

**MINUTES OF THE MEETING
OF THE
COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-Eighth Session
March 9, 2015**

The Committee on Government Affairs was called to order by Chairman John Ellison at 9:04 a.m. on Monday, March 9, 2015, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/78th2015. In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman John Ellison, Chairman
Assemblyman John Moore, Vice Chairman
Assemblyman Richard Carrillo
Assemblywoman Victoria A. Dooling
Assemblywoman Amber Joiner
Assemblyman Harvey J. Munford
Assemblywoman Dina Neal
Assemblywoman Shelly M. Shelton
Assemblyman Stephen H. Silberkraus
Assemblywoman Ellen B. Spiegel
Assemblyman Lynn D. Stewart
Assemblyman Glenn E. Trowbridge
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblyman Edgar Flores (excused)

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst

Eileen O'Grady, Committee Counsel

Erin Barlow, Committee Secretary

Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Chuck Callaway, Police Director, Office of Intergovernmental Services,
Las Vegas Metropolitan Police Department

Eric Spratley, Lieutenant, Legislative Services, Washoe County Sheriff's
Office

Vanessa Spinazola, Legislative and Advocacy Director, American Civil
Liberties Union of Nevada

Yvette Williams, representing the Clark County Black Caucus

John Wagner, State Chairman, Independent American Party of Nevada

Janine Hansen, State President, Nevada Families for Freedom

Steve Yeager, representing the Office of the Public Defender,
Clark County

Juanita Clark, Board Member, Charleston Neighborhood Preservation

Gene Collins, Private Citizen, Las Vegas, Nevada

Katherine Duncan, President, Ward 5 Chamber of Commerce, Las Vegas

Mike Cathcart, Business Operations Manager, City of Henderson

Chris Collins, Executive Director, Las Vegas Police Protective Association
Metro

Ronald P. Dreher, Government Affairs Director, Peace Officers Research
Association of Nevada

Robert Roshak, Executive Director, Nevada Sheriffs' and Chiefs'
Association

Tom Grady, representing the City of Fallon

Chairman Ellison:

[Roll was called. Committee rules and protocol were explained.] I will open the
hearing on Assembly Bill 162. Good morning, Assemblyman Munford.

Assembly Bill 162: Revises provisions governing the use of portable event recording devices by law enforcement. (BDR 23-443)

Assemblyman Harvey J. Munford, Assembly District No. 6:

I have a very interesting bill to present to you, especially in light of so many things happening around the country today. This morning, I come before you to present Assembly Bill 162 to require on-duty law enforcement officers to wear portable recording devices to record audio and video during encounters with the public. The bill will not solve all our problems concerning relationships between law enforcement and the communities they protect. However, it is a start, as visual evidence will allow for clear pictures of what happened on those occasions when a dispute arises and the facts are sometimes cloudy and not totally transparent. My hope is that having these cameras allows the public and the law enforcement agencies to view the same footage of problem situations. This openness many head off protests by communities that believe their law enforcement officers used unreasonable force in a specific situation. We all saw the news accounts of protests on the events from this past August in Ferguson, Missouri. [Assemblyman Munford continued to read from ([Exhibit C](#)).]

A grand jury of nine Caucasians and three African Americans, failing to indict Officer Darren Wilson for the death of Michael Brown, caused another round of protests and demonstrations, spreading throughout the entire United States. I cannot say absolutely that, had my modest proposal for law enforcement to wear body cameras been in the law in Missouri, the peaceful protesting and isolated rioting would not have happened. [Assemblyman Munford continued to read from prepared testimony ([Exhibit C](#)).] The bill itself is straightforward. What I will do before I go into the bill is take questions from the Committee members.

Chairman Ellison:

I can tell you are passionate about this, like all of us.

Assemblywoman Neal:

Currently, the Las Vegas Metropolitan Police Department (Metro) has a policy in place that they use the cameras on new officers who complete mandatory training, correct?

Assemblyman Munford:

Yes. There are some in use presently. But not all the patrol officers are equipped with cameras at this point.

Assemblywoman Neal:

Have you been able to get any of their reports regarding the cameras that they have had on the new officers? I believe there was an agreement made in 2012 that had new officers wearing cameras. I think they have some data out there regarding how well they functioned and what some of the glitches were. Were you able to get any of that information?

Assemblyman Munford:

I do not have the data on that. But there will be some testimony from current officers here behind me who will be able to provide you with that information.

Assemblyman Trowbridge:

I am concerned about the legal issues. Can we safely assume that both parties in a dispute have agreed to admissible evidence when the incident has been audiovisually recorded? Is there going to be a requirement, like in tape recording a conversation, where both or one party has to agree that they can be recorded, or would there have to be an assumption that all these contacts are subject to audio and visual coverage? I do not know if the Supreme Court of the United States will uphold something like that.

I have seen electronic equipment go from being extremely expensive to fairly affordable. A DVD player used to be a \$700 item; now it is \$99 all over the place. I wonder about the cost. Not only does the camera cost money, but the storage of information and maintenance do too. If an officer is wearing an expensive camera and has to run or wrestle, it can get broken and incur a repair or replacement cost.

I went home this weekend and had the pleasure of sitting in a friend of mine's brand-new Volkswagen. That car had 360-degree coverage with cameras. I thought, wow, that might be something nice to have on a marked police car. As some people know, I judge boxing. The spectators often criticize the official because he is sitting there watching the fight from one particular angle. But on television, they have multiple cameras, and the spectators see a different fight from different angles. Maybe more than one camera would give a more accurate view of what is going on. Maybe subsequent generations of cameras will be much more affordable. We have here a money issue, a legal issue, and new technology. I do not know what is right or wrong, but the idea of having confrontations or contacts recorded is absolutely beneficial from all sides. I would like it to happen, but it is just a matter of the how, the when, and the how much.

Assemblyman Munford:

There is no question about it. There is going to be a cost. But we want to see some way we can enable this and avoid going through the Assembly Committee on Ways and Means. This is a really critical situation and something that has touched this entire country.

And you know, Assemblyman Trowbridge, there was an incident just this weekend in Madison, Wisconsin. When can we get a handle on this and get it under control? It seems like the victims are almost always young black men. I do not know: do we have to look at law enforcement across the country and look internally at the training and recruiting methods? It is a tough call. Where are we in America, as a country? Yesterday was the 50-year anniversary of the Bloody Sunday event in Selma, Alabama. I remember that very vividly and clearly because I was in college at the time, and I saw that on television. How far have we come? Sure, we have progressed in many ways. I would not be sitting here myself if it was not for advancement and progress when it comes to race relationships in America.

Some of you might know my background. When I went to college, I was the only black person in my school, and I was the first black person to ever go there, and graduate from there, and play basketball there. When I was there, I endured quite a bit, but I was able to overcome a lot of things and got to know a lot of people who had courage, compassion, and sensitivity—that is why I am sitting here right now. It was not all basketball. There were a lot of people around me helping me to get my degree who believed in me and believed in the principles of democracy and what America is really all about. I am really grateful for that. Assemblyman Trowbridge, I know you have a deep heart, and I think you want to see some things changed. But it is a tough call sometimes.

Assemblyman Trowbridge:

If we can avoid a single million-dollar lawsuit, that million dollars could be spent up front on a whole bunch of cameras. That is true. But the issue is, if there is a lawsuit where a judge orders you to spend a million dollars because of this error, you have no choice but to pony up the million dollars. On the front end where you say we are buying insurance, that becomes a different sales pitch. While I think the million-dollar expenditure is well justified, without being mandated by the courts, it becomes a voluntary expenditure, and that is the kind of thing we are going to deal with.

Chairman Ellison:

How many police officers are using these cameras right now in Nevada?

Assemblyman Munford:

I will refer that question to a representative from Metro, Chuck Callaway.

**Chuck Callaway, Police Director, Office of Intergovernmental Services,
Las Vegas Metropolitan Police Department:**

Right now, we are involved in a pilot program that is a study involving 400 officers. The study is to look at how wearing cameras impacts officer behavior. There are 200 officers in that program wearing cameras right now. In addition, we have budgeted for another 500 cameras for those new officers who were hired after July 2013, as referred to by Assemblywoman Neal. They will be equipped with those 500 cameras, which were included in our budget for this fiscal year. Theoretically, we will have 700 cameras that could be deployed by the end of next year if we have enough new officers and officers that volunteer to wear them. For officers who were hired before July 2013, wearing the cameras is on a voluntary basis. I believe a lot of officers are seeing the benefit of the cameras, and I do not believe we will have a problem getting those 700 cameras into the field.

Chairman Ellison:

If you are an officer out in the field, and you are opening a gate and have a hand on a flashlight, both hands are full. That is where a body camera is a second eye. You cannot hold a camera, and the car may not be facing that way, so it is good to have something recording if your hands are full.

Chuck Callaway:

Absolutely. In our policy and procedure we have in place, if our officers were responding to a call for service or an event in progress, they would activate the camera before they arrived on scene, or maybe within a second of arriving on scene so that once they got out of the car, there would not be a need to mess with the camera when their hands were full.

Assemblywoman Spiegel:

I think this bill will help a lot. As I was reading it, however, in section 1, subsection 1, paragraph (b), there is a requirement that policies and procedures governing the use of the devices are adopted. But I did not see anything in the bill that spoke about standards for the devices themselves. In section 1, subsection 2, paragraph (b), it talks about the definition of a portable event recording device. But I wonder if maybe there should also be development of minimal standards. Sometimes we see in the news grainy videos from the 7-Eleven that are such bad quality that you cannot see what is going on. Then other times, you can see where the recordings are of much higher quality. I would like to make sure that the videos collected are actually useable. I wonder if we could look to having minimal standards put in.

Chuck Callaway:

You are absolutely correct. Like with any technology, there are different qualities of equipment. The equipment that Metro is currently using is the TASER AXON Flex camera, made by the same company that makes the TASER [Conducted Electrical Weapon]. The camera itself is only a small part of the equipment. There is the infrastructure associated with it: data storage and a secure cloud. You want to make sure it is difficult for somebody to hack into the system and steal video out of the system. You want to make sure the data cannot be tampered with, either by the officer or someone outside the agency. There has to be research before an agency enters into a contract with a company to ensure that they are getting a quality product that does what the agency is trying to accomplish.

Assemblywoman Neal:

You were talking about the use of cameras right now. You were able to use grant money, right? Did the U.S. Department of Justice (DOJ) issue a grant you could use to pay for these?

Chuck Callaway:

Yes, that is correct. The grant was to fund the pilot program which is currently under way. I believe it is a two-year study, and we are about a year into it. There are 200 cameras that were purchased for that study, which 400 officers are involved in. The study looks at officers who are wearing cameras and officers who are not wearing cameras to determine if there is a difference in behavior between the two categories. The officers without the cameras are a control group in the study. Those 200 cameras were purchased through a grant, which was through the DOJ.

Assemblywoman Neal:

And the additional 500 will be paid through the grant? Is that additional money that you got?

Chuck Callaway:

My understanding is that the additional 500 cameras will be from our general fund and partially paid for by More Cops funding. The More Cops revenue can be used for equipment for new officers hired under that fund.

Assemblywoman Neal:

Related to the provision in the bill where you now have to start recording evidence and document the use of cameras if this bill passes—when you had the DOJ report, and they did the analysis of things you could change and adjust, is this going to be a part of your accountability matrix? There is a matrix that is supposed to be set up to deal with use of force and the processes that

you were weak in within the department. How will this bill fit into your accountability matrix? How will it affect your officer-involved shooting reviews?

Chuck Callaway:

That is a very good question, and you are correct. The camera footage is an overall component of the whole picture, and since the CAN Corporation report ["Collaborative Reform Process: A Review of Officer-Involved Shootings in the Las Vegas Metropolitan Police Department"], we have established a video and project management unit. Their entire job is to establish the infrastructure for data storage and download of the video, and then to work in conjunction with our Critical Incident Review Team (CIRT) and our Force Investigation Team (FIT), who respond to officer-involved shootings, to ensure that any video evidence is properly logged, stored, and part of the overall evidence of the incident. It is an important piece of the overall puzzle of accountability and transparency.

Assemblywoman Neal:

The DOJ compiled a report on the perceived benefits of body cameras on police, and they used the United Kingdom in the study, and the United States as well. There are perceived benefits on both sides: one, that officers will not violate Fourth Amendment rights, and two, the person encountering the camera from the other side may engage in a different type of behavior. So the engagement dynamic changes because of the influence of the camera on the incident that is being documented. I do not know if you read the 2014 report ["Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned"], but do you agree there are distinct perceived benefits to both sides from an overall application?

Chuck Callaway:

Absolutely. It is a win-win for everyone. We have seen, even in our own agency, that when people who filed a complaint against an officer for conduct in the field found out there was a video of the incident, they immediately dropped the complaint. We have had several cases like that, and I do not believe that we have yet had a case where the video was incriminating and showed the officer doing something inappropriate. I am not aware of a case like that. But certainly we want to weed out bad officers. If there is somebody out there doing something they should not be doing and the video clearly shows that, that is a benefit for ensuring community trust.

Assemblyman Stewart:

I have several questions about the cameras. What is the cost? Is the cost being reduced as technology improves? Can you pass the camera on from one shift to the next, or does it have to stay with an individual officer?

Chuck Callaway:

I did put a fiscal note on this bill as written. When I get into my testimony, I will discuss a conceptual amendment ([Exhibit D](#)) I have supplied Assemblyman Munford that I believe would address our fiscal concerns. But if this bill passed as written, and we were required to put cameras on every commissioned officer in our agency, the cost for that would be approximately \$9 million the first year. It would be approximately \$6 million recurring each year for data, infrastructure, storage, and to equip potential new officers who were hired with additional cameras. For the 500 cameras that we just budgeted for this next fiscal year, the infrastructure, cameras, and data structure associated with that is \$814,000.

At the end of the shift, the officer could dock that camera, which would download the video into the system. Then a second officer starting his or her first shift—kind of like we used to do in the old days with radios when there were not enough radios for every officer—could come in and theoretically take that camera and use it. There is an issue with charging the batteries. If I used the camera during my shift and the battery was drained down, then the officer coming in could not use that camera right away, but maybe an officer could use it on the following shift if the battery is charged back up.

Assemblyman Stewart:

When the camera is recording an incident, does it automatically transmit its data to a central location at Metro, or does that happen after the officer goes back to Metro?

Chuck Callaway:

It does not automatically transmit the data to a secure storage system. The video footage is contained within the camera. I am assuming there is a chip or something inside that stores that data. Then when the officer gets back to the station, there is a docking system that he or she puts the camera in, and it actually downloads the video into that secure system.

Assemblywoman Dooling:

I was looking at section 1, subsection 2, paragraph (b), which talks about the portable event recording device "to be worn on his or her body" to record events during "an encounter with a member of the public while performing his or her duties as a peace officer." Does the public need to be notified that this is happening? Do we know or not know if we are being recorded? I did not see information regarding notice other than on public school campuses in section 4.

Chuck Callaway:

Our current policy with Metro, which I would be happy to supply a copy of to the Committee for your review, requires the officer to notify citizens that they are being filmed when possible. Obviously, police work can sometimes be dynamic, and the officer may jump out of a car and be chasing someone, and may not have time to say, "By the way, you are being filmed." But in most cases, our policy would require the officer to notify you on, say, a traffic stop or a response to a home during a call for service. In some cases, if an officer was investigating something and there was not probable cause at that particular time, such as when an officer asks someone if they saw something, a citizen could tell the officer that they would prefer not to be on film and ask that the officer turn the camera off. In certain cases, the camera would be shut off if a specific crime is not being investigated.

I will go ahead with my testimony. I am in favor of the bill, with a conceptual amendment ([Exhibit D](#)) that I have supplied Assemblyman Munford. First of all, as has already been alluded to, law enforcement agencies across the country are moving toward the use of body cameras. It is a nationwide trend. There have been a number of studies, as Assemblywoman Neal has stated, and in addition, the President's Task Force on 21st Century Policing just released a report last week with recommendations regarding the use of body-borne cameras. This is something that is a nationwide trend, that law enforcement sees the benefit of and is moving toward. With that being said, there are a couple of problematic parts of A.B. 162 I believe my conceptual amendment would address.

The language in the bill is very broad. Section 1 requires each peace officer and agency employees to wear a portable event recording device. That would mean that I would be wearing a camera here, while I am talking to you today, if this bill were to pass. It would also require a detective sitting in an office reviewing a case, an undercover officer, a vice detective, or a Drug Abuse Resistance Education (D.A.R.E.) officer in a classroom to wear a camera. I do not believe that is the intent of the bill. My conceptual amendment suggests that once agencies deploy cameras, they are worn by uniformed officers who routinely interact with the public as part of their duties. We want it to be for those uniformed officers who are out there handling calls for service, doing traffic stops, and dealing directly with the public, not a detective or someone like me wearing a body camera.

The fiscal impact of this bill has been talked about. Since it is an unfunded mandate, there is a significant fiscal impact not only for Metro, and I know you will hear from other law enforcement representatives. I do not want to speak for them, but this will have a fiscal impact for agencies across the whole state.

Because this is something that police agencies are moving towards, my recommendation would be that the bill require agencies to research and develop best practices, policies, and procedures for the use of body cameras or event recording devices so that when agencies have the funding or there is a funding mechanism identified—whether it is grant funding or this Committee finds some funding mechanism—those procedures and policies would already be in place so that agencies could seamlessly move to the use of body cameras.

There is another issue that has come up that is a significant problem. I have an article from *The Seattle Times* titled "Costly Public-Records Requests May Threaten SPD [Seattle Police Department] Plan for Body Cameras." There was a smaller agency in Washington that started using body cameras and quit. They took the cameras off of their officers. The reason was that they were receiving so many Freedom of Information Act requests from the public that they could not keep up. The Seattle Police Department was receiving 7,000 requests per month for the release of body camera footage. They are currently working to try to address that through some innovative ideas, but the fact of the matter is that there needs to be some criteria put into the law for the request of body camera footage. For example, I do not believe it would be appropriate for someone to go to the police department and say, "I want every video of all the 911 calls you went on; please supply me with them." Or to ask to see every traffic stop video. That is obviously an extraordinary request for public information, and we would like to see that limited. Requests could only be made for a specific incident. If you were the subject of a traffic stop or an encounter with law enforcement, you or the media could request the video for that specific incident, but could not make blanket requests for every video from one date to another date.

There are many times when video may be of a confidential or sensitive nature. An example is with juvenile offenders. Under our laws, juvenile identities are deemed confidential, and we do not release the names of juveniles involved in incidents unless they are charged as adults. Another example is a victim of a sexual assault. We would not want to release video that has content of a confidential or sensitive nature. The technology is not there 100 percent for redaction. For instance, redacting someone's face from a video in the current TASER technology would require you to go frame by frame. If you have a three-minute video, there are hundreds of frames per second. You can imagine how long it would take someone to go through that video and redact someone's face from each particular frame of that video.

What we suggest in those cases when the video contains sensitive material is that there is an inspection clause, where someone—the victim, the attorney, or the media—could come in and inspect the video, but we would not release the

video to them. We do not want that type of video to end up on YouTube to victimize somebody twice. An example would be if an officer responds to a sexual assault in progress. As the officer is arriving, the crime is in progress, maybe a young woman is being sexually assaulted in a park, and part of that incident is caught on video. We would not want that video to turn up on YouTube or out in the media, where that victim is revictimized again and again. We would hope there would be criteria involving that.

Finally, we would urge that there is some language put into the law requiring purging after a reasonable amount of time. If you had video that was not evidence in a crime or directly involved in a complaint or specific issue, after 60 or 90 days that video would be required to be purged from the system. That could also help with long-term data storage costs.

The last thing I would say is that, as I stated earlier, police work is not black and white. There are a lot of times where it is in the best interest of the community and the incident occurring that the officer has some flexibility to turn the camera off. Say someone witnessed a drive-by shooting, and the officer was at the scene, and seconds after it occurred a witness was standing there. If the witness tells the officer, I saw who did this but I am not talking to you with that camera on, there needs to be some flexibility for the officer to be able to turn the camera off. With that comes a presumption of innocence. We are also talking about technology that has the potential to malfunction. Say something occurred, and the officer had to shut the camera off, or the camera malfunctioned. Unless there is some evidence that intentional wrongdoing occurred, there should be a presumption of innocence on the part of the officer and the agency that cameras can malfunction or that there may be times when the video needs to be turned off. Yet there must also be understanding that the trust with the public is of utmost importance.

I do not think that we would want to go into the law and try to state every instance when an officer would be able to turn off the camera, but I think the law should allow for flexibility in those cases. I believe that can be covered within the agency's policies and procedures that they put together, and it would not need to be strictly outlined in the law.

Assemblywoman Neal:

Where did the 60-day time limit for data storage come from? I was reading a report called "Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned" from the DOJ. That report laid out a couple of things that you talked about. They laid out the download and storage policies, the recording protocol, and all of the things you are saying are an issue. They say you can reduce the cost with online storage, as long as you can identify the

chain of custody and make sure the chain is followed completely. You can have online storage which reduces the cost of storing all that data. Even though they made mistakes in the past, they vetted third-party vendors and found some who are solid, who are out there and can make sure that chain of custody is not violated and evidentiary procedures are in order.

The second issue they brought up is regarding the policies for the download, storage, data record, and access of data. I did not see anything that gave a time limit of 60 days. They said the officer should be permitted to review the footage of the incident, and they determined the span should be a year. That was because, potentially, there could be a case that goes longer than 60 days. What do we do with those types of situations?

Chuck Callaway:

When I supply our policy to the Committee, you will see that we have broken that down. For example, we would keep video for seven years if it involved a felony crime. If it is a misdemeanor crime, it may be two years, and all the way down to an event where nothing happened. The 60 days is a number that Metro currently uses because it coincides with our purging for the jail.

When I say 60 days, that is for data where nothing occurred. I stop someone on a traffic stop, give you a warning, and let you go—nothing happens, but it is all on video. We keep that for 60 days and then get rid of it. There is no incident, nothing occurred, there was not a fight, chase, or arrest. The video is purged in 60 days. But obviously, if something occurred, we are going to keep that video a lot longer, especially if it is evidence in a crime or there is a complaint against the officer. We have that lined out in our policy.

Assemblywoman Neal:

When Metro had the DOJ evaluation from 2012, you created a single command for use of force. How does that 60 day policy of no occurrence or use of force occurrence happen now under that single use of force command? What are the mechanics of the procedure when you have a nonoccurrence or use of force occurrence with this new bill?

Chuck Callaway:

It could happen a variety of different ways depending on the incident. Let us start at the extreme end first: an officer-involved shooting, where someone is killed. In that case, we have the Office of Internal Oversight, a FIT team, and a CIRT team, who come out and investigate that incident. The FIT team looks at the criminal side of that incident: did the officer break any laws? Is this manslaughter or something worse? The CIRT team looks at the internal policy and procedure side: did the officer violate any policies? Those two teams work

independently from each other. They cannot share information or interact because of the criminal side of the case. In that case, if the officer was wearing a body camera, both sides would obtain that video independently and review it. As you stated, the officer would also have the ability to review the video after the incident occurred. I believe we are currently allowing our officers to review the video themselves. Those cases would proceed forward through the investigation phase to the fact-finding review, which we now have in Clark County. That video would probably be used in the fact-finding review to show what occurred. That would be the extreme case of an officer-involved shooting.

The other end of the spectrum could be a complaint, where I stopped someone on a traffic stop and they go to internal affairs and say that I used profanity or I was unprofessional or discourteous—a somewhat minor complaint. If I was wearing a body camera, the internal affairs detective would follow the same process. He or she would have access to that footage. If the citizen waited beyond 60 days to file a complaint, it is highly likely that video would have already been purged under our current policy. If no complaint is made and there is no alleged incident or actual incident on that stop, then that video would be purged after 60 days by our agency. The citizen would want to come soon after the incident occurred and file the complaint so the internal affairs detective could get that video, review it, and then determine what course of action should be taken from there. Is the complaint sustained, is there enough evidence that the officer did wrong, and if so what is the punishment, and so forth, or is the complaint unfounded? The video would be a key component in either extreme.

Assemblywoman Neal:

I just wanted to make sure that the record was clear on that question. This also includes audio trails that are part of the footage in a nonoccurrence. I have had Filipino people in my district who could have encountered a racial slur. Is that considered a nonoccurrence? Could we still hold the audio trail, even though no violence occurred?

Chuck Callaway:

We have a policy to investigate every complaint. If the citizen came to us and said that something occurred on a traffic stop or any encounter with law enforcement, our detectives in internal affairs would be able to pull up that video, if the officer was wearing a camera, and see and hear what occurred in the video.

Chairman Ellison:

If this goes to Ways and Means, it is probably not going to make it out because of the large fiscal note. I am hoping we can work something into this. This is

an important bill. Is there any other funding out there other than what we are looking at? Are there any grants or U.S. Department of Homeland Security (DHS) money? I do not know that it will not get out of Ways and Means, but if it does, it has a better chance. If we can make it enabling, and I strongly encourage this, we might be able to get our foot in the door.

Chuck Callaway:

That DHS grant money is extremely encumbered as to how it is used and where it goes. I do not think that body cameras fit into what the DHS funding can be used for. In the interim report of the President's Task Force on 21st Century Policing, there was discussion within the Obama Administration about trying to fund camera programs, but because that is on the federal level, there will be a lot of agencies competing for that funding. Typically, the problem with grant funding is that it is a one-time award. You get the funding and maybe you are able to purchase the initial equipment, but then you have the recurring costs that the grant money does not cover.

Assemblyman Stewart:

You mentioned that you will purchase 500 cameras, which would bring you up to 700. What percentage of that would cover your force that is on duty at any given time? Do you have plans in future budgets to provide for cameras on an ongoing basis? How long would it take for you to get to the point where every officer in a duty situation that requires interacting with the public would be covered? Do you have a ballpark figure on that?

Chuck Callaway:

I will give you a ballpark figure. If at the end of this next fiscal year we had 700 cameras—understanding that officers hired before July 2013 by our current contractual agreements are not obligated to wear a camera but can volunteer to wear one—and a percentage of those folks did agree to wear a camera, if there is a minimum staffing level right now in patrol of around 1,700 officers including traffic and other uniformed officers, I would imagine roughly half of our uniformed force would be covered. I would have to sit down and crunch the numbers, but that is what my estimate would be.

Assemblyman Stewart:

So you said it was \$840,000 for the 500 cameras, is that correct?

Chuck Callaway:

I believe \$814,000 is the actual number.

Assemblyman Stewart:

So that is somewhere around \$1,600 per camera.

Chairman Ellison:

That is just for one agency. There is also the Nevada Highway Patrol and Washoe County and all the other municipalities.

Assemblyman Munford:

Yes, Mr. Chairman, that is what I wanted to share with you. We wanted to make this bill effective statewide. I know that adds another set of costs, but I commend you, and I am appreciative of you wanting to do whatever you can to try to save this bill so it does not get lost in Ways and Means. Maybe we can search and find some funding and get some economic support. You know how critical, important, and valuable it would be. There are a lot of things out there that we are pushing and promoting in the state today, like education. I am not saying that one is more important or anything of that nature, but this in itself is just as important, and should be given the attention that any other piece of legislation that we have on the table now has.

Chairman Ellison:

I totally agree.

Assemblywoman Shelton:

I was doing some research. I know the biggest issue is going to be where the money is going to come from. What about aspects of what this bill will save? For instance, just in 2009-2012, Metro had to pay out \$6.5 million in lawsuits that they settled on. I think there could be possible savings there. Also, you might get some type of insurance savings from this.

I know the Oakland Police Department has run their program since 2009. They started with 280 cameras, and now they are up to 600 cameras. We might want to look into the way their process has taken effect there. They do store the video for five years, but they are thinking of changing that to three years. There is also another program out there that might address the storage issue, which is cloud storage such as VERIPATROL that complies with Federal Bureau of Investigation video policy. The storage of all this information was one of the problems that Oakland ran into, but with the cloud, that would open up storage more than what it is right now.

Chuck Callaway:

You are correct. As Assemblyman Trowbridge said earlier, having these cameras in place can potentially reduce cost on the back end. I think the problem that we run into is when someone files a lawsuit against the police department for whatever allegedly occurred or did occur, and that case makes its way through the system, in most cases that is settled out of court because the cost to fight them in court is less than it is to settle. Those are typically

paid out by the department's insurance on the back end, whereas on the front end, the revenue is just not there to pay for that equipment. At some point down the road when we are able to purchase it, and we are moving in that direction, it will help us on the back end with some of those lawsuits and potential claims against the agency. But you cannot take that back-end savings and move it to the front end to purchase equipment. It does not really work like that. In theory, it is true, but it does not help us purchase equipment today if the money is saved down the road.

As far as the cloud goes, our system does utilize a secure cloud through TASER, but there is still a cost associated with cloud storage, just like on smaller devices like an iPad. They give you a certain amount of cloud storage on the iPad, but if you go beyond that amount, you have to pay for it. It is the same way on a larger scale with this video equipment.

Assemblywoman Dooling:

I am curious how these other states are able to pay for this.

Chuck Callaway:

I believe there are a variety of mechanisms that other states have used to pay for the equipment. Some have been smaller agencies that have gotten some grant funding. Sometimes seizure funds or other types of revenue that an agency has received can help purchase some camera equipment. In our case, we have this grant for the pilot program, and then we have some revenue from the More Cops fund. So I think it varies state to state. I do not think there is one clean revenue source that all agencies can tap to potentially use for camera equipment.

Assemblyman Moore:

On a side note, what is Metro's current policy now regarding civilian recording? Say I am walking down the street, you have made a traffic stop, and I want to record it as a concerned citizen. What is Metro's policy on that now?

Chuck Callaway:

You have every right to film the encounter. You probably saw a case a couple of years ago where we actually disciplined an officer because someone was filming, and the officer took the person's camera away. Obviously, you have a constitutional right to film. The only issue would be if you were trying to get in the middle of a crime scene, and it was not your filming that was the issue. We have had people try to climb into a homicide scene and film what is going on, which is obstructing the crime scene. I am not saying that there would never be a case where an officer would say, you cannot be here doing what you

are doing, but as far as a routine officer contact that you want to film, you are protected under the *Constitution of the United States* there.

Chairman Ellison:

Those in favor, please come up.

Eric Spratley, Lieutenant, Legislative Services, Washoe County Sheriff's Office:

We are here in support of A.B. 162 with the proposed conceptual amendment ([Exhibit D](#)) from Metro. We put forth a fiscal note of just over a million dollars to support this before the proposal deadline. That is for outfitting all 422 sworn officers in our department. Certainly, if we narrowed the scope of that to uniformed officers dealing with the public, it would take us down to about 100 deputies and supervisors, and that would be roughly \$895 for the camera itself, and \$79 per camera for storage per month. I know we are not here to talk about money; I just wanted to give you some perspective. It would take us down to about \$97,000 versus the \$777,000 of that million. Right off the bat, that would save \$680,000 just to implement.

Being reasonable there, we are certainly here in support of it with the amendment. We think it has great benefits for our officers and for the people. It will document events that occur. We currently have in-car video systems and a lot of storage and technological issues with that. We would want a camera system that would integrate with that so that we are running off of one system and do not have disparate systems as far as recording and storing data. The in-car video system only records in one direction, like a traffic stop and what the officer is doing at that traffic stop. We really see the benefit of the body-worn camera, and of being able to have that incident interaction with the public, the occupants of the vehicle, and anything in the vehicle. That has all been historically documented. It is the same if we are in a public place like a restaurant, a brothel, or a bar, and are legally there on an investigation; we have forever documented the people who are in those businesses and any contraband we see to further our investigations. So we really see that as a benefit to our agency.

Chairman Ellison:

Do you think, to enable these departments to do this in the future, that you can take a million-dollar hit right now? That is a big expense.

Eric Spratley:

We certainly cannot at the Washoe County Sheriff's Office. Just know that we have, for the past couple months especially, been in partnership with the police departments of Reno and Sparks to research the best camera for our area. We want to all be on the same system so that we are sharing technology and

everyone knows how the systems work. But we have no funding mechanism currently to deploy them.

I did want to add one explanation for Assemblywoman Neal. The Nevada Local Government Retention Schedule mandates that we keep audiovisual systems and the recordings for a specified time. That is where the retention schedule comes into play.

Vanessa Spinazola, Legislative and Advocacy Director, American Civil Liberties Union of Nevada:

We are in support of police body cameras because they serve an important police accountability function; however, we want to ensure that they do not turn into an overly broad government surveillance program. We have submitted some amendments ([Exhibit E](#)) which Assemblyman Munford is in support of. The amendments as written are on the Nevada Electronic Legislative Information System (NELIS) along with a letter ([Exhibit F](#)) outlining them. I will explain them briefly and then take any questions.

Who can wear them? We are actually in agreement with law enforcement that it should just be limited to uniformed police officers. We would not want undercover investigations compromised or any other type of administrative officers wearing the cameras. As for when they are used, I think we are in agreement with the current Metro policy, which requires activation at the beginning of an interaction with a civilian and then termination at the end.

When they are not used is an important thing I would like to talk about too. I think it would prevent a lot of the data storage issues we have been talking about. We do not want police cameras to record general activity; for example, meetings of religious groups, Alcoholics Anonymous, or protesters in a crowd. That is not something that should automatically be recorded and retained by the police, because it could be later used for government surveillance purposes. There is lots of technology out there for facial and voice recognition, and that is not the type of video that should be used or retained for a long period of time. In addition, police officers often get out of their cars or beyond the reach of their dash camera, and they go into private residences to serve warrants. There may be individuals who would be caught by the body camera who are not under police suspicion. A way to prevent that from happening is for the police officer to simply turn on the camera when he walks in, and to ask the people in the room if he can continue recording. The purpose is to have those people on the actual recording say, no, I do not want you to record. Their privacy is protected, and the police officer has on tape that he had the permission of the citizen to stop recording. We also talked about witnesses and those who seek to anonymously report crime. Again, with that initial interaction between the

citizen and the police, they will ask on camera if the witness wants to be recorded, and the witness can say, no, I do not want this recorded. It is the same for crime victims.

We have talked a lot about retention. We actually think that anything that does not serve a legitimate public purpose should only be retained for weeks. The 60-day period is actually a really long time to retain video of protesters and that type of thing. The cost is in the retention. The cameras do have an initial cost, but it is the ongoing retention and storage that really keeps that cost up. If we limit the incidences in which the video is available for a long period of time to when there are public complaints, a use-of-force incident, or others, that would greatly reduce the retention cost.

Finally, we would like to see that there are disciplinary rules established for police who interfere with the video or audio of the camera, or who manipulate videos after they have been recorded. These are all just suggestions for the local municipalities and police officers to come up with policies that outline these particular details. We are not suggesting they be written into the law that because that would be unnecessarily lengthy.

Chairman Ellison:

Will those in Las Vegas in favor please come down to the table?

Yvette Williams, representing the Clark County Black Caucus:

We are very excited to see this bill come forward today. Out of respect for your time, I do not want to repeat what has already been said. We stand in support of the friendly amendments from the American Civil Liberties Union (ACLU) of Nevada. We also want to acknowledge Director Callaway of Metro for seeing the value of this camera. Not often are we walking together to a solution on these issues, so it is really a pleasure to be able to do that today.

I have had several conversations with Assemblyman Munford. One of our big concerns was also the mandatory policy to include a time frame of destruction or preservation of these videos. We are concerned about that, as well as being concerned that the video recordings may be used for something outside of what this bill is intended for. For example, if you are at dinner with your spouse and an officer is sitting there having coffee with his camera on, it might pick up a private conversation. How does that impact our privacy? We wanted to mention that today. We have a concern of this being turned into a use of a "police state." In our community, we would hate to think that these cameras would be used for surveillance purposes in any way. But we certainly support this bill and the concept, and ask that you all find a way to make this happen.

I also wanted to acknowledge that we are celebrating the 50th anniversary today of Turnaround Tuesday, which was the second march in Selma, Alabama, where they actually turned around and waited for the judge's ruling before they proceeded to march again. It is a special day for us, and I wanted to acknowledge that as well as the 150th celebration of the passage of the Thirteenth Amendment, which gave us full citizenship in this country.

Chairman Ellison:

Any questions from the Committee? [There were none.]

John Wagner, State Chairman, Independent American Party of Nevada:

We support this legislation. We think it is good for everybody involved in an incident. I would like to address the characteristics of cameras. I know Assemblywoman Spiegel asked about the camera, and I used to work for Sony in the Broadcast Division as a specialist on cameras. I will explain how the camera works. Basically, the camera itself has a lens, and the iris diaphragm opens and shuts depending on how much light comes in to the camera. The basic video signal is only one volt peak to peak, so if the video signal goes lower, the lens opens up. But as the lens opens up, the depth of field decreases. That is why, at night, there are often fuzzy pictures. If the video voltage level gets too low, you amplify the signal and increase the gain. When you amplify the signal, you amplify everything—including the picture noise, which is why it looks very grainy, especially at a high gain on the camera. We have all seen the television show *Cops*, and when they show surveillance video, it is very grainy, and they try to enhance it to take the grainy quality out of it, which is somewhat doable. By the way, the frame rate is 30 frames per second, not hundreds. It is 30 frames per second in this country, and 25 in Europe. That is what there is to work with. As far as the operation of the camera, they all operate the same way.

Chairman Ellison:

Any questions from the Committee? [There were none.]

Janine Hansen, State President, Nevada Families for Freedom:

We are pleased to be able to support this bill. We think that it will protect citizens and police, while helping convict people who have committed crimes. A study in Rialto, California, showed there was a 60 percent decline in use of force with the use of cameras. Complaints against law enforcement decreased by 88 percent. We want to have good relationships between police and citizens. We want to have increased trust and protect police and citizens. This is a very positive bill. We understand the fact that there are financial restraints, and we appreciate the discussion that has gone on here to find ways in which to accomplish these things. We think that improving relationships between

the police and citizens is very important. I also think we need to increase transparency. There has been mention of some privacy concerns. We also have those concerns, and there has been good discussion of that already by Director Callaway and the ACLU to protect innocent people or bystanders. We certainly appreciate and agree with those concerns, and appreciate your efforts to pass this legislation. We think it will be good for the people and the citizens of the state of Nevada.

Assemblywoman Neal:

I think only Assemblyman Munford could bring a bill that brings multiple groups to a center to monitor the police.

Janine Hansen:

We are all on the same side. We want to protect citizens. I was arrested in 2004 for petitioning. I was on the grounds of the bus depot in Reno. We had passed legislation here in Nevada to protect petitioners. I called the bus depot in advance to tell them I would be there, but they insisted that I fill out their paperwork. I told them it was not required by state law, but I was notifying them according to the state law. My son and I went to petition. Within five minutes of being at the bus depot, we were arrested, handcuffed, and hauled off in a paddy wagon to the jail, and we were there for seven hours. We were ultimately exonerated in the Nevada Supreme Court.

I understand that police can make mistakes and that people can make mistakes. What we want is to improve the success of both police and citizens. As Director Callaway mentioned, people sometimes make complaints against the police inappropriately. Sometimes police use force inappropriately. I think if we all know we are being monitored, our behavior is better, wherever we are. It is nice to be on the same side of an issue as Assemblywoman Neal.

Chairman Ellison:

I have a large surveillance system around my commercial plaza, and I do not know how many times the police have asked to use videos from my system because of car accidents nearby that cause disagreements. With such a large video system around our property, it is pretty obvious who is at fault at that point. It really has its pros.

Steve Yeager, representing the Office of the Public Defender, Clark County:

We are here in support of A.B. 162. As the Committee might imagine, being public defenders, we have found that body camera footage is extremely useful to resolve disputes between criminal defendants and law enforcement officers about what happened at the scene of an arrest or incident. For that reason, we

would like to see this bill enacted, and we think it would hopefully lead to further efficiency in the judicial system.

Chairman Ellison:

Now we will go down to Clark County.

Juanita Clark, Board Member, Charleston Neighborhood Preservation:

We ask for a yes vote on A.B. 162. Portable event recorders will document facts, despite any evidence to the contrary. Innocent citizens and police will be protected by these required machines when operating in a timely and honest manner. The correct usage of required portable event recorders can help convict criminals as well. Please vote yes on A.B. 162. [Also provided a letter of testimony ([Exhibit G](#)).]

Chairman Ellison:

Any questions from the Committee? [There were none.]

Gene Collins, Private Citizen, Las Vegas, Nevada:

Officer Callaway spoke about some officers wanting to wear cameras and some who do not. I do not know if this bill includes dashboard cameras or not. I think we should have the dashboard cameras as well because if someone gets into a tussle with law enforcement, a body camera is all over the place and does not pick up all the activity that is going on at the time when law enforcement and an individual are fighting. But if there is a dashboard camera, which does not move, it picks up when an officer approaches the individual, or if there is an engagement. If this bill does not contain that information, I would appreciate it if somewhere down the line we could get in an amendment to include dashboard cameras as well.

I have heard the Chairman talk about the fiscal responsibility. As an individual who has been where you are, I remember when I was there and the issue was flood control. As you know, whenever it would rain down in Clark County, somebody would be washed away. There would always be one or two deaths because people were caught in the flood and washed down the street and ended up dying. At the time, I think it was Assemblyman Jim McGaughey who came up with the flood control bill. [James McGaughey sponsored Assembly Bill No. 169 of the 63rd Session in 1985.] He came to me and asked if I could support that bill. We had to raise \$800 million. When I was talking to Mr. McGaughey, one of the reasons I supported the bill and the \$800 million price tag, and took on passing the cost to my constituents who did not have a problem when it rained, was because you cannot put materialistic value on a human being's life. The reason that I supported the bill to increase taxes to

raise \$800 million was so that people would have an opportunity to not be swept away when it rained again.

I allude to this because I have heard you mention the budget to Officer Callaway on several occasions. Though I am sure you will support this, I could not help but say something about the financial situation. You are not the only one that has been in a situation where we had to raise money. I went back to flood control because passing the flood control bill and saving individuals' lives was one of the most gratifying things that we could have done.

As Mr. Callaway said, the camera batteries might run down. My question is, what happens when an officer leaves the field, and somehow before he gets back to the station, something happens to the camera or the film in the camera? I wanted to address that because things do happen. I was reading the other day that in some other place, an officer forgot his camera at home. We do not want these types of activities to occur. All we want is when an officer stops someone, we want to make sure there is clarity from the beginning to the end.

I do not think that we should have a time limit of 60 days. I think that Assemblywoman Neal alluded to the problem of a case going longer than 60 days. What we are trying to do is prevent wrongdoing from happening. That is what I think is the purpose of this bill. Everyone should be held accountable, because we cannot continue to be stuck in neutral and to go down the same path that we are going down. Things are moving and changing, and we can no longer have people who do not have accountability when dealing with the public. I am opposed to the 60-day limit.

I am against the amendment that the ACLU mentioned. I think the cameras should stay on all the time. I do not think they should ever be turned off because if anything can happen, something will happen. I think that the cameras should stay on and would not violate anyone's civil rights. I want to thank you for making sure we have open and honest dialogue. You know that 90 percent of the shootings between Metro and citizens have been determined to be justifiable homicide. We believe that is not the case. By having some checks and balances, it is going to benefit everyone in the state of Nevada.

Katherine Duncan, President, Ward 5 Chamber of Commerce, Las Vegas:

I am in favor of the proposed legislation, and I have a couple of comments. There seems to be an issue as to whether the recordings from the device will be stored in that actual device, which could be manipulated by the officer, or whether the recording will be stored in a secure location away from the officer in a large database that would be stored in perpetuity so we could see if there is a pattern of behavior. I talk about a pattern of behavior because sometimes

officer behavior is not sensitive to the cultural community that they are policing. A brief example is if an officer steps out of his car, clears his throat, and spits on the ground. To some people that may seem like a normal act, but in some communities, spitting on the ground sends a clear message saying, I do not want to be here; this is distasteful, and I do not like you. So we want to look at patterns of behavior and how these officers are interacting with the cultural communities. I would like to sum up by saying that not only do we have to have cameras on our police officers, we also have to support programs that put love in the hearts of the officers as they are dealing with the communities.

Chairman Ellison:

Is there anyone else in favor? [There was no one.] Those in opposition, please come forward. [There was no one.] Anyone neutral?

Mike Cathcart, Business Operations Manager, City of Henderson:

We probably would have been in opposition to the bill without Metro's conceptual amendment. But we are signed in as neutral due to that amendment. It does address many of our concerns as far as limiting cameras to uniformed officers, privacy concerns, and record requests. I want to address that in our fiscal note. Our fiscal note is purely for buying the cameras and data storage, but there could be an additional cost due to public record requests. We think that should be limited to an incident-based system. If it is a very broadly based public request, it could take us many hours of City Attorney time, and we have a lot of concerns about that.

Chris Collins, Executive Director, Las Vegas Police Protective Association Metro:

I am also a member of the Combined Law Enforcement Associations of Nevada. We too would have been opposed to the bill without the amendment submitted by Mr. Callaway and Metro. For a brief bit of history, Sheriff Gillespie, around midyear of 2011, sent out a procedural order mandating every officer at Metro to wear a body camera. As the union president, I got hundreds of emails from our officers saying they did not want to wear the body camera. It took approximately 18 months, but Sheriff Gillespie and the union came to terms. Litigation was threatened from both sides. We came to the agreement that we have today, that new hires from 2013 forward would wear the body camera. Officers who are currently employed could volunteer. Sheriff Gillespie did not believe at the time that officers would volunteer to wear the camera. However, the 200 cameras out in the field for the study are 90 percent volunteers. The officers have seen the benefit of the camera, and they are volunteering to wear the camera.

The camera is simply the next step in the evolution in police work. We went from call boxes to radios in cars to computers in cars. The camera is coming.

Law enforcement knows it is coming, and they are open to it. It is simply a matter of getting the policies in place and having the infrastructure to do it. There has been a lot of talk about the camera. Metro is buying the TASER camera, as you have been told. The camera cannot be manipulated by the officer. It can be turned on and off, and that is all. One of the problems in the system today for the TASER camera, and all others, is that because it is a sealed system, you must throw the camera away about every 14-16 months and buy a new camera. When the battery goes dead in them, and they cannot be recharged or regenerated in any way, shape, or form, the camera goes in the garbage. Police administrators and unions need to get with these camera makers to create cameras where batteries can be replaced to save taxpayer dollars. If you mandate policies and get them in place and provide the funding, cameras will happen and officers will wear them.

Ronald P. Dreher, Government Affairs Director, Peace Officers Research Association of Nevada; and representing Combined Law Enforcement Associations of Nevada:

We are neutral. We support the concept because it is a great concept. I have been a major crimes detective and seen the uses of cameras. Like Mr. Collins stated, years ago, the Reno Police Department came up with the mini-cassette recorders so that we could do exactly what these cameras do today. It is an evolutionary process, as Mr. Collins stated, and it will happen eventually.

I agree with a lot that was said earlier, but the conditions that were placed on the use of the cameras by some of the previous speakers really bother me. When you turn that camera on and turn it back off when people say they do not want to be filmed, then suddenly we have to worry about what is going to happen. In law enforcement, we have to justify our every move as it is, and we have no problem doing that. I support the concept of the video cameras because it can be a positive for police, as you have heard, and for the citizens as well. It is going to work for both, but it will take time because of the undue cost. I wish we had the funds from seizure monies so that we could do it all at one time, but it is an evolutionary thing, and that is why some of the changes that are part of Lieutenant Callaway's amendment are great, but I do have concerns about that as well.

Robert Roshak, Executive Director, Nevada Sheriffs' and Chiefs' Association:

We stand neutral on the bill, and we greatly appreciate Assemblyman Munford's willingness to work with us and other members of law enforcement with regard to making a bill that will work for everyone. We believe strongly that the cameras benefit police and the citizens, but there is a financial cost in trying to mandate something. It is much more than the agencies can handle.

Chairman Ellison:

You cover a lot of the smaller counties out there. An unfunded mandate like this in small areas, without some kind of budget constraints, would really put those departments in trouble. Is that correct?

Bob Roshak:

That is correct. A lot of the smaller agencies have advised that they spent too much money attempting to work something out, then ran out of funds. There are other counties whose budgets are being cut back all around. They just do not have the money, but everyone does agree that it is a great concept.

Tom Grady, representing the City of Fallon:

I am neutral on the bill, but I would bring your attention to sections 6 and 7. *Nevada Revised Statutes* 354.599 says that a requirement such as this cannot be an unfunded mandate for local governments, and I would like to have your staff look into that. I think we have had a lot of testimony today regarding this bill's potential fiscal impact on local government.

Section 7 has an effective date of January 1, 2016. As you know, coming from local governments, we are in the middle of doing budgets now. This will hit in the middle of a budget year, and most of the local governments cannot come up with \$1,000,000 or \$500,000 to put into this. It would be a shame if they had to cut out other services to fund this very important service. We are going to have to give local governments a little more time, because it is an unfunded mandate unless we apply NRS 354.599.

Chairman Ellison:

I agree.

Assemblyman Moore:

Mr. Callaway, do you know who chose TASER cameras? Why do we have to throw away these cameras after 18 months and repurchase them? Why not go to a company where we could just replace the batteries?

Chuck Callaway:

Before we started implementation of body cameras, back when the *Las Vegas Review-Journal* did their series of articles on use of force, and we were undergoing the CNA review, we put together a research team to look at cameras. They actually went out and field tested cameras from a number of different companies. I do not have a list with me today of which companies they researched. These cameras range from one worn on the chest to one worn on glasses, and there is a wide variety. There was a set of criteria they looked at. Number one was compatibility with our current information

technology equipment and structure. Another was the quality of the video and equipment. At the end of the day, the TASER product was deemed to be the best product on the market for the price, and that is why we went with that product.

I know Mr. Collins stated that they have a shelf life, and I believe any electronic product has a shelf life. I am sure that as we move forward, the companies will try to increase battery life.

But it is important that those units are sealed so the integrity is there, and they cannot be tampered with. Part of that sealing means that the battery has a shelf life and cannot be replaced. I believe it would be the same for any camera of that type. If you could take the battery out, you could probably tamper with the inside of the camera, and that would defeat the purpose of transparency.

Assemblyman Munford:

I want to extend my appreciation to my fellow Committee members for their attention, interest, concern, and support. I would also like to introduce the Black Caucus members sitting behind me, who came to give me their support. They travelled all the way from Las Vegas. I also want to extend my appreciation to Mrs. Hansen. This particular legislation has brought us together today, and I commend that. Hopefully, we can work together in future endeavors.

I can see that there is a consensus on the merit of this bill, and I hope we can find some way to go forward. We all know the value and importance of it, and I hope we can find a way.

Chairman Ellison:

Maybe some of the Committee members can brainstorm before we bring it back for work session. [([Exhibit H](#)) was submitted on NELIS but not discussed and will become part of the record.] I will close the hearing on A.B. 162. Is there anybody here for public comment? [There was no one.] Meeting adjourned [at 10:52 a.m.].

RESPECTFULLY SUBMITTED:

Erin Barlow
Committee Secretary

APPROVED BY:

Assemblyman John Ellison, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: March 9, 2015

Time of Meeting: 9:04 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 162	C	Assemblyman Munford	Testimony
A.B. 162	D	Chuck Callaway / Las Vegas Metropolitan Police Department	Conceptual Amendment
A.B. 162	E	Vanessa Spinazola / ACLU of Nevada	Proposed Amendments
A.B. 162	F	Vanessa Spinazola / ACLU of Nevada	Amendment Explanations
A.B. 162	G	Juanita Clark / Charleston Neighborhood Preservation	Letter of Testimony
A.B. 162	H	Andrew Barbano / NAACP Reno-Sparks Branch No. 112	Letter of Endorsement