

**MINUTES OF THE MEETING OF THE
ASSEMBLY COMMITTEE ON WAYS AND MEANS
AND
SENATE COMMITTEE ON FINANCE
SUBCOMMITTEES ON PUBLIC SAFETY, NATURAL RESOURCES, AND
TRANSPORTATION**

**Seventy-Ninth Session
March 14, 2017**

The joint meeting of the Assembly Committee on Ways and Means and Senate Committee on Finance Subcommittees on Public Safety, Natural Resources, and Transportation was called to order by Chair Jason Frierson at 8:08 a.m. on Tuesday, March 14, 2017, in Room 2134 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4412E 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/79th2017.

ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:

Assemblyman Jason Frierson, Chair
Assemblyman Michael C. Sprinkle, Vice Chair
Assemblywoman Irene Bustamante Adams
Assemblyman Chris Edwards
Assemblywoman Heidi Swank
Assemblywoman Robin L. Titus

SENATE SUBCOMMITTEE MEMBERS PRESENT:

Senator David R. Parks, Chair
Senator Aaron D. Ford
Senator Pete Goicoechea

STAFF MEMBERS PRESENT:

Mark Krmpotic, Senate Fiscal Analyst
Sarah Coffman, Principal Deputy Fiscal Analyst
Kristen Kolbe, Program Analyst
Anne Bowen, Committee Secretary
Lisa McAlister, Committee Assistant

Roll was called and protocols explained.



Chair Frierson called for public comment.

Peggy Rosch, private citizen, testified concerning "orphans" of the Public Employees' Benefits Program and read the following testimony into the record:

My name is Peggy Rosch, a retired teacher and vice-president of Nevada State Education Association Retired (NSEA-R).

I am here to speak on behalf of what we call the "orphans" of the Public Employees' Benefits Program (PEBP). I am not an orphan myself, but I would like to tell you about my experience with the issue.

I retired after 30 years with the Clark County School District (CCSD) in 1998. I was only 55 at the time, but I was unable to return to my classroom after a surgery that required a long recuperation. I was able to retire at that age because I already had 30 years in the district. My sick leave from CCSD paid me during the six months while I recuperated. I never abused the sick leave policy and even when I retired the district still owed me money for sick days not used.

I only want to share this because while I was a teacher I never wanted to call in sick unless I really needed to, so I saved the district money hiring a substitute. I also carried a private major medical policy to supplement the district's health plan in the event that I became ill. I felt the responsibility to do this because I was a single mother raising two daughters.

I was in the Teachers Health Trust. However, when I retired, the rate for just myself was increased to over \$700 a month. I was told that this rate would continue to increase "because retirees were too expensive to insure." I found myself in that age group of 55 to 65 with no place to go for affordable coverage just like the orphans of PEBP today.

I was president of the newly formed Clark Retired Education Association (CREA) so I knew that other retirees were experiencing the same high rates from the Teachers Health Trust. Many were paying the premiums for two member households of over \$1,400 a month. I appealed to the Teachers Health Trust for myself and members of the retired group and I was told, "There was nothing we could do but accept it or get out." This did not seem fair to us who paid into the system 30 years and then were simply dumped.

I have never been one to accept an injustice without a fight, so the leaders of CREA organized an informational picket at the Teachers Health Trust office. We had a group of about 80 retiree members carrying signs and, of course, the media covered it. (Full disclosure—my daughter is a member of the media.)

As a result of this action and testimony to the legislative committees such as this, the retirees were allowed to stay in the Trust for six months until we were enrolled into the PEBP system. I remained in PEBP until I was eligible for Medicare.

I will be forever grateful for PEBP for my health care coverage until I reached Medicare eligibility. I did not have to worry about health care issues and thus could enjoy an independent and dignified retirement.

I am appealing to you to keep the promises made to those of us who first came into the PEBP system. My colleagues, who enrolled after the initial group, have the right to have an independent and dignified retirement as I did. There are over 1,000 retirees who have been walled off and are seeing their rates increased beyond measure just as I did in the Health Trust. Please co-mingle this orphan group of dedicated public employees so that they can receive affordable health care. They have no one else to turn to. Please be fair and just for these last few retirees as you were with the first group admitted. Indeed, it is the fair, the just, the right correction to make.

Thank you for your time and attention.

Kay Padgham, private citizen, testified concerning "orphans" of the Public Employees' Benefits Program and read the following testimony into the record:

For the record, my name is Kay Padgham and I am secretary/treasurer of NSEA-R (Nevada State Education Association-Retired), Senate District 3, Assembly District 10. I am here today because of my concern for the Nevada Public Employees' Benefits Program (PEBP) "orphans." They are thankful to have access to insurance, but what is disturbing is the increase in premiums and deductibles that occur each year causing them a great deal of anxiety. They receive letters from PEBP each year encouraging them to contact their previous employer regarding insurance coverage but no such coverage is available to teachers who retired from Clark County School District (CCSD). So they continue to pay higher premiums and to receive the same quality health care that all other PEBP employees have access to. Simply give them what they were promised. They deserve to be treated with dignity and respect that they have earned over their many years of dedicated service. Now is the time to fix the problem. Thank you for your time.

Chair Frierson closed public comment and opened the hearing on the Department of Public Safety budgets.

James M. Wright, Director, Department of Public Safety, stated that the first budget presentation was the Division of Parole and Probation, and Natalie Wood, Chief, would be making the presentation with her staff.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - PAROLE AND PROBATION (101-3740)
BUDGET PAGE PUBLIC SAFETY-71

Natalie Wood, Chief, Division of Parole and Probation (P&P), Department of Public Safety, presented budget account (BA) 3740. Ms. Wood introduced her staff, Stephanie O'Rourke, Deputy Chief, whose span of control was the Northern region; Anne Carpenter, Deputy Chief, whose span of control was Las Vegas; and Robin Hager, Administrative Services Officer (ASO).

Ms. Wood asked Chair Frierson whether he wanted a prepared presentation about the Division of Parole and Probation (P&P) or to go directly to questions.

Chair Frierson said he was hoping to get through the P&P budget in about 30 or 40 minutes, because there were five other Department of Public Safety budgets on the agenda.

Ms. Wood suggested the Subcommittees proceed directly to questions.

Chair Frierson questioned the elimination of 12 positions in decision unit Maintenance (M) 200 and requested an explanation for the rationale behind the elimination of positions in one decision unit and an addition in another. He asked what was accomplished by that exchange.

Ms. Wood explained that the Division, as with any other division that had a caseload or case management, used someone, in this case JFA Institute (JFA), to predict its population growth. As a result of JFA's prediction that P&P's population growth would not be as large as anticipated, the agency expected to lose certain positions as listed in decision unit M-200. Obviously, the Division could not sustain that loss, especially with some of the enhancements that it was trying to pursue. Ms. Wood said along with the attrition rate and vacancy rate, it would be difficult to maintain P&P's mission as it stood. She said the Division needed a new supervision module to change the risks and needs assessments, and basically change the way the Division was doing business. The Division decided not to eliminate the positions based on JFA projections immediately, but instead to stabilize, adjust, and create a supervision module that would sustain the Division into the future rather than going to administrative banks. Ms. Wood said decision unit M-200 showed

the JFA recommendations for the positions the Division was going to lose, and the Enhancement request showed where these positions would be placed in the new stabilized supervision module.

Chair Frierson suggested that perhaps the caseload numbers were too high to begin with and the projection by JFA did not take into account that an officer should have had a lower caseload. Ms. Wood said Chair Frierson was accurate: the caseloads were extremely high.

Assemblyman Sprinkle asked about the rationale for the 31 new positions and how that would help to get presentence investigations (PSIs) completed.

Ms. Wood said that last session the Division was approved for a work-study program for presentence investigation (PSI) reports across the state. That study determined that the PSI writers across the state were trying to manage a workload that was unmanageable. The additional positions shown in decision unit M-204 showed a realistic view of what the feedback was in the PSI study. Rather than writing 16 PSI reports, the amount was reduced to 12. Ms. Wood informed the Subcommittees that PSI reports could be 10 pages long, or some could be up to 20 pages long. The reports were research papers, and the Division believed the only way to accomplish meeting the timelines in the court was with a significant amount of overtime. The work study actually provided a realistic number for what the PSI writers could produce and still meet the timelines within the court.

Assemblyman Sprinkle asked how many offenders the Division currently had on its rolls and how many were under supervision. Ms. Wood replied 19,591 offenders were all actively supervised on paper.

Assemblyman Sprinkle asked whether there were any concerns regarding the sustainability of the new ratios.

According to Ms. Wood, the administrative banks were not working and did the community and the offender a disservice. When she became chief of the Division of Parole and Probation, she felt there was a better way to do business. Some of the brightest individuals in the Division investigated what was working across the states and found the focus was on high-risk offenders. There was no need to over supervise individuals who were functioning and employed in the community when the focus should be on the high-risk population. The supervision module created low-risk, medium-risk, maximum-risk, and high-risk control groups based on what was nationally recognized. Ms. Wood said there were no guarantees that the new system would not fail in the future, but the previous system had already failed, and in her estimation, the Division could only move forward.

Assemblyman Sprinkle said that made sense because lower ratios were usually a good idea, if possible, but systems needed to include efficiency and fiscal management as well.

Chair Frierson said that along those same lines, he had a question of historical perspective. It appeared that the Division was requesting more staff to do PSIs. He pointed out that approximately four years ago, the Legislature funded more positions with the express intent of allowing the Division to address the backlog of PSI reports. He said by 2014, the Division came back and had not reduced the backlog. Chair Frierson said he had asked at that time why nothing had been done, and the answer was not only unsatisfactory, but he thought it was disrespectful. When he pressed for an answer, he was told there were no number of positions that would allow the Division to accomplish that end. Chair Frierson said fast forward four years, and the Division was back to where it was six years ago, embracing the need to produce the PSIs and add positions to accomplish it.

Ms. Wood said she had been in the position just shy of three years, but had some historical knowledge that would not be as disrespectful as Chair Frierson had received in the past. When Ms. Wood took over the Division, she said there were hundreds of PSIs that had not gone to court but had a court date scheduled. The PSIs were being written rapidly prior to the defendant appearing in court, and some were being delivered to court three, four, and seven days in advance, which was a common practice across the state. Ms. Wood said she realized the system was creating a backlog and causing a problem for the public defenders, the courts, the district attorneys, and the Division in overtime. The timeline was 21 days at that time, and the Legislature determined that PSIs had to be in court within 20 days. Ms. Wood said the Division could not accomplish the 20-day timeline because a turnaround of less than 30 days would require the PSI to be due the day after it was ordered.

Assembly Bill (A.B.) 11 of the 78th Session (2015) was passed that required the Division to submit the PSIs to court 14 calendar days in advance of sentencing. Ms. Wood said the Division had been in compliance with that requirement.

The backlog of the PSIs was cleared with overtime and substantial effort. Ms. Wood said the timelines were being met, but when the work study was completed, it determined that each writer was assigned too many PSIs to complete in a timely manner. The Division was not doing a service to the courts, the public defenders, or the district attorneys. The work study highlighted the additional positions that were used to clear the backlog, but sustained a broken system. The work study highlighted what needed to be done to fix the system. Ms. Wood believed the Division could reduce overtime, increase efficiency, and get PSIs to court more quickly.

Chair Frierson said he specifically recalled being told there was no number of positions that could accomplish reducing the backlog, and he asked what assurances the Division could give that the same conversation would not happen in another two years. He wanted to make it very clear that he had been in the trenches as a deputy attorney general and a public defender for 10 years, and it was rare that he received a PSI a week in advance. He added that was not a reflection on the Division of Parole and Probation, but a reflection on caseloads.

Chair Frierson commented about something that, in his opinion, was probably more about substance than budget. He said he empathized with the Division about the caseload problem, but if the Legislature provided positions to address the problem, in two years it was expected that those positions would be used to reduce the caseload.

Ms. Wood said that she did not want to sit in front of the Subcommittees two years from now and have the same conversation either—so that was one assurance. When the Division was dealing with the 21-day timeline, all the new positions in the world could not have produced PSIs because the turnaround time was less than 30 days; a calendar would show that it was physically impossible. She said the work study was necessary to provide an appropriate determination of what one PSI writer could do to meet the timelines. There were a couple of difficulties including, for instance, the 21-day timeline that was not working for the Division. Ms. Wood believed that 21 days was too much time, but 14 days seemed to be the sweet spot. She could not guarantee that the new plan would work 100 percent, but she would be more than happy to comply with a letter of intent to make the Subcommittees feel more comfortable about the new plan. Ms. Wood thought a letter of intent would keep the Legislature updated in the interim without waiting two years for a new session.

Chair Frierson said he appreciated Ms. Wood's offer. He noted that in some jurisdictions the attorneys drafted and submitted agreed-upon facts so that the P&P officer or writer did not have to do that part of a report. He said, for instance, a defendant was charged and entered a plea, and the parties agreed that the facts were a truncated version of what was originally represented. It seemed to him that it would be a service to have accurate facts as opposed to the police report and have someone else submit those facts so PSI writers did not have to figure it out. Chair Frierson asked whether the recitation of the facts took up a significant amount of time and whether an agreed-upon set of facts would help.

Ms. Wood said that she had written PSIs, and most officers came up through the ranks writing them. In her experience, the difficulty was not putting the offense synopsis together, because most of that information was taken off the police report. Ms. Wood said she was willing to have a conversation about a pilot program, but she thought the majority of the struggles happened with the interview of the offender, the assessment, and the recommendation.

Assemblyman Sprinkle asked whether there was a difference in investigations between low-risk and high-risk offenders; for example, would writing a PSI for a high-risk offender require more time and have to be more in-depth.

Ms. Wood said that was correct, and sometimes in capital murder cases or sexual cases, the district attorney would deliver boxes of files on a cart for the PSI writer. In those high-risk offender cases, a PSI writer specialist 4 would be assigned to writing the PSI. That classification of PSI writer had a reduced caseload ratio because of the complexity of

the PSI being written. Obviously, those cases took significantly more time than a gross misdemeanor or a simple category E possession.

Assemblyman Sprinkle asked for the definition of a low-risk offender. Ms. Wood said it was based on a variety of factors, such as the offense being considered, the level of violence involved in the offense, the prior criminal history, and the pattern of compliance. Some of those were factors in the level of supervision and also the risk assessment tool that was used. In the Wisconsin module that was currently being used, certain factors were entered, such as substance abuse, mental health, and stability in the community, and the module would render a raw score at the end. That score would factor into whether an offender was considered a low, medium, or high risk. Ms. Wood said the assigned officer always had the option to override to a higher level of supervision based on whether the offender showed up that day, tested positive, or lost a job because there was a greater risk in the community.

Assemblyman Sprinkle assumed it would be the same for high-risk offenders, and the same sort of formula would give them a higher rating. Ms. Wood said that was correct.

Assemblyman Sprinkle asked whether the supervision model being used currently had proven to be reliable. Ms. Wood replied that the current supervision mode was based on national standards and the Bureau of Justice Statistics, U. S. Department of Justice.

Assemblyman Sprinkle returned to his earlier question about the overall number of offenders and asked how many of those were low-risk offenders. He said as the Division of Parole and Probation transitioned to placing more emphasis on those with high risk, he wondered how many low-risk offenders were not going to receive as much supervision.

Ms. Wood noted that the Division was going through a transition, and the statistics changed weekly, if not daily. In Las Vegas, the Division had completely redone the risks and needs assessments of every offender to move the general supervision probation population into some of these units. Currently, the lowest risk unit had 461 offenders. Ms. Wood said that number could change daily, as could the ratio of how many officers were needed in that unit to supervise that group of individuals. She acknowledged that low-risk offenders had less strict reporting requirements than the high-risk population.

Assemblyman Sprinkle wondered whether, assuming that the evaluation model that was described earlier remained the same, the Division was seeing any kind of trend regarding offenders.

Ms. Wood replied that she anticipated that the low-risk and the medium-risk groups would be quite high in their numbers. Based on her experience, she believed there had been a tendency to over supervise at the general supervision level. Obviously, there were certain populations that were going to grow, such as lifetime sex offenders and lifetime parolees. Those categories would not decrease in any expedient manner. Ms. Wood said if she were to make

a prediction, the low- and medium-risk numbers would be high, and ratios would stay the same with high-risk offenders.

Assemblyman Sprinkle said what the Subcommittees would need to see two years from now was how the new positions, if approved, were actually working toward the specific model. Ms. Wood said she fully expected the Legislature to hold her accountable.

Chair Frierson asked Ms. Wood to talk about the new system and how it was an improvement on the current system. It was his understanding that the existing system was the Wisconsin Risk Assessment and the Division was proposing to move to the Ohio Risk Assessment.

Ms. Wood explained that the Wisconsin Risk Assessment tool was built in the 1970s and it was a validated tool, but it did not have some of the contemporary predictive measures of the Ohio Risk Assessment System (ORAS). It was called ORAS, but would become known as NRAS [Nevada Risk Assessment System] for the state of its original jurisdiction. Ms. Wood said ORAS translated into levels of supervision and allowed the Division to better allocate its resources. The Division determined the risk categories of offenders as low, medium, maximum, and high and asked why offenders were not being supervised based on that control factor. Nationally, that was what was being done. The lowest supervision unit in Las Vegas alone had 2,100 offenders, with a ratio of 150 to 1, which was an appropriate level. Ms. Wood said the Division would need roughly 14 officers to supervise that unit. If you carried that theme on across the levels to medium risk, 5,000 offenders would require 61 officers.

The supervision module would determine, as the groups were examined, how many officers would be needed. Ms. Wood pointed out that the vacancy rate in Las Vegas was substantially higher than the rest of the state, and if Las Vegas was down roughly 3 percent on average, ORAS would show what ratios and contact guidelines were needed. Ms. Wood said she and her staff literally locked themselves in a room for a few days to work out the new system for the Division.

Senator Ford asked Ms. Wood to talk about the need for Effective Practices in Community Supervision (EPICS) training.

Ms. Wood explained that EPICS training was a tool that was evidence-based in the sense that professional experience was paired with statistical information. It was behavioral-based interviewing that required the officer and the offender to review the causes and get the offender to recognize what prompted the negative behavior that created a negative side effect. Ms. Wood said some examples of negative behavior were using drugs and violating supervision, which could potentially lead to losing custody of children—a negative side effect. What was planned in conjunction with the University of Cincinnati was to bring in Cincinnati-trained coaches over the next five months to observe Division officers

interviewing offenders. The interviews would be recorded and reviewed, and the coaches would provide feedback to the officers regarding what worked and what did not and what they needed to develop. Ms. Wood said eventually the Division would provide a "train-the-trainer" program. The Division would focus on the high-risk offenders first, but eventually all of the officers would be using the system for the entire population.

Senator Ford asked for the duration of the University of Cincinnati training, and Ms. Wood said five months initially.

Senator Ford asked how long the train-the-trainer program would last, and Ms. Wood said there were three phases and the program was extensive. She believed it would last approximately 18 months, but she would provide more accurate and detailed information.

Senator Ford asked how EPICS training would affect offender supervision, and Ms. Wood said the contact guidelines would be different for those officers who conducted the EPICS training. Not all of the training could be done at once, and the Division would focus on the high-risk offenders.

Senator Ford said the training sounded important, but clearly, the Division anticipated some level of disruption with the current supervision model.

Ms. Wood said Senator Ford was correct, and she had received confirmation that the train-the-trainer program would take roughly five months. Senator Ford asked whether the program was five months in total, or five months for each of the three phases, and how the Division would test the efficiency of the method as officers were being trained.

Ms. Wood explained that the University of Cincinnati would provide feedback about strengths and weaknesses and what could be improved. She said regarding performance measures, the recidivism rate would be considered because many individuals were facing a potential revocation.

Senator Ford asked how many other states were using EPICS training and said he was trying to determine whether it was novel training or innovative training.

Ms. Wood stated the training was nationally recognized, and Oregon had been using it significantly in conjunction with ORAS, as both systems complemented each other very well. She said the training was not new and not a gimmick, but something that absolutely worked. The National Association of Parole and Probation recommended it numerous times, and Nevada was just catching up.

Stephanie O'Rourke, Deputy Chief, North, Division of Parole and Probation, Department of Public Safety, informed the Subcommittees there were two phases for the EPICS training,

and the total training for both phases was just over one year. She noted there were 80 other probation agencies that used EPICS in the United States.

Assemblyman Sprinkle requested information about the day-reporting centers (DRCs) for high-risk offenders who were getting some rehabilitative services. He said it seemed like it might be a little bit more intensive for the officers assigned to the DRC, and he wondered whether the officers' caseloads were going to stay the same or be different from officers who were not working at the DRC.

Ms. Wood said the day-reporting centers were high-risk in the sense that the participants were at-risk, and if there were no day-reporting centers, the only other option would be revocation. She said she would like to put those individuals in the day-reporting center, and the officers would have a caseload, but it would be reduced to a ratio of 50 or 60 to 1. The officers would still work in the field, and the day-reporting center would have the vendor specialists inside the facility who focused specifically on needs for health and human services and employment. The officers would be involved with the EPICS training because that would be a critical component of changing a potential revocation into a success.

Assemblyman Sprinkle said it sounded as though these were offenders who were close to going back into the system. He asked what measures would be used to show that the model was working.

Ms. Wood said she could provide national statistics that had demonstrated the success of the day-reporting centers. She added that Assemblyman Sprinkle was correct: without day-reporting centers, the high-risk parolee or probationer would receive a revocation of sentence and be returned to custody. Ms. Wood said from a performance measure standpoint, if an individual successfully completed the day-reporting center program, was not revoked, and did not come back into the system within three years, that would count as a success.

Assemblyman Sprinkle asked whether there were any entities currently using the day-reporting center program and having success.

Ms. Wood said Utah reported that two-thirds of all subjects remained free of criminal charges for one year subsequent to receiving day-reporting center services. Franklin County, Pennsylvania, had more than 1,000 participants graduate from the program since 2006, and the recidivism rate was just under 20 percent. She said Hampden County's day-reporting program had an 86 percent success rate in 2016, and she had a page of references regarding successes with the program. The Division had done its homework and looked at what was working and what was not.

Assemblyman Sprinkle said he might not have asked the question clearly, but he wanted to know whether there were any local community providers in Nevada that were providing

day-reporting centers, and if there were community providers already doing this, what the justification was for the Division also having day-reporting centers.

Ms. Wood said it had been brought to her attention that Washoe County was running a hybrid version of the program that dealt with DUI offenders, and the focus was on depopulating the jail. While the Division and Washoe County shared a common goal to a certain extent, Ms. Wood's goal was to keep individuals out of the system and make them a success with supervision in the community.

Assemblyman Sprinkle said that when Ms. Wood returned in two years, the Legislature would be interested in seeing how the day-reporting center program was working. Ms. Wood said she was hopeful about the program and where it could go.

Senator Parks remarked that ten years ago when he chaired the Select Committee on Corrections, Parole, and Probation in the Assembly, one of the things he did was tour the day-center facility in Ogden, Utah, and he had been very impressed. At the time, he was an advocate for Nevada using a similar program. Senator Parks asked what the Division wanted to do with the program, where the centers would be located, and whether any facilities had been considered.

Ms. Wood said the biggest population was in Las Vegas, so there would be a day-reporting center in Las Vegas and also one in the north. The Division anticipated that there were roughly 250 offenders north and south at any given time who could potentially qualify for the program. A private vendor would handle the specialized care, such as mental health, substance abuse, and working on employment applications, as well as basic needs, anger management, and domestic violence. The Division would handle the case management side and the EPICS side of the case work. Ms. Wood said the officers would handle reduced caseloads of 50 to 1 or 60 to 1, and the population would be divided between probationers and parolees.

Senator Parks asked where the Division would locate such a facility, because the location in Ogden, Utah, was close to the freeway and away from any residential development. He believed there would be opposition to locating a facility close to any place residential.

Ms. Wood explained that the vendor typically chose the facility and usually tried to set up that facility in a strip mall or somewhere that met the needs of the bulk of the population being served. She said Senator Parks was correct that many people did not want a day-reporting center in their neighborhoods. There were also transportation considerations for the participants in the program.

Chair Frierson said he would like to move on to improving and expediting inmate release. He requested that Ms. Wood talk briefly about any obstacles with respect to communications with the Department of Corrections (NDOC) facilities. He said that was a relationship that

needed to mesh well, and additionally, he asked how the reentry program would help the development of plans for inmate release.

Ms. Wood said that approximately 20 years ago, the Division had specialists in prisons across the state who would work specifically with the inmate population on release and reentry plans. Because of budget cuts, the prison caseworkers had assumed the function, but that was not their primary duty. Prison caseworkers had difficulties because they were not connected in the community. Ms. Wood said what had been realized in discussions over the past year was that according to *Nevada Revised Statutes* (NRS), reentry was Parole and Probation's (P&P's) responsibility, and the Division planned to place specialists who would specifically work with the population in the major institutions across the state. Primarily, the Division wanted to focus on those inmates who had already gone before the State Board of Parole Commissioners and been granted parole, but were still in the institution because they did not have a residence or a viable plan in the community. Ms. Wood said around 450 individuals would comprise the focus group. Parole and Probation specialists would meet with those individuals and develop an action plan for their release, but they would also prepare a backup plan.

The specialists would work on counseling and get counseling certificates attached to the release plan so when the parolee was released and met with the officer, the officer would not be investigating a bogus address or telling the parolee to get a substance abuse or mental health evaluation that had already been done in the prison.

Ms. Wood believed the process would be expedited under the new preparole plan. Should an application have to be denied, currently it could take weeks to get back to the prison caseworker who had other duties, and then back to the offender to prepare a plan B or plan C because an address did not work out. The parolee's paperwork then returned through P&P and the officer was sent to investigate. The Division was planning to expedite the process at the prison so that when the officer received the preparole plan investigation, it was complete and a backup plan was ready.

Chair Frierson said Ms. Wood had been very thorough, and he appreciated her being able to answer the questions. He asked whether there were challenges with communication between the Division and the Department of Corrections.

Ms. Wood said that historically, there had been a proprietary ownership issue, but that had not been the case in the last three years, and the two agencies currently had excellent communication. She said P&P staff met with NDOC staff on a weekly basis, and additionally, communication with the State Board of Parole Commissioners had improved.

Assemblyman Sprinkle asked how many inmates had gone into transitional housing and whether that had been successful.

Ms. Wood said she believed Assemblyman Sprinkle was referring to Casa Grande Transitional Housing in Las Vegas, and to date, 408 parolees had entered Casa Grande, which was low risk. These individuals were previously on the parole eligibility list, meaning they had been granted parole, but they could not be placed in the community because they did not have a residence. Ms. Wood said services from the Department of Health and Human Services and the Department of Employment, Training and Rehabilitation (DETR) and outreach and education programs had been aiding the Division of Parole and Probation with the parolees. The Division was also working with veterans assistance and helping parolees sign up for welfare and the Supplemental Nutrition Assistance Program (SNAP) if they qualified.

Assemblyman Sprinkle asked whether that had helped with recidivism.

Ms. Wood explained that the Division did not track recidivism; it tracked the successful completion of parole or probation, and the program had done well. Moving forward, the Division would be tracking recidivism, but this program had only been in effect since October 2016. Currently, the Division had a success rate just shy of 62 percent overall with those offenders.

Assemblyman Sprinkle asked how those statistics compared to those who did not participate in the program and were just released into the community. Ms. Wood said that there were no statistics at all regarding that group of parolees.

Assemblyman Sprinkle said he was informed that there were 300-plus individuals who had qualified for parole but could not be released because there was nowhere to house them. He wondered whether the prerelease program would help them.

Ms. Wood said the Division's priority was going to be reducing the parole eligibility list. The Division would place the greater risk parolees on house arrest in the community, and the lower-risk ones would be in transitional housing in the community.

Senator Goicoechea asked how the assessment of high risk or low risk was made and who decided the placement.

Ms. Wood said every intake was initially reviewed by the sergeant. The majority of offenders would be interviewed by an officer who assessed their risks and needs, and the officer would determine to which unit they were assigned.

In response to a question from Senator Goicoechea about Casa Grande Transitional Housing, Ms. Wood stated that Casa Grande was different because it was owned by the prison and it had an Memorandum of Understanding (MOU) with the community. She said it was difficult to place a sex offender in Casa Grande because it was a low-risk facility.

Assemblyman Edwards asked about the 320 or so inmates who had been paroled but were not released. He wondered whether it would be accurate to say that if the fire sprinkler system requirement was removed in some of the homes, that the Division would be able to reduce that number or perhaps place all those parolees who had no place to go in the community.

Ms. Wood replied the reality was that to be placed on an approved transitional housing list, the home needed to be up to code and up to standard. She was aware that many persons who ran transitional homes did nothing but take advantage of the offenders. The housing stacked six to ten individuals in one or two rooms and it was inappropriate. Ms. Wood said such housing was not conducive to a parolee's recovery. She believed those codes were necessary, and the sprinkler codes especially so. Ms. Wood believed it was important to have approved lists, and it was important to ensure they were up to code.

Assemblyman Edwards said that while he understood that aspect, by having too much code, opportunities were being eliminated to get the parolees back into the community and in a transition to a more normal life. He wondered whether there was a way to eliminate certain things without violating safety concerns, but open up the door to helping them back into the community.

Ms. Wood noted that the State Fire Marshal was at the hearing today, but she was not comfortable violating code, and there were some codes in the *Nevada Revised Statutes* (NRS) or *Nevada Administrative Code* (NAC) that transitional housing was required to have in place. Ms. Wood deferred the question about codes to the State Fire Marshal Division. Ms. Wood said if codes were waived, probably more individuals could be placed in homes, but she was not knowledgeable about codes and what the "work-arounds" would be.

Senator Parks asked, from an overall perspective, how the programs worked toward reducing prison population.

Ms. Wood said in fiscal year (FY) 2016, there were approximately 2,400 individuals who were potentially facing a violation. With the day-reporting center, the Division of Parole and Probation was projecting that about 250 parolees and probationers could be rehabilitated back into the community. In addition, there were bills being proposed, such as Senate Bill 140, that allowed certain populations that were no longer violent or a risk to the community to move to supervision.

Chair Frierson referred to the residential confinement program extension and said he had a couple of questions. His first question was that if each field office was responsible for determining eligibility, what measures would be in place to ensure those decisions were consistent in each field office. The second question was about the criteria that would be used to ensure that those individuals could actually be self-sufficient.

Ms. Wood replied that each field office would be responsible for determining the offender eligibility for state-funded residential confinement, but there would be a checklist and statistical information available. Las Vegas had the biggest offender base, so the majority of the state-funded house arrests would be in Las Vegas, and the rest would be spread out proportionately throughout the state based on population. The Division would be looking at the offender's income and ability to self-fund house arrest, absence of any other resources, a support system, the likelihood of success if placed in a more intensive supervision module, the offender's past performance, whether the offender had previously been on residential confinement, and the offender's willingness to participate and cooperate in the program.

Chair Frierson said it concerned him that more individuals were being paroled, but he did not see any reflection of a reduction in population with the Department of Corrections (NDOC). He wondered whether there was any communication about parity in the reduction in population.

Ms. Wood said that while she was somewhat new to the position of chief, this budget period was the first time that the Division of Parole and Probation (P&P) sat down at the table with the State Board of Parole Commissioners and NDOC and discussed population, target goals, and how the population could best be served. Staff of each agency brainstormed the problems and decided, first of all, that P&P was responsible for reentry. Second, NDOC was concerned about population and all of P&P's enhancements were not going to solve the population problem of NDOC, but it would assist in the areas that were pertinent.

Chair Frierson said that if P&P was projecting a reduction of several hundred inmates based on more being paroled and more being supervised, that should match with the NDOC population as well.

Chair Frierson referred to transitional housing funding, decision unit Enhancement (E) 356 and decision unit E-900, and asked Ms. Wood to explain how transitional housing funding helped reduce recidivism.

Ms. Wood said she believed everyone had been in this field long enough to know that when someone was put out on the streets with \$100 gate money and had been in custody for a significant amount of time, that person was being set up for failure. The nature of transitional housing was to have a roof over a parolee's head with some stability and to establish roots in the community. Often, when parolees reported to the parole officer and were asked to comply with special conditions, most of them were more concerned about where they would sleep that night. Ms. Wood said transitional housing would not fix the entire problem, but would allow placement of difficult individuals in a stable environment, which by its very nature would reduce recidivism.

Chair Frierson asked whether there were going to be any restrictions on how transitional housing funds were used, and if there were, what those restrictions would be.

Ms. Wood said some of the criteria for indigent funding had already been formalized and vetted by NDOC and had been transferred as part of the reentry module. The offenders must have valid identification, Social Security cards, and Nevada identification for employment. She said NDOC was actively working with the Department of Motor Vehicles (DMV) on a Memorandum of Understanding (MOU), which was critical. There would be other criteria, such as needing to have a certain amount of days left before expiration of parole, no more than three prior prison terms regardless of location, no history of absconding or escape, no holds or detainers, and no U.S. Immigration and Customs Enforcement (ICE) holds. Ms. Wood said with some of the criteria, the sergeant would have the discretion to override requirements when appropriate.

Chair Frierson said he thought there was a statutory limit of \$100 gate money, and he wondered whether the statute needed to be amended to address, at least for the short term, more than \$100.

Ms. Wood referred to NRS 209.511 and said she did not believe there was a conflict with the statute, because it allowed the NDOC to provide an inmate whose sentence was expiring and who met certain criteria to receive \$100 gate money. Parolees could still be eligible for the \$100, but Ms. Wood did not believe it was a conflict.

Assemblyman Sprinkle referred to the mobile offender reporting and asked how successful that program had been. He said if the program had been successful, whether it would be operated more consistently, for instance, every month.

Ms. Wood said the program had been extremely successful. Some individuals, because of their jobs or transportation problems, had not been able to report to the Division, and mobile offender reporting had prevented warrants from being issued. The Las Vegas Metropolitan Police Department (Metro) had been very helpful and offered its facility for P&P to use to operate the program. The date was announced in advance to the offenders that they could report or pay fees at the designated place. Ms. Wood said that from June 2016 through January 2017, there had been about 354 contacts with offenders reported, and \$8,000 in supervision fees and over \$3,300 in restitution fees had been collected. The mobile offender-reporting program was used in conjunction with home contact reporting on the weekends. Ms. Wood said the offenders told officers they appreciated the program because it did not interfere with jobs, other appointments, or childcare.

Assemblyman Sprinkle asked, in light of its success, whether it would be held once a month.

Ms. Wood replied that currently it was being held about once every three months. While Ms. Wood said she would like to increase mobile offender reporting times, she did not want to take advantage of Metro by overusing the free facility space.

Assemblyman Sprinkle asked whether P&P was looking for another space for the program, and Ms. Wood replied that if the Division could not find a brick-and-mortar facility, then perhaps a mobile unit could be set up somewhere in the community. She commented that the program was successful and it was not going away.

Assemblyman Sprinkle said Ms. Wood had commented on collecting restitution fees as one of the successes of the program. He asked whether the amount of restitution collected had increased.

Ms. Wood said restitution collection had increased because if some of the offenders did not report to their officer, they also did not pay their fees. Some of the offenders were viewed as absconders because they had not been able to report for two or three months, P&P did not know where they were, and they could not be contacted at their residences. Ms. Wood said any funds collected through mobile reporting were considered a success.

Chair Frierson referred to the Offender Tracking Information System (OTIS) and asked for the status on the completion of OTIS and how the Nevada Risk Assessment System (NRAS) and OTIS would work together.

Ms. Wood informed the Subcommittees that testing was continuing on OTIS, and there was some excellent feedback from the program managers. Test-case development for the final user acceptance fees was underway. The interface design, with the exception of the Victim Information and Notification Everyday (VINE), was complete, and interface development was underway. The database mapping for data migration from the existing to the new OTIS was about 95 percent complete, and the Division hoped to go live by July 1, 2017. Ms. Wood said NRAS was plug-and-play and cloud-based, which involved taking out the old risk assessment tool and plugging in the new one.

Chair Frierson requested an update regarding the restitution backlog and how much of that was pending reconciliation or distribution.

Robin Hager, Administrative Services Officer (ASO) 3, Division of Parole and Probation, Department of Public Safety, said she did not know that there was a backlog of restitution and suggested the Chair might be referring to transfers of money, which were worked on every day. Money was pulled and restitution paid every week, so there was not necessarily a backlog because the Division was continually paying out. Ms. Hager said it was a matter of when money was available to pay out.

Chair Frierson said he was under the impression that there were restitution distributions pending.

Ms. Hager explained that restitution money was held for 21 days to ensure that checks or money orders were good, and when that money was verified, it was paid out. There were

certain instances when the way the file or case was set up could delay distribution, and the Division had to work through those files to ensure that the appropriate victim received the appropriate amount of restitution. But again, Ms. Hager said, staff was continually working on restitution and distribution.

Chair Frierson said he appreciated Ms. Wood's testimony, and he was delighted to observe the embracing of some new measures in the Division: it seemed that even the mission statement had been adjusted over the years. Chair Frierson closed the hearing on BA 3740 and opened the hearing on budget account (BA) 4709.

James M. Wright, Director, Department of Public Safety, said the next budget item was the Criminal History Repository, General Services, budget account (BA) 4709, which would be presented by Julie Butler.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - CRIMINAL HISTORY REPOSITORY (101-4709)
BUDGET PAGE PUBLIC SAFETY-123

Julie Butler, Chief, General Services Division, Department of Public Safety, presented budget account (BA) 4709, Criminal History Repository. A PowerPoint presentation titled "Department of Public Safety, General Services Division, Budget Accounts 4702-4709-4710, 2018/2019, Governor's Recommended Budget, March 14, 2017," was submitted by Ms. Butler and marked as [Exhibit C](#).

Ms. Butler said the General Services Division had three budget accounts, two of which were on today's agenda. The first account was BA 4709, Criminal History Repository. Ms. Butler referred to page 13 of [Exhibit C](#), and said the Division was requesting approximately \$4.3 million in reserves to fund phase III of the Nevada Criminal Justice Information System (NCJIS) Modernization Plan, which consisted of part 2 of the computerized criminal history system rewrite. The rewrite would mainly include items that could not be included in phase II, the biggest of which was eliminating dual data entry between state and FBI criminal history systems. Ms. Butler said eliminating that duality ensured more streamlined operational capability, reduced mistakes, improved the background check process on behalf of employers and firearms purchasers, and upgraded and replaced the domestic violence protection order system, which was the last of the Legacy applications. The Legacy system was over 20 years old, ran on hardware that was not supported, and the Division had a statutory mandate to replace it with a database upgrade. The Division of Enterprise Information Technology Services (EITS), Department of Administration, became aware in the fall of 2016 that the underlying database that supported NCJIS was out of support. Ms. Butler said that concluded the presentation for BA 4709.

Senator Ford said he had a few questions about the NCJIS project. He requested an update on the progress of the second phase.

Ms. Butler stated the Division was on track and on budget for NCJIS Modernization phase II and anticipated going live on July 1, 2017. Currently, the Division was participating in user-testing phases, particularly for the justice link upgrade. In everything else the design had been completed, and the Division was moving forward with user testing.

Senator Ford asked what assurances EITS had provided to the agency that additional resources would not be needed to complete the third phase of the NCJIS project in the 2017-2019 biennium.

Ms. Butler said that EITS staff was confident it could complete the scope of work within two years, but she could not guarantee that because problems often arose in any large information technology (IT) project. However, through good planning, which Ms. Butler said had been accomplished during phase II and in preparation for phase III, she did not believe the Division would need additional resources.

Senator Ford asked how many more years were anticipated to complete the NCJIS project.

Ms. Butler said the General Services Division had planned one more phase, phase IV, in the 2019-2021 biennium. Page 14 of [Exhibit C](#) showed that the project would be looking at any application refreshes from phase II and phase III. The Division received a variety of requests for enhancements from local criminal justice agencies on system capabilities that could be addressed in phase IV. Ms. Butler said there was a possibility of replacing the warrants system, which was not included in the prior fees, as it had last been addressed in 2016. Another possible project for phase IV was purchasing a new law enforcement message switch and recoding the hot files, which provided instant information to law enforcement on any person or persons encountered.

In response to Senator Ford's question about the cost of phase IV, Ms. Butler stated the cost was unknown at this time. The Division anticipated using reserves for phase IV, but until the scope of the project was refined, she could not provide a projected cost.

Assemblywoman Swank requested information about the disposition backfill project, such as the number of staff currently assigned to it and a general update of the temporary contract and permanent staff.

Ms. Butler said page 9 of [Exhibit C](#) addressed the disposition backfill project. In June 2014, the Division approached the Interim Finance Committee (IFC) to add 10 permanent full-time-equivalent (FTE) positions and 10 FTE temporary positions to address the disposition backlog. Through a federal grant, 10 more temporary positions were added. The Division currently had 20 temporary FTEs and 10 permanent positions to address the

disposition backfill project. At the height of the backfill, nearly 1 million dispositions needed to be addressed, but as of February 23, 2017, the project had reduced the count to 108,603 dispositions. Ms. Butler said the Division anticipated completing the project in the fall of 2017.

Assemblyman Sprinkle referred to the disposition backfill project and asked whether it would address the problem of the Division having to separately notify the state and the FBI about dispositions.

Ms. Butler thanked Assemblyman Sprinkle for the question and said that dual data entry between state and federal systems was one of the Division's biggest problems. She said the computerized criminal history (CCH) part II in phase III would address and correct that problem.

Assemblyman Sprinkle referred to the sex-offender registry and asked what parts of the Adam Walsh Child Protection and Safety Act of 2006 was the Division able to implement without violating the temporary restraining order placed by the Nevada Supreme Court.

Ms. Butler said the Division was currently under a stay concerning the Walsh Act. The Division had intended to go live in July 2016 and started operating the new Walsh-compliant sex offender registry system. It had been operational for about an hour before the Division was served with another injunction. The website was immediately taken down, and the Division was currently operating under Megan's Law, which was the sex-offender registry law prior to Assembly Bill (A.B.) 579 of the 74th Session (2007) being enacted. Ms. Butler said staff was performing a dual registration behind the scenes with the Walsh tier and the Megan's Law tier, so when the court decided which one was law, the Division would not have a massive reorganization effort.

Assemblyman Sprinkle asked if there was anything else that could be done presently about A.B. 579 of the 74th Session (2007) or whether everything was at a standstill. Ms. Butler replied that there was nothing that could be done until the Nevada Supreme Court made its decision.

Assemblyman Sprinkle asked about updates regarding the scanning, indexing, and digitizing of sex-offender registry files.

Ms. Butler stated that the Division uploaded sex-offender registry files to the national sex-offender public registry, and that happened with every case file that had the necessary data elements. Sex-offender files were digitalized and scanned so eventually files could be made available to local law enforcement in a digital format, which Ms. Butler said was an ongoing project.

Senator Ford returned to the subject of the disposition backfill project and asked whether all of the courts were reporting the dispositions. Ms. Butler replied that all courts were reporting at this time.

Chair Frierson closed the hearing on BA 4709 and opened the hearing on BA 4702.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - GENERAL SERVICES (101-4702)
BUDGET PAGE PUBLIC SAFETY-131

Julie Butler, Chief, General Services Division, Department of Public Safety, presented budget account (BA) 4702, General Services.

Ms. Butler referred to page 19 of [Exhibit C](#), "Department of Public Safety, General Services Division, Budget Accounts 4702-4709-4710, 2018/2019, Governor's Recommended Budget, March 14, 2017," which showed the Communications Bureau enhancements.

The General Services Division had acquired the three Department of Public Safety dispatch centers from the Nevada Highway Patrol (NHP) in fiscal year (FY) 2014 as a result of Assembly Bill (A.B.) 465 of the 77th Session (2013). Decision unit Enhancement (E) 225 recommended decommissioning the Elko Dispatch Center, resulting in a biennial cost savings of \$666,095, by consolidating operations with the Carson City Dispatch Center. Historically, the Elko Dispatch Center had been unable to recruit and retain qualified public safety dispatchers. Ms. Butler said it was true when the NHP managed the center and it was true today. In calendar year 2012, the Division of Internal Audits, Office of the Governor, recommended that the NHP consolidate the Carson City and Elko Centers because the volume of radio and phone traffic did not justify having a third communications center for the Department of Public Safety (DPS). Decision unit E-225 would implement that recommendation.

The Elko Dispatch Center only operated from 5 a.m. to 9 p.m., Monday through Friday, because of lack of staff. The Carson City and Las Vegas Dispatch Centers assumed operations for the Elko Dispatch Center overnight and on weekends. Ms. Butler said the situation proved that the centers had the underlying radio and telephone capability to redundantly and seamlessly dispatch DPS sworn personnel from anywhere in the state. According to Ms. Butler, the communications center division essentially operated on one communication center for most of 2016, because the Elko and Carson City centers experienced staffing shortages. Staff from the Las Vegas center effectively dispatched DPS sworn personnel throughout the state without incident. The Carson City center was currently up to nearly full staffing and had resumed 24/7 operations in January 2017.

Ms. Butler said decision unit E-225 would eliminate four full-time-equivalent (FTE) positions from Elko, reassign five FTE positions to the Carson City Dispatch Center, and leave one full-time position in Elko to be dedicated to records management system support and act as the Department's terminal agency coordinator for compliance with state and federal regulations on the use of criminal history information. The incumbents in the four eliminated positions were eligible to transfer to open positions in different geographic locations, transfer to open positions in the warrant unit, or transfer to other open positions in the state. With the transfer of five FTEs to the Carson City Center, the Division believed it was capable of picking up the additional radio and phone traffic from Elko.

Ms. Butler referred to decision unit E-900. She said that after three years under the management of the General Services Division, the Governor's Budget recommended transfer of the Warrants Unit back to the Nevada Highway Patrol (NHP). Workload analysis had shown that over 98 percent of the warrants processed by this unit came from the NHP. There was no operational benefit to managing the staff or the budgetary process through the General Services Division. The remaining amount, less than 2 percent of the warrants, were from other state agencies, and those duties would be transferred to the Carson Center. The transferred positions would remain in Elko, and the transfer was cost-neutral with no staff being displaced. Additionally, with the NHP command structure in Elko, the unit would receive onsite monitoring of personnel and workload on a daily basis, something that was difficult to do with management being in Carson City and Las Vegas.

On page 20 of [Exhibit C](#), decision unit E-555 recommended \$1,298,934 in one-time funding in fiscal year (FY) 2018 and \$30,189 in FY 2019 to replace the radio consoles in the Division's three communications centers. Ms. Butler explained that the consoles had reached the end of life and were no longer vendor-supported. Additionally, the radios would not be operable when the state transitioned to the Nevada Shared Radio System upgrade, which would leave the Department's sworn personnel in the dark.

Senator Goicoechea commented that he had received phone calls from over a dozen very concerned NHP troopers from the Elko Dispatch Center. When the Elko Center transferred control to Las Vegas at 9 p.m., there were times when there was a lag before connecting with a dispatcher, and Senator Goicoechea believed that was completely unacceptable. Senator Goicoechea was also concerned about a dispatcher who was sending an NHP trooper to an incident 400 miles away. He wondered what would happen if Las Vegas and Carson City Centers were charged with handling all dispatches and there was a system failure. If the Elko Dispatch Center was in place, it could at least help. Senator Goicoechea also noted that the NHP would not have full-functioning, intraoperative radios until 2023, according to the Department of Transportation (NDOT). The new radio systems were not in place, and there were still holes in coverage in the rural areas.

Senator Ford said that if he had heard correctly, there was a personnel issue in the Elko Dispatch Center with no one to fill the dispatch positions. Ms. Butler said that was correct.

Senator Goicoechea related that employees in the Elko Dispatch Center were told that the dispatch center was closing, and if those employees wanted a job, they had better move to Carson City. Additionally, no one was applying for the jobs, because applicants were being told the dispatch center would be closed in three months.

Ms. Butler acknowledged that staff had been informed of the intent to wind down the Elko Dispatch Center and had been offered positions in the Warrants Unit or positions in other centers. It was also true that currently the Elko Dispatch Center was down to three dispatchers and one was transferring in April to the Carson City Dispatch Center. Ms. Butler said that left three dispatchers and a supervisor, who would be taking medical leave later in March. The employees at the Elko Dispatch Center were told the closing was not certain; however, even before staff was informed, the center was having difficulties. Ms. Butler related that the most recent hire, a young man who lasted less than a year, left to go to another agency for more money. Another recent hire was a dispatcher for a couple of years and left for personal reasons. There was difficulty keeping a full staff at the Elko Dispatch Center: that was true when the NHP ran the center and it was true today.

According to Ms. Butler, the mines paid well, and it was difficult to compete with the mines in the Elko area. A couple of employees had already transferred from the Elko Dispatch Center to the Carson City Dispatch Center. The employees from Elko who transferred to Carson City were familiar with the geography in Elko and were teaching the staff in Carson City about that geography. Ms. Butler was confident that the staff who transferred from Elko to Carson City were relaying the geographical information and knowledge, and that would only get better with time.

Senator Ford commented that the personnel issue was something that would have to be addressed should the Elko Dispatch Center be kept open. He said Senator Goicoechea also talked about communications issues and radios, and a bill was being proposed that dealt with Next Generation 911 (NG911) fees. Senator Ford wondered whether NG911 fees could assist in the communications and radio operations that Senator Goicoechea was concerned about, at least in the relationship between the Las Vegas Dispatch Center and what was happening in Elko.

Ms. Butler stated that the problems with the radio system would occur whether or not the Elko Dispatch Center was in service because of underlining issues with the radio system. Nevada was the most mountainous state in the country, and the mountains blocked radio transmission. Ms. Butler had received an update from the Department of Transportation, stating it was planning to release a request for proposal (RFP) for the Nevada Shared Radio

System later this month. The NDOT estimated six months or more for proposals and selection, and at best, it would take more than a year to begin replacing the system.

Ms. Butler said the Nevada Highway Patrol (NHP) had recently transitioned to the mobile data computers, and it had cell phones and radios. Communications, particularly in the rural areas, were better than they had ever been, and while there were still dead spots, those dead spots would remain whether or not Elko stayed open. Ms. Butler said the NG911 fees would have to be studied by the Division.

Assemblywoman Titus said she had questions concerning the number of communications coming out of the Elko region, and she was also concerned about the ability of Carson City and Las Vegas to handle all of the calls. Apparently, the number of calls coming out of the Elko region had tripled since an audit was conducted in 2012. She was concerned whether it was realistic for Carson City and Las Vegas to handle all those calls in a timely and safe manner, not just for the troopers, but for the citizens of Nevada.

Ms. Butler said she had provided a report to the Legislative Counsel Bureau, which looked at the average number of radio log entries, and on paper it looked as though calls had tripled, but there was a caveat because the numbers in 2015 and 2016 included all radio traffic and not traffic sent to archive. When the numbers were compared with 2012, 2013, and 2014, some of those calls had been archived, so it appeared on paper as though the number of calls had tripled when that was not correct. What the Division had projected was approximately an 11 percent increase in telephone calls and a 16 percent increase in radio log entries. The Division had projected that with the five additional staff transferring to the Carson City Dispatch Center and a larger applicant pool from which to draw, those positions could be filled to handle the additional traffic.

Assemblywoman Titus asked how many current openings were in Carson City. Ms. Butler replied there were three vacancies in Carson City and another vacancy for someone who was going to transfer from Elko to Carson City in April.

Assemblywoman Titus said there was a considerable amount of training for a dispatcher, so once someone was hired, she asked how much time it would take for training before performing the job. Ms. Butler said there was about an eight-month training period before a dispatcher was allowed to work without supervision on the radio and telephone.

Assemblyman Sprinkle asked Ms. Butler to confirm that the General Services Division budget contained a request for four new consoles.

Ms. Butler responded that the Division had requested five consoles for Carson City, four consoles for Elko, and ten consoles for Las Vegas. If decision unit E-225 was not approved, she would need those four consoles in Elko.

Tammy Trio, Administrative Services Officer (ASO), General Services Division, Department of Public Safety (DPS), said that when the Division transferred into the one-time appropriations, it was noticed that four consoles were missing. She was not sure at this time whether the Division was going to do an amendment or how that would transpire, but the budget would be short by four consoles if the Elko Dispatch Center stayed open.

Assemblyman Sprinkle asked whether the need would still be there.

Ms. Trio said the need would be there if the Elko Dispatch Center was not decommissioned, and the Division would need the funding replaced. If Elko was decommissioned, then the deck unit would remove it, but right now the Division was inappropriately funded for those four consoles in Elko.

Assemblyman Sprinkle asked whether the full-time program officer position was still going to be needed if the Elko Dispatch Center was decommissioned.

Ms. Butler explained that the full-time program officer position would still be needed because that position provided DPS personnel with assistance with the computerized dispatch and records management system called Spillman (Spillman Technologies, Inc.). It also performed an important function in making sure the Division was compliant with federal rules for use of criminal history information, not only for the General Services Division, but for the entire Department of Public Safety that used FBI criminal history record information. Ms. Butler emphasized there was still a need for that position.

Chair Frierson moved on to the Warrants Unit and noted that it appeared that the warrant services for other state agencies were previously performed by NHP. He asked why the General Services Division would continue to perform warrant service.

Ms. Butler said ideally, warrants would transition to the State Contractor's Board, the Division of State Parks, and other entities for which the General Services Division was performing warrant services. The Division would have to give the other entities notice that the Division would no longer perform that service for them. But historically, the Division would have some obligation to give notice of intent, and if the other entities absolutely could not perform the service, then that would be something the Division would continue doing on their behalf.

Assemblyman Sprinkle said that if the rationale for transferring the warrants unit back to NHP was because the majority of the workload was with NHP, then his question was why dispatch services would not fall under the same rationale and go back to NHP.

Ms. Butler explained that at the time of the transfer of dispatch services, the NHP rotated its management of the dispatch centers, and moving it to the General Services Division recognized that transfer would provide more stability in supervision and management.

Senator Goicoechea said he was again going to plead the case for the Dispatch Center in Elko. He said he knew the reduction came in response to the Governor's request for a 5 percent budget reduction and the Elko Dispatch Center was the easiest place to cut. The bottom line for Senator Goicoechea was that Nevada needed the three dispatch centers just to support the state as a whole and the Nevada Highway Patrol troopers. He said he understood the ramifications and it was a budget issue, but it was also about public safety.

Chair Frierson closed the hearing on budget account 4702 and opened the hearing on budget account 3816, the State Fire Marshal

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - FIRE MARSHAL (101-3816)
BUDGET PAGE PUBLIC SAFETY-149

James M. Wright, Director, Department of Public Safety, introduced Bart Chambers, the new State Fire Marshal.

Bart Chambers, State Fire Marshal, State Fire Marshal Division, Department of Public Safety, presented budget account (BA) 3816.

Senator Ford referred to the licensing program upgrade, decision unit Enhancement (E) 225. He said the licensing program upgrade would alleviate manual processes, provide cardholder and license access, and allow staff to focus on compliance issues and inspections. He asked what compliance or inspection issues the agency anticipated addressing.

Mr. Chambers said the Division's licensing program used a manual application process with no integrated online payment options, and all initial and renewal licensing applications had to be keyed into the existing database. Currently, there were approximately 6,800 individuals in over 800 companies submitting applications. The existing database did not have any integrated online payment capabilities, so nearly 100 percent of all payments were received in the form of checks and money orders, which were also manually keyed into the database. Mr. Chambers noted that the manual process was tedious and time-consuming. The anticipated software licensing upgrade for the vendor would include underlying structure for online payment capabilities. The Division was requesting to make necessary modifications incorporating the online application forms and allowing the customers to submit online payments once the applications were submitted.

Senator Ford asked what the ramifications would be if the positions that were no longer needed were eliminated with the technical efficiencies gained with the new database.

Mr. Chambers referred the question to Lieutenant Mike Dzyak, who had been the interim fire marshal.

Lieutenant Mike Dzyak, Bureau Chief, Investigation Enforcement Section, State Fire Marshal Division, Department of Public Safety, said that concerning licensing, he would defer to Danny Brennan who was the bureau chief of that specific section.

Danny Brennan, Bureau Chief, Fire Licensing, Permitting, Prevention, and Data Bureau, State Fire Marshal Division, Department of Public Safety, stated that the program would help alleviate all the manual processes that were currently being performed with just two employees. Once the system was online and taking the customer information on the website, the administration of the system would be in the hands of the administrative assistant, and the program officer would go into the field and perform inspections. Currently, a combination of officers and inspectors in the field did the licensing inspections as a side job, but that was not the focus. Those inspectors were actually inspecting for fire and life safety. Mr. Brennan said the new database would free the program officer to perform intended duties.

Assemblyman Sprinkle referred to the Training Division, Department of Public Safety, and said it appeared that three positions that were being funded through General Fund appropriations were being transferred into the State Emergency Response Commission (SERC) budget and the Division of Environmental Protection, State Department of Conservation and Natural Resources. Assemblyman Sprinkle wondered what the rationale was for moving away from General Fund appropriations.

Lt. Dzyak explained that the State Fire Marshal Division had several different budget categories, and a lot of the training was done in the hazardous materials realm. The Division of Environmental Protection supervised US Ecology, Inc.'s use of the facility in Beatty, and the funding that came from there was largely used in training firefighters in hazardous materials.

Assemblyman Sprinkle asked whether the revenue shift would cause something to come up short because budgeted dollars were now being used for something different. Mr. Chambers explained there would be a decrease in training for firefighters in this area.

Assemblyman Sprinkle asked why the State Fire Marshal Division was anticipating an increase in hazardous materials certification fees.

Patrick Bowers, Administrative Services Officer (ASO), State Fire Marshal Division, Department of Public Safety, said the Division looked at a five-year rolling average but usually used the base year, which seemed to be the most conservative number to use. The projection for the new biennium used the figures for base year FY 2016 but divided it out to determine how many companies had paid the certification fees. Mr. Bowers said the projections were worked backward. After determining how much money was brought in, which represented the number of certificates issued, the result was how many companies were actively submitting hazardous materials submissions.

Assemblyman Edwards said he would like a quick clarification regarding mandatory sprinklers in halfway houses for parolees. If the government determined how many people were going to be in a house and three bedrooms were needed for six people, which would keep it at residential status, it would appear that a commercial fire code was being confused with residential. He wondered, as long as the halfway house was deemed residential, why sprinkler systems with all the additional costs would be needed when it seemed to be impeding the release of hundreds of parolees who should be out of prison.

Mr. Chambers referred to the transitional living facilities and said as of right now, there had only been five come across the State Fire Marshal's desk since 2012. Under the *Nevada Administrative Code* (NAC) 449, the Department of Health and Human Services (DHHS) identified a transitional living facility (TLF). When information was received from DHHS, the State Fire Marshal performed inspections and issued a certificate of compliance. It also identified an administrator for those facilities to ensure that certain things happened for the safety of the residents or those living in the TLF. For a residence, it came down to the type of construction, the type of building, and the size of the building regarding what was needed for the number of beds that were in it, because some residences could potentially house more than six. Ms. Chambers stated that all facilities that had gone through the State Fire Marshal already had sprinklers in them. In 2008, the National Fire Protection Association quoted a square-foot price for a sprinkler of \$1.61, and in an approximate space of 2,400 square feet, it would cost approximately \$3,800 to retrofit or outfit a house with sprinklers. In 2013, the price went down to \$1.35 per square foot. Mr. Chambers had checked with Las Vegas, and the average price per square foot for a residential structure was about \$3 a square foot. He acknowledged it was a substantial cost, but the State Fire Marshal needed to ensure that the code written by the experts was followed.

Chair Frierson questioned the Division of Environmental Protection-Hazardous Waste Management (NDEP-HWM) increases and wondered how retaining the additional \$26,702 over the 2017-2019 biennium would affect the Hazardous Waste Management budget.

Mr. Bowers informed the Subcommittees that the fourth-quarter payment the Fire Marshal received did not come until after the end of the fiscal year. That final payment was never "money in hand" to actually spend within the budget, so it had to go back to NDEP. The money was tagged statutorily for a certain purpose, and the State Fire Marshal Division did not want it to revert back to the General Fund. Mr. Bowers said the money was sent back to NDEP once it was calculated how much was needed to fund operations, and on average it had been over \$100,000 per year. It would not negatively affect NDEP's budget because it would still receive money back from the Fire Marshal every year if the trend continued.

Chair Frierson asked about the State Fire Marshal's hazardous materials training efforts and how they would be affected.

Mr. Bowers explained that there could be a negative effect on the amount of training that could be provided because General Funds were being reduced, and the State Fire Marshal Division was relying on fees that might or might not be available. The NDEP was stable and had been for a number of years. The Fiscal Analysis Division staff had been provided with the history of that funding. Mr. Bowers said the \$60 hazardous materials portion that transferred in from the State Emergency Response Commission was based on facilities and hazardous materials permits, and if those permits declined, the State Fire Marshal Division might have to tap into reserves. He did not believe that would happen in the next two years, but it all depended upon the economy.

Mr. Chambers said to rely on fees based on the economy could be a potential problem, considering what had happened in years past.

Chair Frierson asked how the agency expected to continue the practice of retaining funds transferred in future biennia.

Mr. Bowers said the Division would have to consider projections in the next biennium and determine where it stood with hazardous materials certificates. If the certificates were still stable and NDEP was still transferring the same levels of money, Mr. Bowers did not believe there would be any negative effect. The Division would have to examine the certificates and the reserve every single biennium.

Chair Frierson closed the hearing on BA 3816 and opened the hearing on BA 4736, the Justice Grant Office

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - JUSTICE GRANT (101-4736)
BUDGET PAGE PUBLIC SAFETY-192

James M. Wright, Director, Department of Public Safety, introduced Mirjana Gavric, Administrator, Office of Criminal Justice Assistance, Department of Public Safety (DPS), and Charise Whitt, Deputy Administrator, Office of Criminal Justice Assistance, DPS.

Charise Whitt, Deputy Administrator, Office of Criminal Justice Assistance, Department of Public Safety, presented budget account 4736.

Chair Frierson asked about the funding adjustment in decision unit enhancement (E) 549. He said if this request was approved, the Division would spend \$564,155 over the biennium to administer federal grants of approximately \$3.4 million. He said there was a concern about whether the costs justified the ends and at what point it was no longer cost-efficient.

Ms. Whitt said the General Funds being requested were less than about 10 percent of what was received in grant funds each year. Although the Justice Grant Office was small, with 4.5 full-time-equivalent positions (FTEs), it brought in \$3 million to \$5 million per year. Ms. Whitt noted the Office had a large effect on state and local agencies and the services provided through grant funds.

Chair Frierson asked whether his calculations were wrong, because he was considering \$564,155 and \$3.4 million, which was not 10 percent of the cost of operation. Ms. Whitt replied that the \$3.4 million figure applied to each year of the biennium.

Ms. Witt remarked that, historically, the amount of grant awards had been anywhere from \$2 million per year to \$13 million per year. The Justice Grant Office never knew what grants would be received from the U.S. Department of Justice.

Assemblyman Sprinkle asked whether there had ever been any consideration given to consolidating the Office of Criminal Justice Assistance with the Department of Administration's Grants Unit or Purchasing Division.

Ms. Whitt replied that several options had been considered, but the Department of Administration's Grants Unit did not administer or manage grants. It sought grants and assisted agencies in obtaining grants, but it did not have the responsibility for the monitoring, compliance, and reporting functions.

Assemblyman Sprinkle asked about using the Purchasing Division or some other larger division of the Department of Administration.

Ms. Whitt said the Office had considered moving the General Services Administration (GSA) 1122 Purchasing Program to the Purchasing Division, Department of Administration, and agreed that move was something that could possibly be done. As far as the grants portion of the duties and the Department of Defense (DOD) 1033 Excess Property program duties, it was believed that ties with law enforcement agencies through the Department of Public Safety was a good nexus. Ms. Whitt said moving the Justice Grant Office into another DPS office had been discussed, but there were no significant savings, as the Office of Criminal Justice Assistance positions would still be needed to perform the duties. The Office had a slim budget and no significant savings were found regarding the move.

Assemblyman Sprinkle wondered whether all the positions would be needed if everything in the Office was kept as it was currently.

Ms. Whitt stated all the positions would be needed and that in 2005, the Office had 7 positions and was currently down to 4.5 positions. The reporting requirements had increased substantially since 2008, which involved more time and staff participation.

Ms. Whitt believed that not only were the current positions needed, the Office could use one more position.

Senator Goicoechea asked whether any of the positions were federally required.

Ms. Whitt said the Office of the Governor was responsible for appointing the state coordinator to host the DOD's 1033 Excess Property program. If the program was kept in Nevada, a position would be required.

Senator Goicoechea noted there had to be at least one position to meet the federal requirements for acquiring excess property.

Assemblywoman Bustamante Adams asked for the total amount of grants received in 2005 with 7.5 FTE positions in the office because she thought the return on investment was extremely low.

Ms. Whitt replied that it was actually in 2003 when the Office had 7.5 positions, and it brought in a total of \$6.5 million that year.

Assemblywoman Bustamante Adams asked whether the agency did the math to divide 7.5 FTEs into a return of \$6.5 million, because now the Office of Criminal Justice Assistance had 4 personnel with a return of \$2 million.

Ms. Whitt said that currently the return was a little over \$3 million per year and she had not split that out. She noted that the requirements for compliance and reporting had increased substantially since the Office had 7.5 positions.

Assemblywoman Bustamante Adams asked Ms. Whitt to expand on that statement.

Ms. Whitt replied that, for instance, federal reporting requirements had increased on quarterly reports to the Department of Justice. In 2007 there were 37 questions, and in 2016 there were 248 questions regarding each subgrant. In 2007 there were 19 special conditions required with most of the grants, and in 2017 there were 52 special conditions for each grant.

Assemblywoman Bustamante Adams asked whether the Office of Criminal Justice Assistance had a mechanism to determine whether it was worth it to apply for a grant for so little money.

Ms. Whitt said she was not sure she had the answer to that question and referred it to Mr. Wright.

Mr. Wright noted that anything with grants was getting more difficult, and he acknowledged there was a tipping point that had to be considered from a business perspective. However, the point was that these grants being sought were not really affecting DPS: it was the law enforcement community that was ultimately receiving the grants. Mr. Wright said without the Office of Criminal Justice Assistance, the Nevada law enforcement community would be without grant assistance for specialized programs. Grant management had become complex and difficult in today's world, and the Office of Criminal Justice Assistance was vital to providing a valuable service. Mr. Wright believed law enforcement across the state would have concerns if the Office was closed. It was not only with grants that the Office was helping law enforcement; access to federal excess equipment was valuable, especially to departments like the larger sheriff's offices that had helicopters. The majority of helicopter parts came through the Office of Criminal Justice Assistance for engines and blades, and in one case, an actual helicopter was obtained. The search and rescue equipment that the sheriff's offices used was being purchased through the Office of Criminal Justice Assistance. Mr. Wright asked the Subcommittees to understand that the Office was not only about grants, but also excess federal property.

Assemblywoman Bustamante Adams said she still did not see the rationale. While she understood what Mr. Wright was saying, the money still did not work out for her. She said her other question was whether the Office of Grant Procurement, Coordination and Management, Department of Administration, had performed a review of the Office of Criminal Justice Assistance to determine whether there was room for more efficiency.

Ms. Whitt stated the Office of Grant Procurement, Coordination and Management had not performed a review, but she had worked with its staff for the last two years trying to set up baseline procedures for all the grants offices. In working with Office of Grant Procurement, Coordination and Management on consolidating and setting up the state processes, Ms. Whitt said the Office of Criminal Justice Assistance had reviewed its processes to a point, but had not had a review of those specific processes.

Assemblywoman Bustamante Adams said she would like to know what the return on investment was for the Office with four employees and \$3 million in grants per year.

Ms. Whitt said considering the amount of funding being requested and the amount of funding received on average over the last ten years, the return on investment was approximately \$54 for every General Fund dollar spent.

Assemblywoman Swank remarked that the director had said it was harder and harder to find grants to apply for, and she wondered whether the Office saw that trend continuing, because she could see over the last ten years that there had been a good return on investment. However, if declining availability of grants was a continuing trend, it could become a problem.

Mr. Wright admitted there had been an ebb and flow in grant funding from the federal government; however, there were indications that law enforcement support might be coming back around with the new administration. He hoped that there would be more grants available, but the burdens with the grants were the compliance and reporting requirements. There was as much work in reporting to the federal government as there was with applying for the grants.

Mr. Wright commented on the question of the Office of Grant Procurement, Coordination and Management. He said the Office of Criminal Justice Assistance had a good working relationship with them, and Ms. Whitt and some other staff had given them assistance with understanding grants. Ms. Whitt was correct in saying that office did not administer grants.

When considering options as to where the Office of Criminal Justice Assistance could be moved, the Purchasing Division, Department of Administration, was a possibility, but Mr. Wright said he went back to the relationship between the Office and outside law enforcement agencies. There was no one in the Purchasing Division who knew law enforcement, and Mr. Wright believed the Office of Criminal Justice Assistance was the best home for the duties.

Ms. Whitt pointed out that Nevada had several formula grants that the state was eligible to receive, which were noncompetitive. The grants were based on a formula from uniformed crime reporting, and if there was no office or mechanism to bring in those grants, Nevada would probably lose \$2.6 million per year.

Chair Frierson closed the hearing on BA 4736 and opened the hearing on BA 3800, Parole Board.

PUBLIC SAFETY
DEPARTMENT OF PUBLIC SAFETY
DPS - PAROLE BOARD (101-3800)
BUDGET PAGE PUBLIC SAFETY-205

Connie S. Bisbee, Chairman, State Board of Parole Commissioners (Parole Board), presented budget account (BA) 3800 and introduced Kathi Baker, Fiscal Management Analyst, and David Smith, Senior Hearings Examiner.

Chair Frierson asked why the percentage of hearings being granted by the Parole Board had declined and were projected to continue at a level less than that achieved in fiscal year (FY) 2015, especially when the number of hearings was projected to increase.

Ms. Bisbee acknowledged there had been a decline in hearings, but the number of hearings was actually going back up again. Currently the Parole Board was at a 52 percent grant rate. The reason the grant rate declined for a short period of time was because of "in absentia"

hearings. Ms. Bisbee said that when the Department of Corrections (DOC) switched over to Offender Sentence Management (OSM) to build a new sentencing package, it was not totally integrated with the notice package. In absentia meant an inmate's physical presence was not required at a hearing. Ms. Bisbee said the Parole Board began to notice that parole revocations largely consisted of in absentia-granted paroles, which told the Parole Board that there was something incorrect in the information received from the DOC. It happened that the Parole Board was not getting all of the information because of interface problems. The Parole Board eventually stopped holding in absentia hearings and went to all in-person hearings.

Ms. Bisbee said with only in-person hearings and a combination of over 9,000 hearings in a year, the Board members got what was called "hearing fatigue." With six people hearing over 9,000 hearings, it became easier to deny a parole and more difficult to grant a parole. She said the increase in revocations appeared to be because of the interface, but in the meantime, the Board had resumed in absentia hearings in January 2017, which reduced the caseload for the physical monthly hearings. The grant rate was going back up, and it was expected to continue as long as up to 150 hearings could be addressed through the in absentia process.

Chair Frierson questioned the projected decrease in the grant rate.

David Smith, Senior Hearings Examiner, State Board of Parole Commissioners (Parole Board), Department of Public Safety, explained that the JFA Institute (JFA) provided the caseload projections for the Parole Board based on the previous fiscal year trends. Even though JFA had projected those numbers, based on the in absentia trend change, they had not been updated to reflect what would be happening in the current year. Mr. Smith did not expect the projections to continue, but the Board had to report what JFA reported as its caseload.

Assemblyman Sprinkle wanted to discuss the requested administrative assistant position. Because hearings were only held at certain times of the year, he asked about the necessity of a year-round position.

Ms. Bisbee explained that the Parole Board was responsible for the administrative support to the Pardons Board. The Pardons Board was made up of the Governor, the Nevada Supreme Court Justices, and the Attorney General, and there was one employee who provided all administrative support for both of the boards. Even if there were only two hearings a year for the Pardons Board, there were as many as 700 to 900 applications for each of those hearings, and all applications had to be reviewed. All paperwork had to be processed, and after a hearing was concluded, it could take several months for orders to go out.

Ms. Bisbee said for the hearing coming in April, there were 22 applicants on the agenda, which entailed 22 investigations, 22 hearing notices, and 22 directions to the Division of

Parole and Probation, Department of Public Safety, or the Department of Corrections. Victims, applicants, and supporters were interviewed and evidence gathered. Ms. Bisbee said with just one Pardons Board hearing, there were 24 people who received full Pardons Board packets: defense attorneys, prosecutors, the Pardons Board members, the Chief of the Division of Parole and Probation, and the Director of the Department of Corrections. Ms. Bisbee said 22 applicants had gone through the investigative process, the paperwork had been done, and now the files had to be provided to each of 24 people.

Assemblyman Sprinkle asked whether this was being accomplished with the current staffing level, and Ms. Bisbee said it was not because the Parole Board was assisting.

Assemblyman Sprinkle said that was the answer to his original question about why the position was needed, and Ms. Bisbee said the job was not possible for one employee.

Assemblyman Sprinkle said he assumed that would be the same answer as to the accelerated start date, and Ms. Bisbee said the position was needed five years ago.

Senator Parks commented that 22 inmates times \$22,000 a year was roughly \$500,000, and he presumed that was savings for the Department of Corrections.

Ms. Bisbee responded that Senator Parks' math was correct; however, in the upcoming hearing, there were only 3 inmate cases and 21 community cases. She said he was correct, and with hearings on the larger inmate caseloads, a lot of money was saved.

Chair Frierson closed the hearing on BA 3800 and called for public comment.

Richard P. McCann, Executive Director, Nevada Association of Public Safety Officers, testified in support of increased pay for law enforcement. Mr. McCann believed there was an extraordinary problem in Nevada, and it was that state employees and state law enforcement had borne the burden of the diminished budget over the last several years. He said he considered pay increases as pay reinstatements because state employees had given and given with furloughs and other things that had been necessary. The Division of Parole and Probation had lost 22 sworn employees among 288 just because of wages. Mr. McCann said he respected the Governor's budget in which he requested an additional 5 percent pay raise for Department of Corrections employees, in addition to the budgeted 2 percent each year of the biennium for all state employees. The additional 5 percent would help in ending the correctional officer exodus, and Mr. McCann was happy about that, but he did not see that anywhere in the budget for other state employees who were just as deserving.

Julie Butler, Chief, General Services Division, Department of Public Safety, said she wanted to alert the Subcommittees to something that came up during the Justice Grant budget account presentation, which was that the General Services Division and, specifically, the Criminal History Repository, received several federal grants through the Office of Criminal

Justice Assistance. Ms. Butler said it received Nevada Criminal History Improvement Project (NCHIP) funding to address disposition backlogs by placing live scan fingerprinting machines in local sheriff's offices so arrest prints could be received in a timely manner. The General Services Division received the National Instant Criminal Background Check System (NICS) funding to make improvements to the firearms background check program. The Division received Statewide Management of Automated Record Transfer (SMART) funding for sex offender registry programming and scanning files. One of the new grants the Division received was called the National Crime Statistics Exchange program (NCS-X) after FBI Director James Comey mandated that all law enforcement agencies nationwide change how crime statistics were reported. Ms. Butler said NCS-X was going to be a very expensive program for Nevada and law enforcement. The Division received all that funding through the Office of Criminal Justice Assistance, and there would be significant concerns if that budget were to be removed or changed in any way because that was the mechanism through which the Division received federal funds.

Jeff Fontaine, Executive Director, Nevada Association of Counties (NACO), expressed concerns about the Division of Parole and Probation (P&P), Department of Public Safety budget, specifically the county reimbursement for the presentence investigation (PSI) reports. The Governor's recommended budget for the biennium increased county costs from \$9 million to \$16.3 million for the biennium, a 79 percent increase. Originally, the state paid the entire cost of PSI reports, and a 70 percent cost to the counties was one of many cost shifts imposed on the counties to help the state balance its budget during the recession.

Mr. Fontaine said it was now 2017 and the counties were still paying. Because of this particular cost assessment as well as the others in the last two sessions, NACO had submitted a bill draft request seeking to reduce the PSI assessment from 70 percent to 30 percent. He said the relative benefit of the PSIs was more for the state than for the counties, but more importantly, the counties needed some relief. The counties were paying 70 percent of the cost for the PSIs, and yet there was no accountability for the quality or the timeliness of these reports. Mr. Fontaine maintained the assessment was not justified at 70 percent, and there were counties in Nevada that were struggling. Counties were going to be required to replace voting machines during the next biennium. All of the rural counties were going to be required to replace and update data systems that had been in place for over 30 years. Mr. Fontaine said NACO was looking for relief from the PSI cost assessment and would appreciate the support of the Legislature.

Kathleen Smith, private citizen, testified in opposition to the closing of the Elko Dispatch Center. She said she had been a resident of Elko County since 1996 and a resident of Nevada since 1987, and she was concerned with the closure of the Elko Dispatch Center. Ms. Smith believed that the closure would affect public safety, trooper safety, and the safety of other county law enforcement officers. The Elko Dispatch Center needed to stay open because it was vital for the rural counties.

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Chair Frierson called for further public comment and hearing none, he adjourned the meeting at 11:01 a.m.

RESPECTFULLY SUBMITTED:

Anne Bowen
Committee Secretary

APPROVED BY:

Assemblyman Jason Frierson, Chair

DATE: _____

Senator David R. Parks, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a copy of a PowerPoint titled "Department of Public Safety, General Services Division, Budget Accounts 4702-4709-4710, 2018/19, Governor's Recommended Budget, March 14, 2017," submitted and presented by Julie Butler, Chief, General Services Division, Department of Public Safety.