

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

**Eightieth Session
April 3, 2019**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 8:32 a.m. on Wednesday, April 3, 2019, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chair
Assemblyman William McCurdy II, Vice Chair
Assemblyman Alex Assefa
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman Richard Carrillo
Assemblywoman Bea Duran
Assemblyman John Ellison
Assemblywoman Michelle Gorelow
Assemblyman Gregory T. Hafen II
Assemblywoman Melissa Hardy
Assemblyman Glen Leavitt
Assemblywoman Susie Martinez
Assemblywoman Connie Munk
Assemblyman Greg Smith

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblyman Chris Edwards, Assembly District No. 19
Assemblyman Ozzie Fumo, Assembly District No. 21
Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1



STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Geigy Stringer, Committee Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

Ross D. Bryant, Director, Military and Veteran Services Center, University of Nevada, Las Vegas
Luis F. Valera, Vice President, Government Affairs, University of Nevada, Las Vegas
Tony Yarbrough, State Senior Vice Commander, Veterans of Foreign Wars of the United States, Department of Nevada; and Chairman, United Veterans Legislative Council
Katherine Miller, U.S. Army Colonel (Ret.), Director, Department of Veterans Services
Michelle Maese, Family Services Supervisor, Department of Family Services, Clark County; and Chief Steward, Service Employees International Union, Local 1107
Brian Shepherd, Deputy Director, Service Employees International Union, Local 1107
Faiza Ebrahim, Private Citizen, Las Vegas, Nevada
Erica Brady, Private Citizen, Las Vegas, Nevada
Carolyn Muscari, Private Citizen, Henderson, Nevada
Tiffany Flowers-Holmes, Private Citizen, Las Vegas, Nevada
Earl Barnes, Private Citizen, Las Vegas, Nevada
Heather Richardson, Private Citizen, Las Vegas, Nevada
Paula Hammack, Assistant Director, Department of Family Services, Clark County
Ellen Beauclair-Harter, Private Citizen, Las Vegas, Nevada
Keishe Caruthers, Private Citizen, Las Vegas, Nevada
Marlene Lockard, representing Service Employees International Union, Local 1107
John Fudenberg, representing Clark County
Todd Ingalsbee, representing Professional Fire Fighters of Nevada
Richard P. McCann, Executive Director, Nevada Association of Public Safety Officers; and Member, Nevada Law Enforcement Coalition
Dena Schmidt, Administrator, Aging and Disability Services Division, Department of Health and Human Services
Jana Seddon, Assessor, Storey County; and President, Nevada Assessors' Association
Matthew Kaplan, President, Nevada Highway Patrol Association
Debbie Zelinski, Program Coordinator, Mothers Against Drunk Driving, Northern Nevada
Marie Rodriguez, Private Citizen, Reno, Nevada
Johnny Peoples, Private Citizen, Winnemucca, Nevada
Brian Brundage, Dispatch Liaison Officer, Nevada Highway Patrol Association

Kyle E. N. George, Special Assistant Attorney General, Office of the Attorney General
Roland D. Swanson, II, Chief of Investigations, Office of the Attorney General
Wylie M. Lund, Private Citizen, Washoe Valley, Nevada
Brian Cavanaugh, Private Citizen, Fallon, Nevada
Heather Elder, Private Citizen, Winnemucca, Nevada
Chris Smithen, Private Citizen, Gardnerville, Nevada
Dan Gordon, Executive Vice President, Nevada Highway Patrol Association
Rob Conely, Private Citizen, Reno, Nevada
Tina Konrad, Private Citizen, Carson City, Nevada
Chris Nielsen, General Counsel, Public Employees' Retirement System

Chair Flores:

[Roll was called. Committee rules and protocol were explained.] We have three items on the agenda this morning. We are going to take them in the order they appear. The first item we have is Assembly Bill 210, which revises provisions relating to veterans.

Assembly Bill 210: Revises provisions related to veterans. (BDR 37-125)

Assemblyman Chris Edwards, Assembly District No. 19:

I am pleased today to present Assembly Bill 210, which has been amended with a conceptual amendment that you should have received last week ([Exhibit C](#)). My original concept for A.B. 210 has changed because I was able to incorporate sections 3 through 6 of the bill into another bill. This amendment builds upon the success of the veterans program that we have seen at the University of Nevada, Las Vegas (UNLV). I would like to go through the conceptual amendment and then turn to Retired Major Ross Bryant, who has been the visionary for the amazing veterans program at UNLV.

Over the past several years, hundreds and hundreds of military service members have transitioned into civilian life and chosen to go to UNLV. Even before they arrive, Mr. Bryant would make sure that they had all kinds of information about the university and their GI benefits and how things worked. Like most of you, when you were choosing a college, you went to see what it was like and how you would fit in there. When I went to graduate school, I visited my alma mater but decided to go someplace else because the place was so inviting and people were so engaged and welcoming. Well, Mr. Bryant is that kind of a guy. He helps veterans make that decision to stay in Nevada if they are at Nellis Air Force Base or Naval Air Station Fallon and to come to Nevada if they are not. He has been one of the key elements of success for this amazing program.

Other Nevada System of Higher Education (NSHE) institutions have had some success attracting veterans to their universities and colleges as well, but nothing compares to what Mr. Bryant has done at UNLV. The missing element at those institutions has been a full-time outreach coordinator. This bill seeks to provide that full-time veteran outreach coordinator, and the cost, frankly, will be about \$483,000 per year. However, the return on the investment is enormous. In the past several years, UNLV has brought in about \$36 million in

tuition and \$100 million in room, board, housing, and other effects. It is a fantastic return on investment for the state. Beyond mere money, we will be helping thousands of men and women who have served their country to prepare for the next phase of their lives.

The amendment is straightforward. It deletes sections 3 through 6 and amends section 2 [page 2, ([Exhibit C](#))]. It calls for a veteran outreach coordinator at each NSHE institution. It lays out the duties and responsibilities of the position and makes an appropriation for \$483,000 each fiscal year. That is it. I would now like to turn to Ross Bryant in Las Vegas and let him describe the position and his experiences as well.

Ross D. Bryant, Director, Military and Veteran Services Center, University of Nevada, Las Vegas:

I am retired U.S. Army and I have been the director of UNLV's Military and Veteran Services Center since 2012. In 2009 we had about 300 veterans on the Post-9/11 GI Bill. We now have over 1,800 veterans and military family members on active duty attending UNLV.

From the get-go, we always had a staff that did all of the paperwork to get everyone paid and certified through the U.S. Department of Veterans Affairs (VA) system. Every one of the NSHE schools has people in those roles. What we have developed over the last seven years is having a paid veteran outreach coordinator. We have hired a retired Chief Master Sergeant from the U.S. Air Force who, in that role, goes to all the education fairs at all the bases on the West Coast and tells veterans or soon-to-be veterans about our programs. He helps us coordinate a veteran orientation for a full day, so when our 350 new veterans arrive in August, they are connected with veterans in our peer-to-peer program. Each new arrival has a veteran student peer trained by us who becomes a battle-buddy for each one of these veterans as they transition and who helps in their successes. In addition, this outreach coordinator helps with suicide prevention training. You hear about veteran suicide all of the time and, of course, we have not been spared that. We have had four suicides at UNLV; three were veterans and one was a military family member. Our peer-to-peer program, led by our outreach coordinator, has allowed us to have over 1,000 interactions, one-on-one, with veterans who have issues and challenges, whom we have helped solve problems with resources.

In addition, we have a graduation reception, which is a great celebration of our veterans who graduate at about a 68 percent rate compared to students at UNLV. We also chair a career fair, the largest in the state. Katherine Miller of the Nevada Department of Veterans Services helps us with some funding for that. It is open to all vets so that at the end of their transition to school, we help them get internships and jobs, help them graduate, and be successful. Throughout the years people have asked me, Why is UNLV so successful? I have been blessed to have six full-time staff members, four of whom are designated simply to get everybody paid early and on time. We had no problems when the VA had difficulty getting people paid last year—150,000 vets were not paid for a semester. That did not happen at UNLV because we get everyone to turn in his or her paperwork early.

Our outreach coordinator finds all the resources in town and brings those resources to UNLV that are not ordinarily at UNLV. These could be resources for a homeless vet or a veteran in need. An example would be the following: Last week we had a U.S. Navy veteran. She served four years in the Navy. Her husband was a Navy veteran. Both of them got out of the Navy in San Diego. He stayed in San Diego to finish his associate's degree at a community college in San Diego. She moved here with her four-year-old and moved in with her aunt and her aunt's boyfriend as she attended the prenursing program at UNLV her first semester. Due to family issues, the aunt got arrested for opioid challenges and this veteran found herself to be homeless and living in her car with a four-year-old. She was able to come to our office. We got her counseling services; her husband came to get their daughter that day; we got her in front of the faculty senate on a fast-pass, where they drafted a petition that very day to drop her from school so she could get a refund to pay the VA back, go to San Diego to be with her family, and come back over the summer session. None of that would have happened if I did not have an outreach coordinator to help in that process and help with the peer team.

If every school had this ability, it would be great because a veteran that graduates from each of these schools could potentially then work at that school to help fellow veterans be successful, and that is what this funding would do. It would fund a position and the fringe, and there is a modest budget of about \$10,000 per school that would allow its outreach coordinator to go to education career fairs or to conferences that help with veteran transition success at colleges. It would be a package that would help enhance veteran retention at each of the schools.

Assemblyman Edwards:

We stand ready for any questions.

Chair Flores:

Thank you both for your presentation. Members, are there any questions?

Assemblyman Ellison:

I look at the bill—it says higher education, but I notice that in Elko and other such community colleges, there is a veterans group in just about all of them. You are just looking at UNLV and University of Nevada, Reno (UNR), is that correct?

Assemblyman Edwards:

No, this would be for seven additional institutions.

Assemblyman Ellison:

What would be the seven?

Assemblyman Edwards:

Assemblyman, you are going to test my total knowledge of all the institutions. Obviously, UNLV and UNR; also, Truckee Meadows Community College, College of Southern Nevada,

Nevada State College, Great Basin College—you have put us all on notice, Assemblyman Ellison.

Assemblyman Ellison:

I was only trying to understand how far outreach is going to be and where it is going to be.

Assemblyman Carrillo:

Why is this specific only to college, because not everybody goes to college—I never went to college, I went to a trade school. I have made a very good living doing what I do. I am wondering why trade schools were left out. Not every veteran wants to go to college as well, I am assuming.

Assemblyman Edwards:

I agree that many people do not. As a matter of fact, I have used the statistic that usually only about 15 percent of the population will get a bachelor's degree and we do need to take care of the other 85 percent. Frankly, I did not think of all the trade schools. I am not as familiar with what we could do there as I am with the NSHE institutions. If you would like to expand it, I am agreeable to the idea, but we would have to work out exactly how. You are correct, vocational schools and trade schools are absolutely crucial elements across the state.

Assemblyman Smith:

Would these be new people added to the department or are these existing folks who take on an additional duty within the department?

Assemblyman Edwards:

These would be new positions. We would hope for veteran alumni or enrolled vets to take these positions. Veterans just understand veterans better and that makes them more helpful than not.

Assemblyman Smith:

Have you considered the fiscal impact to the Department of Veterans Services?

Assemblyman Edwards:

There should be no fiscal impact to the Department of Veterans Services. This actually includes a new appropriation to fund each of the positions, so no other agencies or institutions would be taking money from their current budgets. This would be an addition to current appropriations.

Chair Flores:

Members, are there any other questions? Seeing none, I would like to ask you to sit back, Assemblyman Edwards, and I would like to invite forward anyone wishing to speak in support of Assembly Bill 210.

Luis F. Valera, Vice President, Government Affairs, University of Nevada, Las Vegas:

We have Mr. Bryant down south, but I also want to register our support for this bill, a very important bill. Mr. Bryant has built out a model that has been followed around the country. He has been recognized by national organizations for the work that he has done and for what he has built on campus and the services that have been rendered to veterans at UNLV. He has a slogan that he often uses, "Do Epic Stuff," and he has done that. Certainly, he has been a source of pride for UNLV and for veterans on campus. We strongly support this bill.

Tony Yarbrough, State Senior Vice Commander, Veterans of Foreign Wars of the United States, Department of Nevada; and Chairman, United Veterans Legislative Council:

I represent nearly 9,000 Veterans of Foreign Wars in the Department of Nevada and close to 500,000 members of the United Veterans Legislative Council as their chair. First of all, I really, really appreciate all the hard work and effort that Ross Bryant has put into making an absolute model program at UNLV to support veterans and the education of veterans. One thing that is very clear is that veterans speak best to veterans. Veterans, as a kind of organization, have that ability to interact and communicate with each other. That is something that this outreach program makes a massive difference in.

Secondly, about other kinds of outreach that may already be taking place in the community, we have available to the general veterans population our veterans resource centers, located in some institutions, that cooperate with us and work with veterans. We have many resources that are available that can actually attach themselves to something like this.

Assembly Bill 210 certainly will pay for itself and is one of the best investments we can make in the education of veterans.

Chair Flores:

Is there anyone else wishing to come up in support of Assembly Bill 210? Seeing no one, is there anyone wishing to testify in opposition to Assembly Bill 210? Seeing no one, is there anyone wishing to testify in the neutral position to Assembly Bill 210?

Katherine Miller, U.S. Army Colonel (Ret.), Director, Department of Veterans Services:

I am not testifying in support or opposition to this bill, rather I have some comments that may be helpful for the Committee.

First, the original bill did include Great Basin College. I do not know what the conceptual amendment will have, but the bill did allocate a position for that.

Second, there was a question about redundancy or implied redundancy, being that there are already positions in some institutions. The positions that the VA has funded through grants and VA work-study include positions for GI Bill support. However, not all students go through college on the GI Bill. In fact, 30 percent of Nevada student veterans do not use the GI Bill, so those support services would not be available for them. The position that Mr. Bryant was speaking about is for a much broader range of services.

The main thing I want to mention today is, should you decide to adopt this bill, I would like the sponsors to consider a modification. There are 112 VA-approved postsecondary institutions, to include apprenticeships and the types of programs that were asked about earlier. Certainly, the bulk of the students are in NSHE schools. There are 5,896 at last count in NSHE schools, but there are another 2,574 known student vets in non-NSHE schools and still others that are not on the radar. I would like the language to be expanded to talk about support for NSHE and non-NSHE schools. Over the last year, I have been working with leaders in NSHE schools about the potential for students at, for example, Touro University, University of Phoenix, or WGU [Western Governors University], dropping into their student centers and being able to ask questions and get some of those wraparound services that are available to the students at their respective campuses. Some have responded with the initial that-might-be-possible sort of discussion. However, if the language were to explicitly say NSHE schools, that sort of possibility would have to be approached in the next session. Should you decide to accept this bill, I would like consideration to add language that the position would support NSHE and non-NSHE schools. Again, to the NSHE representatives who are here, clearly the bulk of students served would be students at NSHE schools, but we could allow a student that might be in a VA-approved apprenticeship program to drop in to the center and get some of the support and help that he or she needed.

The other thing I want to mention is that I commissioned a study in 2018 titled, "Nevada College Veterans Assessment and Recommendation Report." It revealed that 50 percent of Nevada student vets attend colleges that do not have programs or offices supporting student veterans. It also revealed that non-NSHE schools are interested in interagency partnerships to improve support to student veterans. Finally, in this study, students were asked in a survey, What resources would have benefited you as a student veteran? Students cited increased financial assistance, increased outreach specific to veterans, and increased awareness of what resources are available to them.

Chair Flores:

I do not believe we have any questions. Thank you for that. Is there anyone else wishing to speak in the neutral position for Assembly Bill 210? Seeing no one, I would like to invite Assemblyman Edwards back up for any closing remarks you may have.

Assemblyman Edwards:

Thank you, Mr. Chair and the Committee, for hearing this bill. I am completely in tune with some of the suggestions for additional outreach—I would love to do it. I will try to work towards something, perhaps before we do the work session. If the veterans have questions or concerns, people like Ross Bryant and myself are always happy to help them out, reach out to them, and do everything we can to make sure that they succeed. That is ultimately what we are here for, to help more veterans to succeed in college.

Chair Flores:

At this time we are going to close the hearing on Assembly Bill 210. Before we open the hearing for Assembly Bill 362, I want to thank all the veterans who are in attendance for your

service. I appreciate your being here today. Next on the agenda we have Assembly Bill 362, which revises provisions governing the confidentiality of personal information of certain public employees.

Assembly Bill 362: Revises provisions governing the confidentiality of the personal information of certain public employees. (BDR 20-763)

Assemblyman Ozzie Fumo, Assembly District No. 21:

I am here today with Michelle Maese, who will present with me. In Las Vegas, we have Brian Shepherd. Currently *Nevada Revised Statutes* (NRS) 247.540 relates to keeping confidential the information of specific government employees, mainly judges and district attorneys, to keep their private information private so that the public cannot access it. This is just and proper because they make decisions that alter people's lives. In criminal cases, there is nothing more life-altering than taking somebody's liberty. Consequently, their family members and others would seek to find out who did that, what decisions were made, and try to find them at their homes. It is proper that this information should be withheld from the public.

In the civil world, I can think of nothing more devastating than the removal of a child from the home. I do not practice civil law, but I know that civil practitioners do call taking away someone's parental rights as the "death penalty" in civil law. What this bill seeks to do is help those at the front lines of that—the social workers, the people who have to go into people's homes to do this difficult work—to keep their information private as well.

Before I proceed, I would like to offer Michelle Maese a chance to present information regarding the difficult situations that the social workers have to go through. Then we will go to Las Vegas, if Brian Shepherd wants to present, and then I can go through the nuts and bolts of the bill.

Michelle Maese, Family Services Supervisor, Department of Family Services, Clark County; and Chief Steward, Service Employees International Union, Local 1107:

Existing law authorizes justices, judges, court personnel, and certain prosecutors of the state to have their information withheld if they are to prosecute under a category A felony, which is related to sexual abuse, domestic violence, or murder. Those people also rely heavily on Clark County's Department of Family Services (DFS) testimonies when they are prosecuting these offenses, especially when they deal with children.

There are no current protections for DFS workers, who also risk their lives to ensure the protection of children. We are asking Mr. Chair and members of the Committee to broaden the confidentiality of the employees to include child protection agency workers, child welfare workers, and social workers who work directly with those people who have confidentiality under existing law. In our jobs, we are tasked with investigating abuse and neglect, removing children from their homes on a daily basis, placing children back in their homes when it is safe, and if not, sometimes terminating parental rights and following the case

through to adoption. To have our information remain confidential would be very helpful to our employees' safety as well.

Frequently, our cases involve category A felony crimes. Department of Family Services employees enter hostile environments on a daily basis, often amid drug abuse, domestic violence, and criminal activity. At times, our employees call for police assistance or police backup. When we are called to remove a child from the home and, in many cases, prosecuting in criminal court, the attorney as well as the police officer have the opportunity to have their information sealed. However, the DFS employee who is testifying on behalf of the child does not have the same opportunity to have his or her information sealed. Department of Family Services workers engage with the family for up to three years, depending on how long the case takes to move forward. We are more vulnerable because we are seen in the public eye. Every court document, every visitation plan, every open adoption agreement, and termination of parental rights paperwork has our name on it. An employee can testify in the court of law up to seven times during a case.

We ask for this bill because of countless instances of being fearful for our lives and our families' safety. I ask, personally, because I was attacked by a father in a home. After his child was placed back in his home, he was arrested and pled guilty to assault on a county worker, who was me. I did not have to testify against him, but the case was transferred from me. Regardless, I still feared for the life of my child and my family because he had said, I will get your child, too. When we go home at night, we deserve to feel safe and protected in the same way the prosecutors, the police officers, the judges, and the public defenders do. We deal with the same type of people, we remove children, and we face and interact with our clients over the lifetime of the case, whereas police officers are only identified by badge numbers and last names. We deserve to feel safe in our home.

Brian Shepherd, Deputy Director, Service Employees International Union, Local 1107:

Our local represents 20,000 working families across the state of Nevada. We are here today in support of Assemblyman Fumo's bill. I am going to be brief, because we have some members who work for the Department of Family Services who would like to speak about their personal experience. I will turn it over to our first speaker.

Faiza Ebrahim, Private Citizen, Las Vegas, Nevada:

I am a DFS employee. I have been employed with the department for 14 years. I support Assembly Bill 362.

For approximately three weeks, I worked with a mother who suffered from untreated mental illness, causing her to be violent, deeming her incapable of providing safe care to her baby, and requiring me to do a removal. She fled to Nevada from another state that was in the process of terminating her parental rights on another child and which had plans to do the same with the newborn once she delivered. Once I introduced myself to her as a DFS employee, the verbal abuse and threats of violence toward me and my family began. She left hundreds of voicemails and thousands of text messages threatening to decapitate me, pour acid on me, peel the flesh from my bones, and find and burn my house down with my family

inside. She sent videos of satanic rituals, images of guillotines, and gruesome images of dead and maimed bodies. This went on for months.

These threats were not idle. She had threatened her own sister and her sister's family, eventually gaining access to their home and becoming so violent that they barricaded themselves in a bedroom while this mother proceeded to set their house on fire. She had gained access to her mother's house where two of her older kids lived, causing bodily harm as well as significant damage to the home. Her sister and her mother moved for fear of her return. I filed a police report and for a protective order with the help of a district attorney who noted, for a person with such significant mental health issues and a history of violence as this mother, it was unlikely that any of the measures I had taken would deter her. The department allowed me to temporarily park in the secured management parking area, but this did nothing to keep me safe in my own home.

I began working in this field 19 years ago in California where, upon hire, we completed two forms: one to protect our license plates and vehicles, the other to keep our home addresses secured, in the same manner as law enforcement. California did this as a requirement—19 years ago. On my behalf and on behalf of my coworkers and Clark County as a whole, we will keep protecting kids, but it is difficult living in fear. Please help protect us. Support A.B. 362.

Chair Flores:

For clarity, we are not yet hearing testimony in support of the bill. If there are other individuals wishing to speak in support, I definitely want you to stay and I want you to get on the record. However, at this time, I would like to come back to Assemblyman Fumo so that he can walk us through the bill. We will open up for questions, and then we will go back to Las Vegas to allow everybody wishing to speak in support to have an opportunity to do so.

Assemblyman Fumo:

Section 1 of the bill will amend NRS 247.540 in the area that lists the types of individuals who may request the confidentiality of records. This part of the section will add to subsection 1, as individuals who may request confidentiality of certain records:

- (g) Any social worker or other person employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities:
 - (1) Interacts with the public; and
 - (2) Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.

At section 1, subsection 3, this bill adds to the existing statute new definitions of "child protective services," "child welfare services," and "social worker." Section 2 of the bill will make conforming changes to NRS 250.140. Section 3 of the bill will make the same conforming changes to NRS 293.908. Section 4 of the bill will make conforming changes to NRS 481.091.

[Assemblyman Fumo submitted a proposed amendment to Assembly Bill 362 ([Exhibit D](#)) but did not reference it in his testimony.]

Mr. Chair, I am open for any questions.

Chair Flores:

Thank you, Assemblyman Fumo, and thank you all for copresenting alongside Assemblyman Fumo.

Assemblyman Carrillo:

We have had other individuals tell us about information of theirs that is public and that can be picked up online, so I am looking for some clarity. For those workers who enter people's houses and are threatened and are then injured in their own homes, not the home where the child is located, what is in place to protect them?

Assemblyman Fumo:

If a disturbed person were to find out the worker's address, right now, no protection exists for these workers in the performance of their duties. If the disturbed individual were to break in and do something, as we heard from the person who spoke before, they would be charged with either breaking and entering, battery, or other crimes. There is nothing now preventing them from finding the information. This bill would protect the workers in that respect.

Assemblyman Carrillo:

I apologize, my question jumped around. I totally agree with the protection of their personal information or public information. Ultimately, what I am trying to find out is if the worker was injured in the home they went to, to remove a child, for example. What protection is in place for them right there and then? Is it just a battery? I feel there needs to be something addressed to increase the protections of these workers so that if they were assaulted, it would be a felony and not just a battery misdemeanor—a higher level of punishment. What is in place for them?

Assemblyman Fumo:

I do not think there is an enhanced penalty for attacking a social worker for doing their duties right now.

Assemblyman Leavitt:

How far back would this protection go? If a social worker or case worker has retired, are they still able to take advantage of this? Somebody could potentially hold a grudge for a very long time. In addition, if this were put in place, how far into the future are they protected if they leave child protective services and work at a different job? Are they still able to take advantage of this?

Assemblyman Fumo:

It is indefinitely for the police officers, judges, and district attorneys, and I would hope it would be the same for social workers.

Assemblyman Leavitt:

So if this young lady has it put in place today, it works into the future. What about for those who have since retired or transferred from child protective services to other jobs? Can they get this protection put in place?

Assemblyman Fumo:

I suppose they could apply for it and have the determination made, but right now it does not exist.

Assemblyman Leavitt:

I am in support of putting this in place. If you leave child protective services and go into a profession that requires your information to be public, for example if this young lady were to run for public office, her information would be public. Could her information remain public at that point?

Assemblyman Fumo:

The way it works right now for district attorneys, judges, and others is, they would have to dissolve the [confidentiality] order. It would work the same way for social workers.

Assemblyman Assefa:

This is an extremely important bill, protecting those who protect us and serve us in our communities. It is not something that should be up for debate.

I do have a similar concern as my colleague from Assembly District No. 23. How far back do we extend the concealing of these addresses and personal information if the person is no longer employed as a social worker or they are terminated or they have retired? This Committee heard a similar bill a few weeks ago, Assembly Bill 212, that asked for exactly the same protection for code enforcement officers, and this concern came up. What was not addressed in that bill or this bill either, is how far do we extend the concealment of information? I heard that nondisclosure of this information would affect home values in some neighborhoods. That was part of my concern. Will you address that in this bill? It sounds to me that there is something in place already that can be repealed, if necessary.

Assemblyman Fumo:

I will need to refer that question to the Legal Division of the Legislative Counsel Bureau. I do not know how far back it goes currently, but I would expect that the social workers would be extended the same courtesy that the district attorneys, judges, and others are getting under existing law.

As far as home values, I just asked Ms. Maese how many social workers there are and she said approximately 1,000. There are 2 million people in Las Vegas. I would not expect that

one or two from a particular community—I am confident they do not all live in the same area—1,000 out of 2 million people is not going to affect home values significantly. I believe Realtors evaluate an area altogether, and I think taking one out is not going to affect the value. I do not believe it does with the judges and district attorneys, and I do not think it would do it with code enforcement or social workers either.

Also, I have just been informed that Realtors do the evaluations by parcel number, so it might not affect the home values at all.

Assemblywoman Duran:

We do need this bill, especially for single parents who are sole providers. Are you including just yourself or is it to include your immediate household? How many people would that privacy order cover?

Michelle Maese:

The bill includes spouses and children.

Chair Flores:

I do not believe we have any additional questions. I would like to invite those wishing to speak in support of A.B. 362 to come forward. We want to give all those wishing to speak in support the opportunity to state whatever you want, so for those of you who have your children here, be aware that the testimony that is about to start may be graphic in nature and/or not suitable for children through your lens. I want to give you that advisory, as I know there will be hard stories that may be shared here shortly. With that advisory, parents, you have the discretion to do as you wish. I am going to start in Las Vegas.

Erica Brady, Private Citizen, Las Vegas, Nevada:

I am a DFS employee. I have been employed with the department for 12 years and I support A.B. 362.

I was working with a mother for almost two years who had pled no contest in family court for neglect of her child and propensity for violence towards others. I was able to reunify the child with her mother. However, two months after the reunification, the mother became mentally unstable to the point where I had to remove the child from her care. During the two months following the removal, I received daily phone calls and text messages from that mother that quickly escalated to threats of bodily harm and torture, not only to me but to my family as well. This mother threatened to kill me, to kill my family in front of me, and completely indulged in her own paranoid delusions that involved harming me in any way possible in order to get back at me for removing her child from her care. This mother has an extensive history of violence against other adults whom she felt wronged her and her child.

I had to file a police report with Las Vegas Metropolitan Police Department and after meeting with the district attorney's office, I filed a workplace harassment order and temporary protection order. She even attempted to contact me via social media. I then had to park in a locked county car cage so that I did not have to walk through the main parking

lot to my personal vehicle. I had to request escorts to and from court hearings at the family courthouse. I had to advise my supervisor and manager of my situation and be issued a new county cell phone just to have the harassment completely cease. I was taken off the case altogether and the police ended up pressing charges against the mother for harassment, for which she took a plea deal. During that period, I feared for my safety and the safety of my family. I feared that my personal information could be found by this violent and unstable mother. I left the office each day in fear and entered my home expecting what might happen if she were to show up in my home. I had to install a front door camera and an updated security system at my home to ensure my family's and my safety and to regain some form of peace of mind.

I take pride in my work and the connections that I make with the families that I serve. Due to the nature of my position, I know that this type of situation could easily occur again. This bill will allow me to keep my personal information, such as my home address, confidential while continuing to serve the children and families as I do.

Carolyn Muscari, Private Citizen, Henderson, Nevada:

I was a domestic violence victim advocate for 18 years, 3 years with Metro and 15 with S.A.F.E. House. What these people do is very dangerous and they do not have the same kind of protection that police officers would have. I had a similar situation where someone called my home at 10 o'clock at night and asked to speak to my husband; I thought it was somebody from his work. The next thing I knew, my husband was jumping up saying, I have a gun and I will shoot you if you come here. I was shocked. It had been the father in one of my cases. He had found out where I lived, he knew where I worked and where my husband worked, and he knew the kind of car we drove. We knew he must have driven by our house because the car that my husband was driving was a company car and was not registered to us, so this father could not have gotten it from public records. I called the police, but because the call had come from a hotel, it was impossible to say who might have made the call. All the police could do was suggest that we get a gun and keep it loaded.

It was a very scary situation, to be wondering whether he was going to show up at my house one night. I did not ever want to leave the front door open, even in the summertime. If I went through that, I know that they are going through much worse, because they have alcohol and substance abuse cases, mental health cases, and such things. Assembly Bill 362 is imperative to help them remain safe. We all know that a protection order is not going to keep people safe; it is just an arm to get justice. These workers need to have the ability to know that they can be safe and that their children can be safe, because if they can find out where you live, they can follow where your kids go to school. They can find out pretty much anything about you. I definitely am in support of A.B. 362.

Tiffany Flowers-Holmes, Private Citizen, Las Vegas Nevada:

I am an employee of the Department of Family Services. I have worked for Clark County for nearly 13 years and I support A.B. 362.

Here is why: In 2016, I was assigned a case where the children were placed in the home. Shortly after I was assigned the case, it was apparent that these children were not safe in this home. Upon attempting to remove these children, I had to request the assistance of the North Las Vegas Police Department. They knew this home and this family by name because the mother was so violent. Once the children were removed, this parent's behavior became increasingly aggressive. She called and emailed thousands of times, so much so that I had to put a block on her email address. However, she would find another way to email me, or call my cell phone, or call my supervisor, or call my manager to get in touch with me. It became so bad that during a court hearing, the mother approached the district attorney's (DA) bench where the DA and I were sitting, and she physically threatened bodily harm to us. Following that court hearing, this mother attempted to follow me home. At that time, I filed a police report, but that did not protect me or my children. We were continually harassed. I saw her at the grocery store where she approached my children and me. How she knew the neighborhood where I lived, I was unsure. Throughout this case, the mother's behaviors were well-documented and we all knew that she was unstable due to her history with domestic violence, drug use, and her physical abuse of her children. This incident caused me to fear for my family's safety. This bill will allow me to protect my family and myself by making my information confidential while I am able to continue to do the job that I love, serving children and families.

Earl Barnes, Private Citizen, Las Vegas, Nevada:

I am a DFS employee. I have been employed with the department for seven years and I am in support of A.B. 362.

I have experienced many situations while responding to child abuse and neglect cases that many consider to be dangerous. Every day in the course of my job, I interact with individuals who have concerning backgrounds such as domestic violence, assault and battery, assault with a deadly weapon, assaulting officers, attempted murder, stalking and harassment, mental illness, as well as suicidal attempts, to name a few. One of the most frightening situations that I have experienced in my seven years in the department was when I responded to a physical abuse case. It had been reported that the parents had ongoing domestic violence, and during the domestic violence incident that day, the children had intervened and sustained injuries as a result. The father had taken the mother's cell phone, car keys, and license plates off her vehicle in order to keep her inside the home so that she could not contact law enforcement. Nevertheless, the mother was able to flee from the home with her children. Law enforcement met the mother and her children in the community. Once law enforcement and I made contact with the mother and children, the family was escorted back to the home to gather their belongings, as it was reported that the natural father had fled from the home. Law enforcement went inside and cleared the family's home and then the mother went inside to gather her belongings. She pulled her vehicle out of the garage and parked along my county vehicle as she popped the trunk. When she popped the trunk the father popped out of the trunk with a firearm in his hand. The kids and the mother started screaming and the officers immediately stopped their vehicles as they were just pulling away and were able to apprehend the father without incident.

After the father was detained, I conducted interviews with him and the mother where I provided each with a DFS brochure as well as my business card. After interviewing the parents, I discovered that the father had two shotguns, three handguns, and four assault rifles in the home. Law enforcement had not been able to seize these firearms, leaving the father access. Forty-eight hours after making contact with the parents, I started to receive death threats. I started to receive threats of harm to my family, as the father reasoned that I ruined his, so he was going to ruin mine. He also threatened that he was going to find me. These threats came via phone calls, voicemails, and text messages. I took the threats seriously; I feared for the safety of my family. I feared that the father would pop up in my home. I installed cameras, bought a security alarm, and took different routes home for about a month out of concern that the father would attempt to follow me home or attempt to pop up at my home.

I take pride in my job. I come to work every day to ensure the safety of children in my community. This bill will allow me the opportunity to keep personal information, such as my home address, confidential while continuing to serve families in my community.

Heather Richardson, Private Citizen, Las Vegas, Nevada:

I am a Department of Family Services employee. I have worked for Clark County for 14 years. I am here today to express my support for A.B. 362.

Emotions can run high for a family immediately after the removal of a child, throughout the life of the case, and for years thereafter. Child welfare employees often enter the same environments that armed police officers do: drug-infested homes where incidents of violence have occurred, encountering individuals with mental health issues, armed with nothing more than our words to de-escalate a situation. While we may chance a public encounter with a client, our homes should be our sanctuary. Home should be the one safe place set aside where we should be able to let our guard down without fear that an embittered client may come to do us or our families harm, all because we stepped up to the call to keep our community's most vulnerable children safe from harm.

I worked with a family where the mother's boyfriend brutally murdered her young child. He was the father to one of the surviving children. His sentence was not long—it was 8 to 20 years, making him eligible for parole last year. The father had a known history as a convicted violent offender, having served prison time before for stabbing an individual. His brother was his accomplice. During the case, the father's brother began stalking people related to the case.

One Sunday night after the case was closed, I received a call from a cell phone that I did not recognize. I answered and it was the father. He reported he was out of jail. He stated he had easily found my phone number and then he asked, How are you doing on . . . ? And he repeated my street address. He then laughed and said, It is great what you can find on the Internet. His next words were chilling: Would it not be so sad if one of your kids did not come home one day? He told me that I had left him with no choice. I hung up the phone and did an inmate search and found he was still in Clark County Detention Center. I immediately

contacted the sergeant there. It was discovered that the father had somehow obtained a cell phone while in the infirmary and that phone was found on his person. However, noting the threats from his family, I could no longer allow my kids to walk home from school or allow them outside. I subsequently moved my three youngest children to a school they were not zoned for. I installed security cameras and an alarm. These are not the only threats I have encountered during the course of my career.

While we understand that the jobs that we do are difficult, the threats we face from clients become so frequent, they almost become normative in our world. We spend each day ensuring the safety of the community's children. We are here today to ask for your help in keeping our own children safe while giving us a sense of safety and security in our own homes. I would ask for your support on A.B. 362.

Paula Hammack, Assistant Director, Department of Family Services, Clark County:

I have been employed with the Department of Family Services for 27 1/2 years, and I am here to testify in support of A.B. 362.

To provide you some context as to why this bill is so important to me and our employees, I would like to provide a brief summary of an incident that occurred to me. In 2011, I was a caseworker assigned to a field unit responsible for gathering information on cases that contained allegations of sexual abuse. I was assigned to one particular case involving a 5-year-old victim who was reported to have been victimized by her natural father. In the course of my interview with the child, she disclosed the abuse, which subsequently led to the father being arrested. Pending his trial, the father solicited his prison cellmates to commit murder of the victim, the parent of the victim, the attorney prosecuting the case, and me. The father was tried and convicted for solicitation to commit murder and for sexual abuse on a minor under 14. He currently remains in prison. However, in February 2019, he was granted parole on one of his consecutive sentences. For the other sentence, he will have the ability to obtain parole eligibility, before the parole board, when a hearing is scheduled.

Though it has been several years since this person's conviction, the mere fact that he could be paroled and gain access to my home address is concerning, not only for my own personal safety but for the safety of my family. This is the reason I am here today to lend my support for the passing of A.B. 362.

Ellen Beauclair-Harter, Private Citizen, Las Vegas, Nevada:

I am a DFS employee. I have been employed with the department for nearly seven years, and I support A.B. 362.

I work regularly with families in situations involving abuse and neglect. My job involves a great deal of engagement with parents in an effort to reunite them with their children. We often work with parents with extreme emotional issues, behavioral and substance abuse, unaddressed mental health needs, and extensive criminal histories. There is nothing more personal or emotional than working with families on the subject of their children. We visit them regularly in their homes, with or without notice, for months and even years. We testify

in court, write court reports regarding case progress, and make recommendations for reunification or termination of parental rights.

I have been threatened by clients stating that they knew or could find out where I lived. I had to file an order of protection against a client due to threats and intimidating behaviors. The client had criminal and substance abuse history and unmanaged mental health issues. I was in a client's home attempting to engage and assess the situation. The parents were extremely agitated and under the influence of illegal substances. They were ranting, pacing, and punching their fists, indicating they knew my address, and they followed this with threats to me and my home. I felt that the threats were credible, based on my training and experience. I feel vulnerable, victimized, and unsafe in my own home after such interactions.

There have been other examples during the time I have worked with DFS. A client with unmanaged mental health issues had focused on deflecting blame for the case and zeroed in on me personally, trying to intimidate and threaten me, saying he or she knew where I lived. It causes us additional hardship when we are trying to help clients and we have to worry about our own safety after being intimidated or threatened. These are regular threats and concerns of DFS employees. It is a daily concern that a client may show up at our home, any time, to threaten, intimidate, or harm us. Our job is to ensure the safety of children. We should not have to worry about our own.

Keishe Caruthers, Private Citizen, Las Vegas, Nevada:

I am a Clark County employee. I am in support of A.B. 362.

Marlene Lockard, representing Service Employees International Union, Local 1107:

I would like to put on the record that we understand some opposition may come from county assessors, county clerks, and different administrative personnel in charge of public records. To put it in perspective, in a state of over 3 million people, to add these workers, the front line folks who actually go into the homes—you have heard their stories and their testimony and the risk they face each and every day—a little more administrative work pales in comparison.

John Fudenberg, representing Clark County:

Our social workers are an amazing group of people. As you have heard, they have a very difficult job and we would like to protect them in any way we can. To have their personal information redacted and remain confidential is something that we support. It is just a small effort that would minimize a little of the stress that they go through.

I would like to address Ms. Lockard's concern about the county assessors and the clerks. In Clark County, we have received no opposition from the assessors and the clerks about making this happen. We have received their opposition in past bills over different groups of employees, but we have not over social workers; I will take that as their support of this bill as well.

Todd Ingalsbee, representing Professional Fire Fighters of Nevada:

We definitely support this bill. We see it every day—the type of people and situations that this class of Service Employees International Union membership deals with. Ourselves, we too have had people with mental issues show up at our own firefighters' houses. With social workers dealing on a more personal level, I can only imagine it is worse for them. They should be protected.

Richard P. McCann, Executive Director, Nevada Association of Public Safety Officers; and Member, Nevada Law Enforcement Coalition:

We represent about 10,000 law enforcement professionals across the state of Nevada. We are here, unfortunately, in bad times—that is the way it is. People will do bad things. These individuals do great work—admirable work—and they put their own safety in the line of fire. We are here to fully support this bill.

Chair Flores:

Is there anybody else wishing to speak in support of A.B. 362? Seeing no one, is there anyone wishing to speak in opposition to A.B. 362? Seeing no one, is there anyone wishing to speak in the neutral position for A.B. 362?

Dena Schmidt, Administrator, Aging and Disability Services Division, Department of Health and Human Services:

We are here today to testify in neutral. We have reached out to the sponsor to request some clarifying language. The language in the bill currently is explicit regarding child welfare workers and their ability to have their information confidential. We provide elder protective services in this state. Every situation you heard earlier in testimony, our adult protective services and elder protective services social workers have experienced—the same threats, the same situations. We are requesting clarifying language to make sure that those social workers who serve the seniors in our state are also afforded the same protections. Right now, we provide elder protective services for individuals age 60 and older. However, the Governor's *Executive Budget* includes an initiative to expand services to adult protective services, which will afford individuals between the ages of 18 and 59 the same protections. We will then be serving vulnerable individuals as well as elders if those initiatives move forward.

Jana Seddon, Assessor, Storey County; and President, Nevada Assessors' Association:

The association comes before you today as neutral on A.B. 362. However, we would like to state that, as assessors, we need to not only be fair and equitable but transparent. Though we understand the importance of keeping our social workers and affected families safe, anytime you start removing information from the tax roll, it makes it very, very difficult to remain transparent. On a personal note, it is very difficult sometimes to be in our jobs. We do the best that we can, just like our social workers do. I am here today speaking on behalf of the Nevada Assessors' Association because we are harped on and hounded about our duty to remain transparent. It is very difficult for me to come here to talk about the need to keep this or that information on the tax roll in order to remain transparent. However, after hearing

testimony after testimony today, I will state that I—on a personal level—feel very conflicted in my testimony.

Chair Flores:

Is there anybody else wishing to speak in the neutral position for A.B. 362? Seeing no one, Assemblyman Fumo, do you have any closing remarks?

Assemblyman Fumo:

My intent or policy behind this bill was to protect those who represent the children, but those who represent the elderly as well would qualify under the definition. I am happy to work with them to modify the language if it needs to include them as well. Thank you for your attention and time today.

Chair Flores:

Thank you, Assemblyman Fumo, for bringing this bill, and thank you to all who testified. At this time I am going to close the hearing on A.B. 362 and move on to Assembly Bill 382, which revises provisions relating to the compensation of certain public safety employees.

Assembly Bill 382: Revises provisions relating to the compensation of certain public safety employees. (BDR 23-291)

Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1:

Assembly District No. 1 is in Clark County; I am primarily in the city of North Las Vegas. Joining me here at the table today is the president of the Nevada Highway Patrol Association (NHPA), Matt Kaplan. From Day One, I have been working with Mr. Kaplan and the NHPA to bring together Assembly Bill 382. I want to thank you for allowing us to present this bill. I know you have heard a number of testimonies from state agencies about how they are hurting for employees. However, I feel that this bill touches my heart because my career was in correctional law enforcement. Many times in this building we are offered solutions in search of a problem. But this is not one of those times. We have a very clear and present problem. If we do not fix it, it will get worse and then get worse, and the world of hurt to our state could be traumatic.

The problem is this: The state is unable to recruit and retain law enforcement personnel because there is such a large disparity between what we as a state pay our state employees and what cities and counties and our neighboring states pay. It is that simple. The disparity ends up costing the state dearly in multiple ways. First, it costs the state because we need to attract and retain talent to our state, and the inability to fill vacancies makes us more vulnerable. As citizens, we are less safe. Second, it costs the state because we spend an enormous amount of money, approximately \$80,000 per recruit, to train these new recruits, only to have them leave our state employment to find employment with another jurisdiction because of the disparity in pay. This is Nevada taxpayers' money that, in many cases, is leaving the state entirely. Third, it costs the state because the law enforcement personnel we do have in many cases suffer from low morale and often work tremendous hours of overtime. Something has to be done to reverse this long trend. That something, I believe, is A.B. 382.

What this bill will do is have the Division of Human Resource Management of the Department of Administration conduct a survey to compare the salaries and compensation of certain law enforcement personnel for the state of Nevada to their municipalities and county peers within our state. At this point, it is just a study. We need to get our heads around just how big this problem really is. Then it requires the Budget Division of the Office of Finance in the Office of the Governor to base its proposed expenditures for salaries on the rates established from the survey.

Section 1 of the bill requires the Administrator of the Division of Human Resource Management to conduct a survey of the salaries and other compensations paid to: (1) sworn personnel and dispatch personnel of the Department of Public Safety who are in the classified service; and (2) comparable positions in the law enforcement agencies of the three most populous cities in Nevada and the two most populous counties in Nevada.

Section 3 of the bill requires the Chief of the Budget Division of the Office of Finance to set forth a biennial proposed budget for the Executive Department of the State Government, which proposes expenditures for salaries based on the rates established and the pay plan pursuant to the biennial survey concerning those hours.

Before I turn it over to Mr. Kaplan, who can talk about the facts beyond just the statistics of law enforcement in our state, I will let you know there will be an amendment coming. As a former corrections officer, I failed to—and forgive me—include the Department of Corrections. The amendment is needed because we are losing our corrections officers at a large rate because of the disparity in pay.

Matthew Kaplan, President, Nevada Highway Patrol Association:

The Nevada Highway Patrol Association represents the employees of the Department of Public Safety (DPS). I have been a trooper for 14 years. I accepted the position of president two years ago during the last session. I learned then that we would not only need a strong bill written for this session, but we would also need an advocate.

I want to thank Assemblywoman Monroe-Moreno. We have been waiting a long, long time for a champion and I am so happy we found you. Thank you very much.

It takes a special type of person to be in law enforcement. It is not for everyone. One characteristic is that we do not like to complain, which maybe is why we get the short end of the stick a lot of the time. However, even though by nature we do not like to complain, I want to share a couple of stories from the ground that I hope will demonstrate how dire the situation really is. We would not be here if it were not.

First, we currently have over 50 vacancies—that is just in the Nevada Highway Patrol (NHP). We have those vacancies because we simply cannot compete with other agencies when it comes to salary and compensation. Fifty vacancies means more risk, not only to those of us who are patrolling shorthanded, but more risk to the communities we are supposed to be protecting.

I can also talk about the 30 vacancies at the Division of Parole and Probation and their increased caseloads, and I can point to other statistics for the Department of Public Safety as a whole, but those are just statistics. This morning I want to talk to you about the people behind those statistics.

I want to talk to you about a trooper who needed public assistance in order to feed his family. Garrett Bird was a trooper for five years. He was assigned to the Reno graveyard shift out of the academy and quickly became very proficient. He was a great crash investigator and was usually one of the top troopers on his squad for arresting impaired drivers. Within a couple of years, he was even chosen to be on our criminal interdiction team. During this time, unknown to many of us, Trooper Bird was receiving food stamps in order to feed his family. When it was obvious that the state was not going to correct our substandard pay rate, he decided to leave state service. He is now Deputy Bird of the Washoe County Sheriff's Office.

I want to talk to you about the scores of DPS officers and dispatchers who have five or ten years in DPS, who are hanging on by a thread. These are employees who love their jobs and have become proficient and skilled in their duties. Many have received advanced training and hold specialized positions within our department. Others are trainers for our new officers. This group is the backbone of our agency and comprises our department's future leaders. Many have called me, first to thank the Nevada Highway Patrol Association for the work we are doing. Then they quickly tell me, quite to the point, that they will wait until the end of this session to see if something is done about this, and if there is not a significant pay increase, they will be applying to other local law enforcement agencies.

I also want to tell you about the DPS officers who are retiring early. One is a close friend of mine who told me he has no faith in the state system. He is an officer with a proven track record of excellence and service. He intended on working for another ten years, but instead of staying with the Department of Public Safety, he has chosen to work for a police agency in another state. He is one of many officers who have left and continue to leave because they can easily make more somewhere else. When they leave, they take their decades of experience with them.

We need more than a Band-Aid to fix our department. I truly believe if corrective measures are not taken during this session, you will see a mass exodus from our ranks. This exodus, if it happens, would not be out of bitterness, but out of necessity. I am here to sound the alarm. I get it, everyone wants a raise. But not everyone has been passed over and apparently forgotten every budgetary cycle. Not everyone is facing the dire situation that we are facing. And not everyone puts their lives on the line every day they put on the state's uniform, your uniform—the most recent example of this being an officer-involved shooting, just yesterday, with a state trooper at Mt. Charleston in southern Nevada.

We have men and women who wear those uniforms here today. I am proud to serve with them and proud to have them here in support of this bill. They are my brothers and sisters, my family. Again, I want to thank them for being here in support of this bill—whether it is here in this room or in Las Vegas or watching over video—thank you for having my back. I will continue to have yours. Mr. Chair, members of the Committee, today we are asking that you have ours.

Assemblywoman Monroe-Moreno:

For 20-plus years I served in law enforcement, in this state and in the state of Arizona. I had the pleasure of 4 1/2 years serving in backgrounds investigation. My job was to encourage people to come work at my department and share the benefits of being an employee with my department. Oftentimes, those applicants were members from our state law enforcement. They were applying with North Las Vegas, with Metro, and with Henderson, looking for a better way to support their families. It was my job to encourage them to do that.

I have a responsibility now as a legislator to do what is best for the state. I understand that we are confined by the fiscal needs of this state. We need other resources to come in to fill all the gaps that exist within our budget and to help our state employees. But when we pick up a phone and call 9-1-1, or if we are out on a highway and our car breaks down, for the people who are coming or the people who are putting their lives on the line for us—it is time for us to look at whatever measure we can, whatever resources we can, to be there to support these people. I urge you to support this legislation.

Chair Flores:

Thank you for that presentation. We will open it up for questions.

Assemblyman Ellison:

In the last two sessions, I put in a bill for a study for the NHP and the state employee workers in agencies like Nevada Department of Transportation (NDOT) [Assembly Concurrent Resolution 6 of the 79th Session]. I did that because we are getting these people trained to do their job and then we lose them. Why? Because of the salaries. For example, at NDOT, as soon as new hires get their commercial driver's licenses, they are gone to the mines. We cannot keep them. You can actually drive a taxicab with tips and make more than the guy driving a five-ton truck moving snow at 3 a.m. to keep our highways open. It is ridiculous. I am glad to see this bill. I was hoping that our study would get out, but we have not even seen it this session. The bill was out there; I am hoping it will get a chance, but at least we can address some of the issues here. We are losing our people.

My mother-in-law was a dispatcher for 35 years for the NHP. My brother-in-law just retired as a highway patrolman. We have these folks in our family, on both sides. There is a problem, and we have to address this problem. We cannot ask these folks to do a job as dangerous as it is and not have them be able to support their families. I am glad to see the bill; I would still like to get the study done if we can try to get it out before session. Last session, we got it through committees and then it disappeared. It is very important because

we are investing thousands and thousands of dollars to train these individuals and then we lose them because we cannot pay them.

Assemblyman McCurdy:

I had an opportunity to do a ride-along in southern Nevada with Colonel Daniel Solow. It was astonishing to me how short-staffed you are. If we do not bring this bill, it will put all of us at risk and make all of our roads less safe. I am really glad to see this bill. I look forward to enthusiastically supporting it.

Assemblyman Carrillo:

My question is regarding the lack of parity; it seems that NHP has always been way below the pay scale of other departments. They are trained and then they leave. Why has it always been that way? Was there a point in time when it was said, Hey you will be held at this level and everybody else is moving up? I know different jurisdictions have different pay scales. We recently had a bill regarding the Capitol Police; they earn even less than you guys. Can you give me some history on that?

Matt Kaplan:

Part of it is the state system; the way that we are set up puts us at a disadvantage, compared to a county or police agency that has a body that is in session constantly and can address things as the need comes up. Part of that is our fault for not being the squeaky wheel. As I have said, we in law enforcement sit back and frequently think that they will notice us eventually. That is why we are here this time, making more noise, and making sure that this issue is noticed.

There is also the issue of the recession. Historically, with the state police as we are, we get raises maybe every decade or so to catch us up, and then we are forgotten about for a decade until we come into this situation—where we are right now, where we are losing so many people. That is why I feel this is imperative to catch us up. The recession brought furloughs, pay cuts, loss of incentive pay, and all the other pay issues that have put us behind. That is why we need to be catching up now.

Assemblywoman Monroe-Moreno:

One other thing is different between your county and city employees and our state employees: county and city law enforcement have the benefit of collective bargaining. State employees do not have that benefit. That is one of the other reasons that there is a larger pay disparity.

Assemblyman Leavitt:

I think we can all agree that we want our public safety employees to be compensated fairly. Does collective bargaining exist to address this? If it does, why is the issue not handled through collective bargaining, as far as your contracts and your pay?

Assemblywoman Monroe-Moreno:

State employees currently do not have collective bargaining. Collective bargaining is not part of this. However, you can always make that change this legislative session.

Assemblyman Leavitt:

I am not going to open that box right now, but I appreciate the clarification.

Two things jumped out at me regarding the bill: First, there have been issues with the survey process being used to determine wages—at least in my mind, there is. I feel there might be a better way. Have you looked at any other methods by which you can determine fair compensation for these employees rather than a survey process? I feel the survey process is sometimes skewed and does not cover everything.

The second part of my question is, in the survey, you are looking at the following information from each position: base salary, any longevity pay, any incentive pay, any retirement contribution. That would lend to skewing the data as well, as longevity pay and incentive pay are very specific to different duties and how long someone has been there. In my line of work, you do not even get longevity pay—if you get it at all—until after eight years of service. So someone who has been there for eight years is, of course, going to get a higher rate of wage than somebody who is just starting, who may not even be eligible for longevity pay. It is the same with incentive pay. Incentive pay is very subjective to performance. That is one issue that I would have—you are trying to determine a wage to include longevity pay and incentive pay. Can you clarify that for me, please?

Assemblywoman Monroe-Moreno:

You are right. You cannot put it all together and say, This is what the wage should be. But to truly find out what the differences are, you do have to break down those separate pays. The base pay is one thing; not every department gets longevity pay, and many departments are moving away from longevity pay. But to have a fair comparison, you have to start with where we are now, and there are some departments that do have that. You start with the base pay, you start with what is paid into retirement—Public Employees' Retirement System (PERS) is going to come and speak on that—and the longevity and those other benefits, to truly appreciate and know what those differences are. Then, from there, you can come back and say, What adjustments can we make? I am not saying that we have to give all of our employees longevity pay, but what I am saying, and the intent of this bill, is to find out exactly where we are—where that baseline, where that take-home pay difference is. The only way to get there is to have that information.

Is the survey the best way? I believe that is the only way we can do it right now. If you have a better idea, I would be more than welcome to hear that.

Assemblyman Leavitt:

I am not going to open that box, either, right now. I just wanted to know if you had looked at any other method, being that the survey system seems to cause some heartache for many people who try to determine a wage using that method.

Matt Kaplan:

A comment about how this bill came about: Not only is its intent something to be a permanent fix so that we do not have to be here again in future sessions and so we can create some stability with our workforce, but we also looked at other states that have similar problems and how they dealt with them. Nearly all western states have used a similar survey system. I am not saying there is no better way, by any means, but we did model this bill in large part upon legislation coming out of California, Washington, and Colorado—states that in the past have had hiring and retention problems and have fixed them through a survey method and by adjusting salaries based upon the going market rate for the kind of work provided to the state.

Assemblywoman Monroe-Moreno:

Not only is this department affected, there are other departments within our state that employ investigators, including the Office of the Attorney General and the Office of the Secretary of State. Employees in those positions suffer pay disparity as well. They are at least one to two steps lower than surrounding western states. That is something else we need to look into.

Assemblyman Hafen:

Do I understand correctly that the survey or study would be of the urban areas?

Assemblywoman Monroe-Moreno:

The more populated areas where our state employees are leaving to go to, those areas—that is where we would be making pay comparisons.

Assemblyman Hafen:

Would there not be any consideration of pay discrepancies in the rural areas? This would just be of the urban areas? If I understand correctly, you are saying that is where the problem is as far as retention.

Assemblywoman Monroe-Moreno:

Are you saying for the officers working in those areas, or officers working throughout the state, or comparing the salaries to the departments in the rural areas?

Assemblyman Hafen:

Yes—I am just trying to understand the problem. If I understand you correctly, the bigger problem is retention in the urban areas because there is a lot of competition. I just want to get it on the record that your intent is not to leave out the rurals, but the intent is to address the problem which happens to be in the urban areas where there is more competition.

Assemblywoman Monroe-Moreno:

The problem is a statewide problem. The bill would benefit officers working all over the state in its entirety. When we lose employees from the state, we are losing employees who work in the rurals, employees who work in Washoe County or in Clark County, to those departments that are in the more urban areas that pay the higher salaries. Does that answer your question?

Assemblyman Hafen:

Yes it does, thank you.

Chair Flores:

Assemblywoman, if we could have you sit back as I invite those wishing to speak in support of A.B. 382 to please come forward. We will start in Carson City.

Debbie Zelinski, Program Coordinator, Mothers Against Drunk Driving, Northern Nevada:

I am a victim's advocate for Mothers Against Drunk Driving in the state of Nevada. It is an honor to be working with a committed coalition of legislators and traffic safety partners to eliminate the one hundred percent preventable violent crime of drugged and drunk driving—A.B. 382, I believe, is part of that initiative. Department of Public Safety personnel who serve in positions with corresponding ranks and duties throughout our state are entitled to compensation equal to what those in other law enforcement agencies receive. These employees put their lives on the line every day, on our roads, to protect our communities. With a higher rate of pay, DPS will be able to attract more viable applicants, and we need more troopers on the road. They most assuredly deserve to receive equal compensation that our other law enforcement agencies receive. We are one hundred percent in support of passage of A.B. 382.

Marie Rodriguez, Private Citizen, Reno, Nevada:

I am the mother of a young man who works for the state of Nevada. He started with the state of Nevada as a patrolman for the Nevada Highway Patrol. He now works for the State Fire Marshal Division within DPS as an investigator. I am very proud of my kid. He has been serving since he was 18 years old when he started working as a firefighter. He has wanted to be a firefighter or a cop—he could never make up his mind—since he was four years old. He is also a veteran. He has been working for 17 years, most of that time as a sworn officer. He has four kids—I have the two youngest ones with me today—and he loves his job. He loves his job at the State Fire Marshal's office because he has been able to combine his love for law enforcement and firefighting. He is not here today because he is training so that he can continue working for the state. He is among those people who are really looking at this bill because he could easily go to another agency and make a lot more money.

I want to tell you about my job. I am a community services officer with Reno. I have been there three months. I am not sworn. With my shift differential, I make just about as much as my child does, who has been serving for 17 years. That is not right. I am here in support of this bill.

Johnny Peoples, Private Citizen, Winnemucca, Nevada:

I am currently a sergeant with Nevada Highway Patrol. I am here on my own time, along with my coworkers from Winnemucca. Other troopers from the area wanted to be here today; however, they had to provide a duty to serve the public for our great state. I am grateful and honored to be afforded the opportunity to address this Committee.

We are here today, as we have been in the past, speaking for pay equality and parity for one reason—because of the state's past practices as it relates to pay and benefit increases. I have witnessed these past practices firsthand, having been employed as a state trooper for over 20 years, with all of my time in the rural areas. I came into this career when staffing was on the decline and within a few years received a significant pay raise. Veterans from the department during that time advised me that this was cyclic in nature, that it occurred about every seven to eight years, and they described how our pay and benefits would remain stagnant as other agencies' pay and benefits increased.

The recession hit in 2008, stripping us of our longevity pay and incentive pay. There was a reduction of benefits with an increased benefit cost. Furloughs were instituted, and our step increases were frozen. All of these remained in effect for six years.

In 2010, then-Governor Gibbons provided an emergency budget action suspending *Nevada Administrative Code* Chapter 284, sections 204 and 206, ultimately creating and continuing to create, to this day, a pay disparity such that some supervisors are being paid less than their subordinates.

As of today, some incentive pays have returned and step increases reinstated. However, when it was reinstated, you continued where you left off. For example, if you were an employee for ten years, you were now a Step 4 or Step 5, not a Step 10 as you should have been. The state has provided minimal pay raises along with PERS-increased contributions, but this has led to reducing the overall pay increases that employees actually realized.

The best predictor of the future is to realize what has been done in the past. Over the last five years, despite my advocacy in Winnemucca and Battle Mountain offices—Mr. Hafen, you made a comment about the rurals—we have lost eight troopers in our district alone over the last five years or so. One went to the mine, one went to the Reno-Tahoe Airport Authority, one to the Henderson Police Department, one to the Sparks Police Department, one to Clark County School District Police Department, one to Douglas County Sheriff's Office, and two we lost only recently to the Winnemucca Police Department. We also had one trooper from Winnemucca recently apply for an NV Energy job, but thankfully, he is still with us. This is a huge safety concern, not only for the public to whom we provide a service, but for the troopers who endure long hours and regularly take calls to cover staffing issues. We are not a 24-hour service in any of the rurals and have not been for probably close to 20 years. The department is continuing to lose experienced troopers. They are constantly hiring, training, and replacing valuable troopers just to see the new troopers coming in leave for another agency. This gives me great sorrow to share with you all—I am contemplating retirement.

Assembly Bill 382 is the "Pay Parity Bill," in my opinion, which will greatly help in stopping this cyclic nature from occurring. It addresses many more issues than I have discussed above to include morale, staffing, and attrition. The Washington State Patrol in 2015 was struggling to recruit and retain employees just as we are today. Assembly Bill 382 is very similar to the legislation Washington passed in 2016. The *Seattle Weekly* on April 25, 2017, stated, "Through March 17, there had been 12 retirements. But only one trooper departed to

join another law enforcement agency in the state, Alexander said. "We definitely have turned around some of the retention issues" Let us follow in the footsteps of Washington's success. As I do, support this bill.

**Richard P. McCann, Executive Director, Nevada Association of Public Safety Officers;
and Member, Nevada Law Enforcement Coalition:**

We represent approximately 10,000 law enforcement professionals around the state. We are here to support A.B. 382 as we support any measures to improve the wages, benefits, and working conditions of our state law enforcement personnel. You have heard it before: this is long overdue. I cannot compete with what they have said. But they say it every damn session. When are you going to listen? I get it—that it is about money. Yes, sir, we did bring a Capitol Police bill earlier. We are trying to fix these things at every level. We all brought the Capitol Police bill and we are here to support anything—any measure—that will get these people back to where they need to be. It is not a matter of needing to compete with Henderson, Las Vegas Metro, Reno, or Washoe County. We are not just trying to compete with other people, we are trying to keep you safe on the highways and roads of the communities that we are in. There is a difference between collective bargaining—I will open that box, Assemblyman Leavitt—and collective begging. All right, what do I need to do? I am begging. Every session, we beg. When are we going to do something about it? It is not your fault that we are in this position, but we can look to you to help us out of this position. I am begging you. That is what we have right now—and that could change shortly—but we have collective begging, and we are here to do it every session.

We do appreciate a couple of percentage points here and there, as all state employees do. However, this is a safety issue, not just officer safety. Vice Chair McCurdy indicated he did a ride-along and was amazed at the lack of manpower. That is an officer safety issue, but it is a public safety issue as well. Remember, these people are part of public safety. That is what this is, public safety. We are denying our own public safety, the way we deny the reality that these people are woefully, woefully underpaid. That goes across the state of Nevada.

I am encouraged to hear that there is a conceptual amendment out there for Corrections, because they are being screwed, too. As well as investigators from the Office of the Attorney General and all the other state employees who are law enforcement—they are getting screwed, too. Let us just call it what it is. Yes, I am begging you. I mean nothing; they do. I am begging you on their behalf. Until we get collective bargaining, we must beg. We are here with our hands out. Please, help these people.

Chair Flores:

Is there anybody else wishing to speak in support? We will go ahead and go to Las Vegas—we have three people wishing to speak in support of A.B. 382 in Las Vegas.

Brian Brundage, Dispatch Liaison Officer, Nevada Highway Patrol Association:

I am going to comment specifically in the interest of the "first, first responders," the dispatchers. This bill is unique because there is a provision specifically to address the pay parity needs of dispatch services, and I want to tell you why that is important.

The public sees law enforcement officers and troopers. That is the face that is out in the public. That is whom they see when we are providing public safety services. What is oftentimes forgotten, especially when these bills come up, is the work that dispatchers do. Dispatchers are the "first, first responders." They take the 9-1-1 call, they determine the response to the scene, and they are the lynchpin of the Department of Public Safety. If dispatchers become insolvent, the Department will cease to be able to function. Troopers will not be able to get to calls; they will not know where to go. It is detrimental to public safety if dispatchers are not included and considered in a pay parity bill. We have a major attrition problem in dispatch as well, along the lines as they have in NHP or in Parole and Probation or in any of the other sworn divisions. Dispatch has been a sort of canary in a coal mine as far as this problem, as it exists in the Department.

You have heard testimony about the vacancies in NHP. Here is what we are experiencing in dispatch right now, for example: Since the beginning of 2018, in Las Vegas we have hired 19 new recruits of which we have lost 6 to different agencies, not only law enforcement but also a couple to the Clark County School District, because of pay issues. The last one we lost, we lost to a police department here locally, now making about the same amount I do as a topped-out supervisor—and that is before the PERS consideration. What we have found is it is extremely difficult to staff our centers and to keep them staffed because of the hiring pool going elsewhere. We also have to consider that the training time for a new dispatcher is along the lines of the training time for a new officer. It takes about 6 1/2 months from the date of hire before they can perform the full functions of the job on their own, where a full officer takes just shy of a year.

Given these considerations, it is important that this Committee support Assembly Bill 382. The reason for that is no other bill coming before the Legislature this session addresses an increase of pay or benefits for public safety dispatchers specifically. If this bill is not acted on, the dispatchers will be left behind. As I have explained, if we leave the dispatchers behind, we are negatively affecting public safety.

Kyle E. N. George, Special Assistant Attorney General, Office of the Attorney General:

Prior to assuming this role a few months ago, I was a prosecutor in Mineral County for 3 1/2 years. In that capacity, I had the opportunity to work closely with law enforcement in rural Nevada who are of interest to this Committee today, particularly with the Nevada Highway Patrol. I have had the privilege to speak to Matt Kaplan over the last few weeks about this bill, and it is my honor and privilege to testify here today in support of this bill on behalf of the Office of the Attorney General. Thank you to Assemblywoman Daniele Monroe-Moreno for bringing this bill. I think there are several aspects of this bill that are really important, which I would like to address with the Chair's permission.

One of my roles with the Attorney General's Office is I serve as liaison between law enforcement agencies throughout the state and the Attorney General's Office. A few minutes ago, Mr. Kaplan testified that he is here to sound the alarm, and I am here to say that the Attorney General's Office has heard this alarm. We have heard this alarm from troopers throughout the state. We have heard this from law enforcement throughout the state who are severely underpaid, as the previous person testified. This has created issues of public safety and officer safety such that we are now at a point we can no longer ignore.

Shortly before I left my role in Mineral County, I spoke to a trooper who had just come back from a nine-hour round trip to respond to an accident call in Rachel, Nevada. This trooper had to drive hundreds of miles to take an accident report because he was the closest trooper on duty available to take that call. The thought of driving nine hours round trip should be yet another alarm that this Committee takes note of. I have heard similar stories from officers who serve with the Department of Corrections. As Assemblywoman Monroe-Moreno testified, they, too, have been affected by this huge disparity in pay over the past few years.

Part of the reason I am here today is we have been in conversations with Assemblywoman Monroe-Moreno to add an amendment to this bill that would include the investigators within the Attorney General's Office in this pay parity study that, ideally, will lead to a future increase in salary, bringing these investigators up to par with the rest of the states. With the Chair's permission, I have a letter from the Attorney General I would like to read into the record.

Chair Flores:

How many pages is that letter?

Kyle George:

It is only two short paragraphs.

Chair Flores:

Please proceed.

Kyle George:

Dear Chair Flores and Members of the Assembly Committee on Government Affairs:

I am writing this letter to the Committee on behalf of my dedicated team of Investigators. Since taking office I have become aware of the hardships the Attorney General's Office has experienced statewide in recruiting, training, and retaining quality investigators. The pay disparity between my law enforcement officers compared to other State and local law enforcement agencies makes it increasingly difficult to retain qualified personnel. With your help, this gap can be corrected.

This pay disparity issue has plagued our Office for eight years. Pay parity is a critical tool for us to train and retain quality employees, provide our Investigators with opportunities for internal upward mobility, and to improve morale. Additionally, the constant cycle of recruiting, training, and then losing sworn officers inhibits our ability to enhance public safety and protect Nevadans. Thus, I urge the Committee to pass this bill to bring the salaries of these law enforcement professionals in line with other similarly situated officers.

Sincerely,

Aaron D. Ford
Attorney General

Mr. Chair, as I indicated previously, we are in conversation right now with Assemblywoman Monroe-Moreno to amend this bill to include our investigators. With the Chair's permission, I would like to pass the mic over to our Chief of Investigations, Rod Swanson, for his testimony on behalf of the amendment.

Chair Flores:

Thank you.

Roland D. Swanson, II, Chief of Investigations, Office of the Attorney General:

Prior to my role as the head of our investigations team, I served over 20 years as a supervising special agent and a special agent of the Federal Bureau of Investigation, which was preceded by over a decade as an officer in the U.S. Army. I have spent my 35-year career in public service and safety, and I am here today on behalf of Attorney General Ford and our law enforcement team to urge you to pass this bill.

The greatest challenge for the Investigations Division within the Office of the Attorney General is the inability to recruit, hire, and retain qualified criminal investigators due to pay grades being below all other similar positions within the state system. Prior to 2011, criminal investigators in the Attorney General's Office were unclassified state employees. In May 2010, following a review of criminal investigator positions by the Division of Human Resources Management and its Personnel Commission, the Commission unanimously approved the conversion of criminal investigator positions in the Attorney General's Office to classified service effective July 1, 2011. This change further required additional approval during the 2011 Session, as well as the creation of a class specification unique to criminal investigator duties. In February 2011, the Office of the Attorney General presented its budget to both legislative finance committees for the 2011-2013 biennium. Due to budget reduction recommendations by the Office of the Governor, the Office of the Attorney General's budget included criminal investigator compensation amounts calculated at grades below similar investigator positions within the state system. By doing so, the conversion of the positions from unclassified to classified status resulted in a cost savings to the Office of the Attorney General's budget.

In April 2011, both finance committees unanimously approved these changes. Consequently, the criminal investigator positions were converted from unclassified to classified status and the class specification for Attorney General Criminal Investigator was created. However, investigator salary grades were not aligned with other state agencies that also employ classified criminal investigators, for example, the Secretary of State, the Investigation Division (NDI) within DPS, the Department of Motor Vehicles (DMV), Nevada Transportation Authority within the Department of Business and Industry, and the Taxicab Authority within the Department of Business and Industry.

Based on the fiscal crisis in 2011, it is understandable that the salary grades were approved in a way that reduced the financial obligations of the state. However, since 2011, no bill has been presented to the Legislature to change the salary and benefit packages for criminal investigators within the Attorney General's Office to bring them in line with other state agencies employing classified criminal investigators. The lack of pay parity for criminal investigators prevents the office from effectively recruiting, hiring, and retaining qualified staff. It has been my experience that once investigators are trained and self-sufficient, they often leave the office for identical employment with other agencies for higher salary and benefits.

Since 2016, the Office of the Attorney General has posted, interviewed, and attempted to fill 26 criminal investigator positions that have resulted from investigators leaving our service. Of the 26 investigators who have left, 52 percent, or 13, departed for better-paying jobs; 7 retired from state service; and 20 percent, or 6, left for other reasons. Of the 13 investigators who left service for higher-paying jobs: one was hired by the Secretary of State; three were hired by DMV; three were hired by NDI; one was hired by the Nevada Gaming Control Board; one left for a federal contractor position; one was hired by the North Dakota Highway Patrol; one was hired within the private medical industry; one was hired by the Clark County School District Police Department; and one became a special agent for the Internal Revenue Service. In order to fill these vacancies, the Investigation Division, myself, and my leaders have interviewed approximately 300 applicants. Our goal has always been to recruit, hire, train, and retain the best qualified applicants for these positions. Over time it became clear that few applicants possessed sufficient experience in white collar crime and complex financial fraud investigations.

Since 2016, the Office of the Attorney General's Investigations Division has made conditional employment offers to 28 applicants who were interviewed in accordance with state hiring policies and procedures, but were ultimately not hired. Each of the 28 applicants verbally accepted the conditional employment offer. After accepting the offer, 39 percent, or 11, declined due to the low salary that was available; 54 percent, or 15 of those 28 applicants, failed the background investigation; 7 percent declined our offer for other reasons. This is essentially a 7.3 percent return on our hiring investment. This is unacceptable and it demonstrates a continual waste of resources that would be better spent on criminal investigative work.

The Office of the Attorney General employs both AG Criminal Investigator I, Grade 36, and AG Criminal Investigator II, Grade 38, peace officers. The AG Criminal Investigator I position is an entry-level position and applicants do not have to be certified by Nevada Commission on Peace Officers' Standards and Training (POST) when they apply for a position. However, upon hire, entry-level criminal investigators must receive their POST certification within 12 months to retain their positions. Following completion of the required background investigation and on-boarding process, the entry-level criminal investigators are scheduled to attend either the Northern Nevada Law Enforcement Academy or the Silver State Law Enforcement Academy, depending on the specific office location where they are assigned. The Attorney General's Office foots the bill associated with attending either academy and pays all salary and benefits while the investigator is in training, which totals approximately \$27,777 per investigator. In addition, we are on the hook for \$2,500 in costs associated with the comprehensive background check. In total, the office invests approximately \$34,000 per investigator before they are considered to be trained and self-sufficient.

The pay disparity between criminal investigators within the Office of the Attorney General and other classified investigators in similar state agencies is approximately two grades. Although these agencies typically compensate entry-level investigators at either a Grade 36, which is the same as the Office of the Attorney General, or at a Grade 37, this disparity only applies for the first year of employment. The real disparity arises once the investigator obtains journey level. Criminal Investigator IIs are currently compensated at a Grade 38, whereas similar positions within the state are compensated at a Grade 40.

Chair Flores:

Excuse me, I am sorry to interrupt. How many more pages do you have?

Roland Swanson:

I have three paragraphs, less than one page.

Chair Flores:

Please continue.

Roland Swanson:

This average difference is approximately 9.6 percent in salary and benefits. Office of Attorney General Criminal Investigator Supervisors are currently compensated at a Grade 40, while similar positions within the state range from a Grade 41 to Grade 44. This translates to a delta range between 4.68 percent and 14.82 percent, or an average difference of approximately 10.5 percent. The disparity increases with management positions, with the AG Deputy Chief Investigator and the Chief of Investigations salaries averaging 21.5 to 24.5 percent lower than similar state positions.

Let us be clear about the mission of this office. Office of Attorney General criminal investigations involve a host of complex financial fraud crimes, specifically within insurance fraud, mortgage fraud, Medicaid fraud, workers' compensation fraud, consumer fraud, and

other complex financial crime programs. Additionally, these investigations include matters involving state employee crimes, public integrity crimes, a wide variety of conflict cases referred to our office from local jurisdictions, high tech crimes, tobacco enforcement, missing children, guardianship and elder financial exploitation, human trafficking, and opioid provider crimes. The aforementioned costs incurred by the office in recruiting, hiring, training, and retaining new hires are significant. This is exacerbated by the constant turnover in trained staff when they leave for higher-paying positions.

The continuation of this cycle is neither effective nor efficient. Correcting the pay disparity between the Office of the Attorney General and other state agencies will save money and time. This will at least allow the Attorney General's Office to effectively compete on a level footing with other state law enforcement agencies. Under the current structure, we have not been competitive for the past eight years in terms of recruiting, hiring, and retaining the best qualified criminal investigators.

In closing, I have provided graphs and legislative history information which I will submit to the Committee for the record. Thank you for your time and we welcome any questions that you might have.

Chair Flores:

Is there anybody else in Las Vegas? Seeing no one, we will come back to Carson City. [Committee protocol was reviewed.]

Wylie M. Lund, Private Citizen, Washoe Valley, Nevada:

I am an officer with the Nevada Highway Patrol. I am here on unpaid status. I am here representing my family, more importantly my kids, two of whom are in the audience. I have three teenagers. They are soon to be driving, and taxpaying, working members of the community. To most of the Committee members, I am sure that you all have family, too. The ability to recruit and, more importantly, retain officers in our line of work makes sure that my kids get home safe and that yours do the same—that they are not sitting out in the middle of nowhere for three hours waiting for help, waiting on us, because we have to call somebody out and then send them to help my kids as well as yours.

I started my career in Winnemucca under Sergeant Peoples. To listen to him say that he is thinking about bailing on this job hurts. I want to say that I am here in full support of this bill.

Brian Cavanaugh, Private Citizen, Fallon, Nevada:

I am with the Nevada Highway Patrol. I am currently a sergeant out of the Fallon-Fernley district. I am here on unpaid status. I started my law enforcement career in Nevada 14 years ago with the Mineral County Sheriff's Office. I worked with them for three years. I got to know the personal relationship and the communication that takes place among rural troopers and rural officers from counties and other police departments. We troopers and officers are dynamic in what we do with minimal staffing. Between Hawthorne and Yerington, we have four troopers and we cover 782 lane miles—to give you an idea of how much area we cover.

I am now a sergeant; I have been a field training officer for eight years. It breaks my heart to see the revolving door of these troopers leaving to go to higher-paying jobs with other agencies. I am in full support of this bill and hopeful that you will pass it.

Heather Elder, Private Citizen, Winnemucca, Nevada:

I work for one of those other agencies that was discussed earlier—I work for the Winnemucca Police Department. We recently picked up two state employees. Some of the items I wanted to talk about have already been covered.

We are from the rural area, Winnemucca, so a senior trooper in our area is pretty much three to five years in. On the troopers' side, sometimes they cover the large rural areas, which creates a great safety issue because sometimes they will have only one officer on. If you are unfamiliar, coverage of the area of Lovelock and Interstate 80 runs from Reno all the way up to the top of the state. Recently, Lovelock was down to one trooper. How they accomplish covering this area, I am not quite sure. It is approximately a 60-mile stretch. They pulled officers and other troopers from Winnemucca to cover it, and now they have switched to pulling coverage from Fernley or Fallon, which is 57 miles away. I sure hope that when you or someone you know has an accident or breaks down, it is not an hour before they get to you, especially in the negative temperatures. I personally do not like my fiancé covering calls that are more than 15 miles away because there is no coverage sometimes. If a county unit is not available, then what?

The Reno and Las Vegas areas are hit the hardest. These troopers are leaving for better pay opportunities and work environment. The USA Parkway near Reno has had multiple fatality wrecks and they are so short of employees that they are pulling them from other areas to fill in. We recently had an officer from Winnemucca go to this area. And why would you work as a trooper in Las Vegas when the Metro officers at the same step make about \$20,000 more? We have had troopers in the north move down to the south for these Metro jobs, which is a huge move but, for the pay, why would you not? Please compensate these troopers better so that we can keep good employees and, most of all, to keep them safe.

Chris Smithen, Private Citizen, Gardnerville, Nevada:

I am a trooper with the Nevada Highway Patrol. I am here on my own time. I have been with the department for almost 24 years. I spent some of that in the rurals. My first two years were in Jackpot, Nevada. The last 22 years have been here in Carson City. I have been in traffic enforcement as well as in commercial enforcement. I have been through a lot of legislative sessions in my career, where every two years something comes up where they are looking at paying benefits; they are looking at collective bargaining; and they are looking at pay parity. In just about every legislative session that I can remember, there has been a bill like this that has been presented—whether it has ever gone out of Committee or has ever gone to the Assembly floor for a vote. Back when I first started, there was one that actually made it to the Governor's Office for signature and he vetoed it. Over the course of my career, I have seen a lot that has gone on here. Like the trooper up in Reno who was on welfare, I, too, was on welfare with my family for almost all of my first ten years.

I took those things and now I am in the waning years in my career. I am at almost 24 years, so I am actually looking at buying time and leaving to go and pursue other things. My oldest son has now been a highway patrolman with the department for the last three years. I am very supportive of this bill, not only for its effect on me, but because it is going to affect him and those who are coming on. I have seen the attrition firsthand for 24 years, people coming in and people leaving because they can find better areas and better jobs to take care of their families. I support this bill.

Todd Ingalsbee, representing Professional Fire Fighters of Nevada:

We get the pleasure to work with these men and women every day. They are trained professionals. They keep us safe, they keep you safe, they keep our visitors safe, and I think it is time that we pay them as they should be paid—as trained professionals—because that is what they are.

Dan Gordon, Executive Vice President, Nevada Highway Patrol Association:

I am an employee of the Department of Public Safety. I was a trooper for a little over 11 years and recently was promoted and went over to the Investigation Division. I am also the executive vice president for the Nevada Highway Patrol Association, and I am an instructor at the academy; I teach many different courses there. The last five to seven years I have been witness to the training ground that we provide for outside agencies. We are losing great people. We are not able to compete, and now people basically enter our academy because they know that it is a way to get trained to move on to a higher-paying job.

What I want to talk about is not so much the pay and benefits, which is obviously the heart of the issue. What I want to talk about is the public safety aspect and what the lack of it is doing to our great state of Nevada, our citizens, and our visitors. Nevada is growing, we all know that. Those calls to service for the Nevada Highway Patrol and for the Division of Parole and Probation are not going away; they are increasing. We are losing sworn members. Those calls and people who are on probation and parole do not go away; they still need to be dealt with. Our Parole and Probation officers are overworked. They have caseloads that are overwhelming, and instead of having a caseload that is manageable, they are being stretched extremely thin. I want to make sure everybody understands that this is not just affecting troopers; it is affecting all DPS sworn employees. All of our divisions are really feeling the pinch and the members who are staying are, as Matt Kaplan has testified, waiting for this session to find out what they are going to be doing. The bottom has not fallen out, but it will. It is important to understand that NHP, Parole and Probation, Investigation Division, Capitol Police—all of the divisions, the Office of the Attorney General as well—have not seen the worst. If something is not done to keep these good employees from going elsewhere out of necessity, it is going to get worse, and public safety—our safety as taxpaying citizens of Nevada and that of the visitors to this great state—will suffer the consequences.

Rob Conely, Private Citizen, Reno, Nevada:

I am off duty; I work for the Nevada Highway Patrol. I am the firearms coordinator for the training ground for DPS. I help train these young men and women to be proficient in

firearms. I see them come and I see them go. They do not stay. Most of the men and women come through and stay an average of two to three years; that is about the time they start applying to other places. This is an ongoing problem that is getting serious. Reno right now has around 23 troopers and we are bound to lose 5 or 6, depending on whether we get something to address the disparity or not. There are people who are already starting to fill out their applications. I do not normally speak out, but I am today due to this being a serious issue with me and the people who are out there on the road. It is an officer safety issue when you do not have anyone to back you up and something goes sideways. I support this bill and I hope you do as well.

Tina Konrad, Private Citizen, Carson City, Nevada:

I am with the Training Division of the Department of Public Safety. I am off duty. I have been a sworn officer for the state of Nevada for over 18 years. I have worked Parole and Probation, Nevada Highway Patrol, and am currently assigned at the Training Division. I know what it is like, at Parole and Probation, to be understaffed, overworked. It causes undue stress. They are there right now. I have worked Nevada Highway Patrol where I have been the only trooper on duty in the Carson City area, which goes all the way to Silver Springs, to the California line at Topaz, and up to Tahoe. It is an officer safety issue. At the Training Division, I see all the time that cadets come in already having their applications submitted to different agencies and we are only a stepping stone for them to go to that different agency. They are only waiting to go through the background process to be hired by them. I just wanted to express that.

Chair Flores:

Is there anybody else wishing to testify in support of Assembly Bill 382? Seeing no one, is there anyone wishing to speak in opposition of Assembly Bill 382? Seeing no one, is there anyone wishing to testify in the neutral position to Assembly Bill 382?

Chris Nielsen, General Counsel, Public Employees' Retirement System:

I have worked with the sponsor in submitting a friendly amendment ([Exhibit E](#)). It is very technical, but I believe it is important to understand that the state has two pay compensation schedules whereas local governments have one. Because this bill is effectively a salary comparison bill, it is important that the division administrator, who would be charged with making the comparison, uses an apples-to-apples comparison. To that end, we propose amending section 1, subsection 2(a). To "base salary" we would add the words "as calculated using employer pay pursuant to NRS [*Nevada Revised Statutes*] 286.421(3)"—this is the so-called "employer pay" where the PERS contributions are folded into the pay. The employer remits the employee's portion on behalf of the employee.

In section 1, we would also strike subsection 2(d), "Any retirement contribution made by the employer on behalf of the employee pursuant to chapter 286 of NRS." That is important because there is sometimes a misnomer that, regardless of whether you are at the employer pay format, which is available to the state but is optional, or you are under the employer-employee pay format, either way, the PERS contributions are made. Employees share in those contributions; they pay half, either through salary reduction or through an after-tax

deduction. I worked with the sponsor and I believe she is comfortable with these proposed amendments and I hope you will consider that. I am happy to answer any questions.

Chair Flores:

Is there anyone else wishing to testify in the neutral position? Seeing no one, Assemblywoman Monroe-Moreno, do you have any closing remarks?

Assemblywoman Monroe-Moreno:

I think everything that needs to be said has been said. I urge your support for this legislation.

Chair Flores:

Thank you, Assemblywoman Monroe-Moreno.

Assemblyman Hafen:

The testimony that came forward had me looking into this. I think this is a bigger issue than just DPS. We might want to consider expanding this and trying to look at all of our different agencies. I was looking on www.transparentnevada.com and found that the discrepancies in salaries there, as well as the ones testified to here, are huge. We are talking about a large discrepancy in pay. Maybe we should be doing a study on all of our different state agencies in comparison to some of these other areas. For instance, we had a conversation last month about the Capitol Police on determining where the discrepancies are, so they all can be addressed and not only one area. I am not saying this is a bad bill—I think this is a good bill. I just think that there is a bigger issue that needs to be addressed in the overall scheme. I understand there is an amendment to include additional groups, and I appreciate that.

Assemblywoman Monroe-Moreno:

I would agree with you that there is a much bigger issue within the state. I would expand it to include everyone, but I do not want to delay getting this part started. I believe that is a further conversation that we do need to have in our state.

Assemblyman Leavitt:

I have opened the box, so I am going to go ahead and ask the question: Would collective bargaining solve this issue?

Assemblywoman Monroe-Moreno:

I would not say that collective bargaining would solve all of our issues, but it would be a wonderful start to solving the problem, yes.

Chair Flores:

Thank you, Assemblywoman Monroe-Moreno, and thanks to everybody who testified. I understand it is a very important issue to you and for that reason we did not want to set a time limit. I am going to go ahead and close the hearing on Assembly Bill 382. I would like to invite anybody wishing to speak in public comment to please come forward. We do not have anybody for public comment. This meeting is adjourned [at 10:58 a.m.].

RESPECTFULLY SUBMITTED:

Geigy Stringer
Committee Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is written testimony and a proposed amendment to [Assembly Bill 210](#), dated March 28, 2019, submitted by Assemblyman Chris Edwards, Assembly District No. 19.

[Exhibit D](#) is a proposed amendment to [Assembly Bill 362](#), submitted by Assemblyman Ozzie Fumo, Assembly District No. 21.

[Exhibit E](#) is a proposed amendment to [Assembly Bill 382](#), dated April 1, 2019, submitted by Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1, and presented by Chris Nielsen, General Counsel, Public Employees' Retirement System.