

Executive Summary Disaster Service Worker Volunteer Program Loyalty Oath Self-Certification Authorization	
Date:	August 30, 2018
Prepared by:	Phillip Cook Disaster Medical Health Specialist, Deputy County Clerk San Joaquin County Disaster Healthcare Volunteer Unit Administrator San Joaquin County Emergency Medical Services Agency
Presented to:	San Joaquin County Emergency Services Council
Purpose:	Request Emergency Services Council approval to authorize San Joaquin County Disaster Service Workers to self-certify their loyalty oath on the Disaster Service Worker registration form.
Overview:	<p>The State of California Disaster Service Worker Volunteer Program (DSWVP) was created as the result of legislation to provide worker's compensation benefits in the event a Disaster Service Worker (DSW) volunteer is injured while performing authorized disaster service duties. The program also provides limited liability protection.</p> <p>California law requires individuals to register with an Accredited Disaster Council (ADC) in order to become a DSW volunteer. Each DSW volunteer must subscribe to the loyalty oath in order to be officially registered and to be eligible for worker's compensation benefits.</p> <p>The oath subscription may be fulfilled in one of two methods:</p> <ol style="list-style-type: none"> 1. Self-certification or 2. Authorized officer administered <p>The ADC may have volunteers subscribe to the oath by reading the oath printed on the DSW registration form and self-certifying, under penalty of perjury, in a manner consistent with California Code of Civil Procedure §2015.5. The ADC may, at its sole discretion, implement a more restrictive oath-taking process for its volunteers, such as administering the oath in person by an authorized officer.</p> <p>If the ADC elects the second method, volunteers must take and subscribe to the oath before an officer with oath administration authority, i.e. county clerk, elected officials, notary public.</p>
Issues:	Requiring volunteers to appear in-person before an authorized officer to take and subscribe to the loyalty oath is time consuming for both the volunteer and authorized officer; and may impede the deployment of DSW volunteers during times of disaster.
Recommendation:	The San Joaquin County Emergency Services Council officially authorizes volunteer loyalty oath self-certification.

References:

1. Title 19 California Code Regulations Div.2, Chap.2, Sub-Chap.3, §2573.1
2. California Disaster Service Worker Volunteer Program Guidance, October 2016,
3. California Disaster Service Worker Volunteer Registration Form, August 2016
4. California Government Code §1225, 1362, 3102-3109, 8205
5. California Code of Civil Procedure §2015.5

DISASTER SERVICE WORKER VOLUNTEER REGISTRATION

LOCAL AND STATE INFORMATION

Loyalty Oath under Code of Civil Procedure §2015.5 & Title 19, Div.2, Chap.2, Sub-Chap.3, §2573.1

TYPE OR PRINT IN INK:

SHADED AREAS REQUIRED BY PROGRAM REGULATIONS

ATTACH
PHOTOGRAPH
HERE

This block completed ONLY by Accredited Disaster Council, designated government agency or jurisdiction.

CLASSIFICATION: _____ **SPECIALTY:** _____

REGISTERING AGENCY OR JURISDICTION: _____

SIGNATURE OF AUTHORIZED PERSON: _____ **TITLE:** _____

REGISTRATION DATE: _____ **RENEWAL DATES:** _____

EXPIRATION DATE:* _____ **DSW CARD ISSUED?:** NO? YES? #: _____

PROCESSED BY: _____ **DATE:** _____ **TO CENTRAL FILES:** _____

NAME: LAST		FIRST		MI		SSN:	
ADDRESS:			CITY:			STATE	ZIP:
COUNTY:			HOME PHONE:			WORK PHONE:	
PAGER:			E-MAIL:			DATE OF BIRTH: (optional)	
DRIVER LICENSE NUMBER: (if applicable)			DRIVER LICENSE CLASSIFICATION: A? B? C?			LICENSE EXPIRATION DATE:	
OTHER DRIVING PRIVILEGES:							
IN CASE OF EMERGENCY, CONTACT:						EMERGENCY PHONE:	
PHYSICAL IDENTIFICATION:	HAIR:	EYES:	HEIGHT:	WEIGHT: (optional)	BLOOD TYPE: (optional)		
COMMENTS:							

PARENT/LEGAL GUARDIAN CONSENT FOR MINOR

As the parent or legal guardian of _____, a minor, I hereby give my full consent and approval for him/her to participate as a DSW volunteer. I understand there may be risks of serious bodily injury inherent in DSW volunteer activities, as well as in traveling and other related activities incidental to his/her participation, and I hereby assume these risks on behalf of him/her.

SIGNATURE OF PARENT/LEGAL GUARDIAN

DATE

Government Code (GC) §3108-3109:

Every person who, while taking and subscribing to the oath or affirmation required by this chapter, states as true any material matter which he or she knows to be false, is guilty of perjury, and is punishable by imprisonment in the state prison for two, three, or four years. Every person having taken and subscribed to the oath or affirmation required by this chapter, who, while in the employ of, or service with, the state or any county, city, city and county, state agency, public district, or disaster council or emergency organization advocates or becomes a member of any party or organization, political or otherwise, that advocates the overthrow of the government of the United States by force or violence or other unlawful means, is guilty of a felony, and is punishable by imprisonment in the state prison.

LOYALTY OATH OR AFFIRMATION (GC §3102) If SELF-CERTIFICATION approved by ADC, official's signature and title not required.

I, _____, do solemnly swear (or affirm) that I will support and defend the

PRINT NAME

Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservations or purpose of evasion; that I will well and faithfully discharge the duties upon which I am about to enter. I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed on _____ in _____, _____, California.

DATE

City

COUNTY

SIGNATURE OF VOLUNTEER

DATE

SIGNATURE OF OFFICIAL AUTHORIZED TO ADMINISTER LOYALTY OATH

TITLE

*Registration for the active DSW Volunteer is effective for the period the person remains a member with that organization; for a volunteer registering for an intermittent or a single event, the expiration date is at the discretion of the Accredited Disaster Council but not to exceed one year. (See GC §3102)