephones. In these areas the wireless E9-1-1 surcharges are not adequate, leaving the community financially vulnerable to the shifting technology.

In other areas the growth of wireless customers in Oklahoma places increased demands on the E9-1-1 system and the current 50-cent wireless E9-1-1 surcharge may be less than the corresponding landline fee in some locations

What is “enhanced” 9-1-1?

Enhanced 9-1-1 means that an emergency call is routed to the correct call center for the caller, to get the right first responder to the scene. Data travels along with the call to show the address or a latitude/longitude of the call in case the caller cannot describe his/her location. Oklahoma localities are in various states of deploying enhanced 9-1-1, also known as E9-1-1, landline and wireless service.

How is 9-1-1 currently funded?

9-1-1 is funded by local governments using general revenues and up to four different types of fees. Landline fees are assessed by a city or county as a percentage of the telephone base rate. The percentage runs from 3% to 15% depending on the jurisdiction, and results in a fee as high as \$4 depending on the percentage. That fee is remitted by the telephone company directly to the jurisdiction that assessed a fee.

Cell phones purchased under a contract with the company are assessed a 50-cent per month fee to fund “enhanced” wireless 9-1-1 service, meaning the technology needed to send the call to the right answering center and to be able to locate the caller on a map. Those fees are remitted by the cell phone company to the council of governments (COG) representing the assessing jurisdiction. The COG then disburses the money to the jurisdictions based on a subscriber count submitted by each cell phone company annually.

Cell phones and minutes purchased on a prepaid basis are charged a 50-cent per transaction fee. The purpose of the fee is also to provide enhanced wireless 9-1-1 service. Those fees are remitted by the vendor to the Oklahoma Tax Commission who distributes to a list of eligible jurisdictions developed by the Statewide 9-1-1 Advisory Board. The fees are apportioned by population to the eligible jurisdictions.

Voice over Internet Protocol (VOIP) telephones are assessed a 50-cent per month fee by the city or county. That fee is remitted to the jurisdiction which assessed the fee.

Challenges

It is incumbent upon the state legislators to advance the process for the state. One approach suggests that by collecting a wireless E9-1-1 surcharge and establishing state administrative mechanisms, the necessary rules and procedures will be created. With the development of implementation plans, a cooperative effort can plan, coordinate and implement adoption while also providing a structure for maintenance and operation of the system.

Two new issues have developed, since the majority of counties have assessed a wireless fee. Several city-county disputes have arisen with jurisdictions that want the fees but want to contract with others for the service, or jurisdictions that have the fees and will not share them to functioning 9-1-1 centers in their territory. The result of these disputes if often enhanced 9-1-1 service delivery is delayed or never delivered despite the voter assessed fee. The Oklahoma statutes should be clarified to provide clear cut criteria for fee eligibility.

Secondly, as of December 31, 2012, all jurisdictions are required to organize into emergency communication districts and to develop a plan for the delivery of enhanced 9-1-1 services. If jurisdictions cannot cooperate to create a district, one is created for them under the terms of 63 O.S. 2849 (2009). The intent of the law is to promote the creation of regional systems in places that are too small to deliver the service alone. The problem with the current law is that it provides no incentives to the jurisdictions and has no enforcement mechanism. The law names no authority to assist the jurisdictions in the development of a plan, or establishment of a cooperative agreement. This law should be clarified and strengthened.

The future of 9-1-1

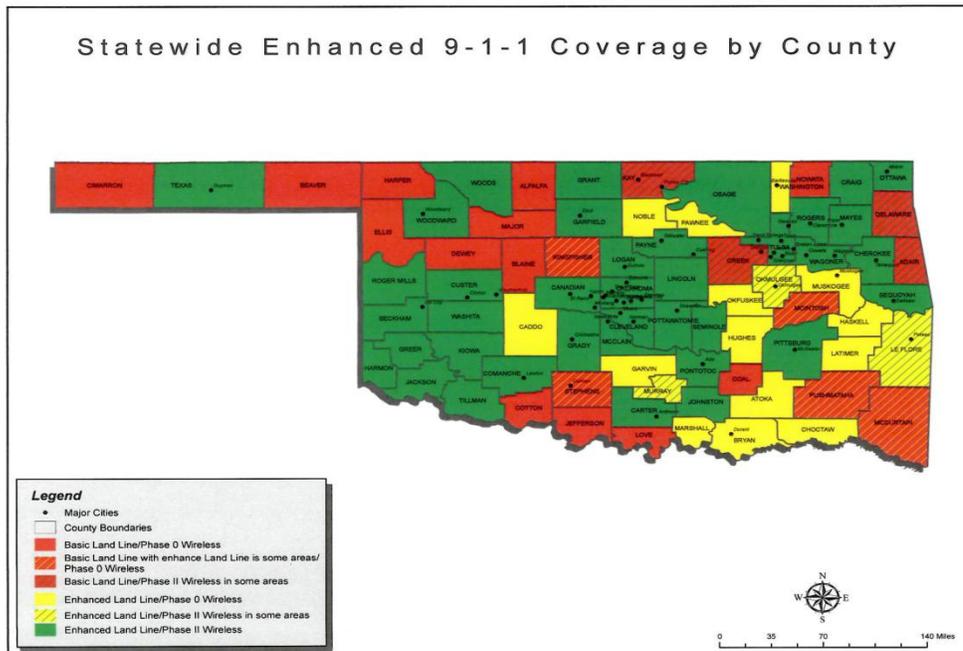
9-1-1 services are moving into “next generation” (NG) technology, which changes the network that delivers all sorts of information to interconnected public safety agencies. Next generation 9-1-1 technology can collect more types of data such as video, text, reports from alarms, vehicle crash notifications, and share them with interconnected first responders. It can provide, for example, call taker’s access to a medical database of information in case the citizen is incapacitated at the time of the call. It can read and translate data provided by a vehicle. It can receive and transfer a video of a crime in process to the first responder in the field. The next generation network can connect together as many first responders as are willing to cooperate and share information, even statewide.

Statewide Coordination

With 9-1-1 technology advancing to the next generation, it is important to have statewide coordination of 9-1-1 services. A state coordinator’s office would meet many public safety needs that are now lacking.

Getting an accurate picture of the current state of deployment of 9-1-1 services is difficult. The previously shown maps are based on antidotal information derived from telephone calls made by volunteers on the Statewide 9-1-1 Advisory Board. There are no requirements for call centers to report on the status of their service, and no office to collect the data.

JURISDICTIONS THAT HAVE IMPLEMENTED ENHANCED SERVICE



*The counties in green have enhanced wireless and landline service.
The counties in yellow have only enhanced landline service.
The counties in red have neither.*

The deployment map may not be accurate; it is simply the best information available. There is no enforcement agency to prevent a jurisdiction from assessing the fees and not providing the service. No one from the state is watching.

Even after a jurisdiction assesses the 9-1-1 fees, implementing the service can be daunting. Purchases must be made for 9-1-1 equipment, network, databases and call routing. The jurisdiction must develop an electronic map to be used in the equipment. That often involves building address ranges and GPS point data from scratch. In smaller jurisdictions, there can be a lack of qualified people who have the knowledge to deploy the service.

The task is made easier and less expensive if jurisdictions will cooperate with each other to form a regional 9-1-1 system. Regional systems have had success in many parts of the state, allowing even some of the smallest counties to provide enhanced wireless service. Cooperation is dependent, however, on the quality of leadership at the local level. State coordination could provide technical expertise, best practices, and workable regional models to deploying jurisdictions.

Right now, the quality of 9-1-1 customer service is dependent on whatever jurisdiction is supervising the call taker. There are no statewide training standards or requirements. Opportunities for call taker training are spotty, depending on which call center has pursued national certification and is able to teach classes.

Local jurisdictions can take the project only so far. The need for a state 9-1-1 office is critical. Next generation 9-1-1 cannot be uniformly implemented without statewide leadership.

Oklahoma Statewide 9-1-1 Advisory Board

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Diane Pedicord, Oklahoma Municipal League

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Lucien Jones, City of Oklahoma City

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Mary Kimble, Cherokee County 9-1-1

Gene Linton, City of Ada

Appendix A

Duties of the Statewide 9-1-1 Coordinator

The Oklahoma State 911 Coordinator serves as the chief executive and operating officer of the Oklahoma Statewide 9-1-1 Advisory Board. The Coordinator serves at the pleasure of the Advisory Board, which is administratively attached to _____.

The Coordinator is charged with day-to-day management of the State 9-1-1 Office, implementing all actions approved by the Advisory Board and providing leadership and recommendations to the Advisory Board aimed at fulfilling its legislative mandates. The Coordinator may serve as the Advisory Board's spokesperson before state and federal government entities, public groups and the media.

Legislatively, the duties shall include:

1. Secure resources for the creation, operation, expansion, and cooperative undertaking of local public safety answering points;
2. Secure and direct the distribution of public funds and grants as needed;
3. Facilitate information-sharing among public safety answering points;
4. Create and maintain best practices databases for public safety answering-point operations;
5. Encourage equipment and technology sharing among small jurisdictions;
6. Take steps to expand enhanced wire-line nine-one one service to every telephone user in the state;
7. Assist public-safety answering points in implementing Phase I and Phase II wireless technology;
8. Provide a clearinghouse of contact information for all telephone companies operating in the state and contact information and nine-one-one fees charged in each jurisdiction;
9. Develop training program standards for nine-one-one call takers;

Job duties:

- Ensures compliance with all applicable federal, state and local laws and regulations.
- Evaluates the efficiency and effectiveness of 9-1-1 operations and systems used in the State of Oklahoma and recommends enhancements to the 9-1-1 Board.
- Acts as liaison with public safety agencies, elected officials, media, vendors and the general public in regards to 9-1-1 matters, subject to guidance and boundaries set by the 9-1-1 Board
- Collaborate with other officials to prepare and analyze impact assessments, based on formation of 9-1-1 districts, consolidations, or actions taken by local governments or individual elected officials.

- Develop instructional materials for the public and make presentations to citizens' groups to provide information on 9-1-1 systems, plans, and usage.
- Assist local officials in determining their operational and functional capabilities in emergency situations as it relates to 9-1-1 systems and operations.
- Provide communities with assistance in applying for federal funding for 9-1-1 related systems and facilities, and other related items.
- Train local groups in the preparation of long and short-term 9-1-1 plans that are compatible with federal and state plans.
- Assist in the development and implementation of training standards/certification of 9-1-1 personnel.
- Stay informed of federal, state, and local legislation and regulations affecting 9-1-1 emergency service plans and ensure that Oklahoma's plans conform.
- Apply for 9-1-1 related federal funding/grants.
- Maintain and update all resource materials associated with State 9-1-1 plans and policies.
- Determine the types of 9-1-1 related needs to be addressed in disaster planning.