

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

**Eighty-First Session
March 3, 2021**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 9:01 a.m. on Wednesday, March 3, 2021, Online. 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/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chair
Assemblywoman Selena Torres, Vice Chair
Assemblywoman Natha C. Anderson
Assemblywoman Annie Black
Assemblywoman Tracy Brown-May
Assemblywoman Venicia Considine
Assemblywoman Jill Dickman
Assemblywoman Bea Duran
Assemblyman John Ellison
Assemblywoman Susie Martinez
Assemblyman Andy Matthews
Assemblyman Richard McArthur
Assemblywoman Clara Thomas

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Erin Sturdivant, Committee Counsel
Judith Bishop, Committee Manager
Geigy Stringer, Committee Secretary
Trinity Thom, Committee Assistant



OTHERS PRESENT:

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

Chair Flores:

[Roll was taken. Committee rules and video conference protocol were explained.] Members, this morning should be relatively short. Obviously, I want you engaged with dialogue, but we have just one item on the agenda, and it is a presentation by the Las Vegas Metropolitan Police Department. Most of you probably have now met Director Chuck Callaway. If not, this would be an opportunity for you to reach out to establish a relationship with him. With that, I want to welcome Mr. Callaway and open up the presentation by the Las Vegas Metropolitan Police Department. Good morning and welcome, sir.

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

It is a privilege to be here today in front of your Committee to talk about the Las Vegas Metropolitan Police Department (Las Vegas Metro, Metro). I typically do this presentation each legislative session. In fact, the presentation you will see today I did a couple of weeks ago in the Assembly Committee on Judiciary, and I have done it in past legislative sessions before this Committee. I was scheduled a week or so ago but, unfortunately, due to getting my COVID-19 shot rescheduled, I had to cancel. Thank you, Mr. Chair, for your ability to be flexible with me.

I am going to provide you with a very high-level overview of our agency. I am sure there will be lots of questions. If there are specific questions that I do not have the answer to today, I will get you an answer for sure.

A history of Las Vegas Metro [page 2, [Exhibit C](#)]. We were founded in 1973 by an act of the state Legislature. We are one of the few police departments in the country that is actually a consolidation of your county sheriff's office and your local Las Vegas city police department. We are under the authority of an elected sheriff who is elected by the residents of Clark County. The current sheriff is Sheriff Joseph Lombardo. He is the seventh elected sheriff of Las Vegas Metro Police Department. I have worked for Metro for 32 years. I have had the honor of working for five different sheriffs in my career with Metro.

Like any large agency, we have values, a mission statement, and goals. This [page 3] was updated last year by the sheriff's leadership group. It is a group of folks in our agency who are chosen to participate in leadership training; they are the future leaders of our department. They actually came up with the vision statement that you see in front of you [page 3]. I will not go through it in detail, but our vision is to be the safest community in America.

Basic facts about Las Vegas Metro Police Department [page 4]. As I get into statistics, we will say this too—we are the tenth-largest police department in the country, and our numbers change on a daily basis. The numbers that are on this slide, I put together in late January

preparing for the Assembly Judiciary presentation. Some of these numbers may change. For example, we may have people retire today or leave the agency. But the numbers that you see are pretty accurate. Currently, we have about 3,301 police officers, 1,357 civilians, and a total of about 4,658 full-time employees. In the detention center, we have 929 corrections officers, 346 civilians, and 33 county staff, for a total of 1,308. Our department oversees approximately 7,560 square miles, and we serve a population of over 2 million residents and typically about 43 million tourists. Obviously last year, with the COVID-19 impacts, those tourist numbers declined.

Due to COVID-19, our special events numbers dropped significantly [page 5]. On a typical year—a normal year prior to COVID-19—we were seeing about 7,806 special events. These are your events like Electric Daisy Carnival, concerts, conventions, NASCAR [National Association for Stock Car Auto Racing], New Year's Eve, marathons, and various sporting events that our officers have to go out and maintain safety for. Often, the entity that is putting the event on will pay the overtime costs for officers to participate in those events, but in some cases such as New Year's Eve, the cost to provide safety is part of our normal budget. Even with COVID-19, you can see that, surprisingly, we still had almost 6,000 events in 2020. The majority of those events occurred either (a) prior to the March pandemic and then (b) after the pandemic, when things started to open up. We had issues on the Strip, which I will talk about in a little bit, where some of the hotels down there hired officers to work overtime to address crime issues in addition to our normal patrols on the Strip. And then of course, even though there were no fans in the stadium, we still had to maintain public safety for events such as Las Vegas Raiders games and whatnot. We still had a significant number of events, even with COVID-19.

Our communications center averages 3 million calls for service a year [page 6], and about 1.1 million 911 calls. We currently have 107 dispatchers and 80 call-takers. The average response time for priority calls—those are your 911 calls—is around 6 minutes; that is the average time. You may call 911 and we might be there in a minute or two, or you may call 911 and it may take us 8 minutes to get there. Obviously, each situation is unique, but on average 6 minutes is our response time for priority events.

Our patrol services—the men and women who are out in uniform handling calls for service—that is the bread and butter of our agency [page 7]. Those are the folks who—when you get your car broken into or your house burglarized or you have an issue in your neighborhood, then you call 911 or you call the nonemergency number—these are the men and women who are responding. We have ten area commands that cover the valley. We also have resident officers who cover areas such as Searchlight, Jean, and Logandale, and then of course we have a substation at the airport. To put it in context, our total jurisdiction is about the size of the state of New Jersey.

The Las Vegas Metropolitan Police Department traffic section handles about 22,000 traffic collisions a year. Usually, half of those involve some type of injury. That number was slightly up from 2019; you can see the numbers on the slide [page 8]. We had 98 fatal traffic accidents in 2020, compared to 111 in 2019; and then we had about 3,846 DUI arrests, again

slightly up from 2019. Do not quote me on this: looking at the numbers the other day, unless somebody unfortunately passed away on the roadways today, as of yesterday, we have had 16 fatal accidents in our jurisdiction this year.

I want to talk briefly about the Office of Intergovernmental Services, which is my office [page 9]. I am the director of that office and I am your liaison. I am here for you. I work year-round on legislative matters, both on the federal and state level. I serve on interim committees. The whole job of my office is to act as a liaison with local, state, and federal governments and also with special interest groups that have questions or concerns or constituent issues or want to engage with law enforcement.

I represent the Sheriff and the Las Vegas Metropolitan Police Department. For those entities, the primary goal of my office is to serve you and to work the legislative session to help with bills that impact public safety. On a normal legislative session, my office tracks around 400 bills that have some type of impact on our agency or on public safety in general. After the session is over, for whatever changes to the law took place, we make sure that our officers receive the training that is involved in that and that our policies are updated to reflect those changes in the law. We also assist you with constituent issues. In fact, just yesterday, I was handling a constituent issue for one of your colleagues.

When the economy is good, we have businesses coming in—what are the potential impacts to public safety when you build a certain business in town? We provide feedback and work on zoning and planning issues at the local government level. We also assist with local ordinances.

A big part of what we do is also dealing with our foreign consulates. I currently have Officer Sam Diaz on temporary duty in my office—he is permanently assigned to the Office of Community Engagement. We have had a very good relationship with the new Mexican Consul, Mr. Julián Escutia Rodriguez. In fact, we participated with him in some training for the *matrícula consular* cards so that officers know what they are looking at, what those look like, and know when they are valid. We have also done some training on gang awareness. He has been very helpful in getting information out to his community members about certain things that are occurring that Metro wants the public to be aware of.

Often, we see folks from other countries come to the United States to visit as tourists and they become victims of crime. Or, in very rare cases, they may be accused of a crime themselves. When those situations occur, we work with the consulate to make sure that their countries of origin are notified and that, in many cases, it is something simple like they have lost a passport, or their property was stolen, and we work to try to help them get a report and recover their property when possible. We also work with dignitaries who come to visit. We do not do dignitary protection in my office; we facilitate tours of the fusion center or the forensics labs—those types of things.

My office participates in interim committees. I currently have the pleasure of being the Vice Chair on the Nevada Sentencing Commission. I serve on the Advisory Commission on the

Administration of Justice. It is defunct now, but I have been a member of the Attorney General's Substance Abuse Working Group. And I am currently on the regional homeless housing committee. There may be a couple of others, but those are some of the things that my office does in these areas.

We have a number of specialized sections in our department [page 10]. Most people, when they think of Metro, they think of our patrol units—the men and women in uniform. But as you know, we have our detective bureaus, canine units, our SWAT team, our forensics lab, and our crime scene investigation people. To tout the good work that our detective bureau does, we are currently at about a 92.6 percent solvability rate for homicides, which is extremely high compared to the national average. The national average is about 64 percent. If you think about that for a second, if someone commits a homicide in another jurisdiction there is, on average, about a 40 percent chance that they are going to get away with that crime. If they commit a homicide in our jurisdiction there is less than a 9 percent chance that they are going to get away with that crime. That is some kudos to the detective bureau that often is working around the clock to solve those homicides and make sure that the perpetrators are held accountable.

The Sheriff is responsible for search and rescue in Clark County. All the numbers that I am showing you [page 11], by the way, are 2020 numbers. We had 111 search and rescue operations; 66 helicopter rescues—we often get people who come to town and they are not familiar with the desert environment; they want to go out to Red Rock and hike or maybe out to the Gold Springs area and as they start to hike around they do not have water with them or it gets hot out there and they get lost—then our search and rescue team and our volunteers go out and assist with helping those people. We had 144 flight hours last year and we had about 127 people that were saved that were victims of those circumstances where they got lost in the desert or needed help.

I will talk briefly about our Southern Nevada Counterterrorism Center [page 12]. It serves as the state's designated fusion center. If you have not seen it, it is housed in our headquarters building on the third floor on Alta and Martin Luther King Boulevard. I would encourage you when the session is over to come visit with me, and I will take you on a tour of it and show you exactly what goes on there. It houses the Southern Nevada Joint Terrorism Task Force, which is made up of law enforcement representatives from a number of different agencies, state, local, and federal. They investigate what we call SARS, which is suspicious activity reporting. For example, let us say somebody purchased the components to potentially make a bomb: ammonium nitrate and gunpowder and different things, and someone reported that to us. Our detectives would look into that, investigate it, and see if there is a possible terrorism or domestic terrorism nexus there. The work they do is very important to keep our community safe on the terrorism front. As you know, what we look at traditionally as terrorism since 9/11 is changing, and we are seeing a much higher level of domestic terrorism in our country at this time. What the fusion center does plays a very important role. We cannot do it without the public. I have here on the slide the See Something, Say Something campaign—we rely on tips from the public and people reporting

things that just do not look right to them. It really helps us in our endeavors to keep the public safe.

The Multi Assault Counter Terrorism Action Capabilities (MACTAC) [page 13] is a program that we put together after a group of terrorists took over hotels in Mumbai and killed a number of people before they were finally stopped. We realized that there was a potential threat for that to occur in our jurisdiction with the number of hotels that we have. So we sent officers to Mumbai to evaluate that situation in 2009 and come back and put together training that is now considered a standard training program around the country. The officers get advanced tactical response training dealing with active shooters. Not only do we train our officers in this type of training, we also conduct training for other entities such as the school district or local government entities so that they know how to react to unfortunate situations such as an active shooter. Probably the worst scenario that we have ever had where a lot of the MACTAC training was employed was the October 1 incident.

Our funding situation for Metro [page 14] is outlined in the *Nevada Revised Statutes* (NRS) Chapter 280. *Nevada Revised Statutes* Chapter 280 puts in statute how Metro is funded. If you look at all law enforcement agencies in the state—and maybe I will go so far as to say all agencies in the state—I think we are probably at the top tier when it comes to transparency on our budget. We have monthly fiscal affairs committee meetings. Those meetings are open to the public for participation, and the committee members who operate the fiscal affairs committee are two members from the city council, two members from the county commission, and a citizen chair at-large. Donations, budgetary decisions, all of those things, go through the fiscal affairs committee for review. All of our budget is posted online at LVMPD.com. If you have any questions about our budget at all, I would encourage you to go to our website where you can look at, basically line by line, what is involved in Metro's budget.

I want to talk about police reform [page 15]. There is a lot to cover here. For over a decade, Las Vegas Metropolitan Police Department has been actively engaged in police reform. My opinion is that we are years ahead of other police departments in the country when it comes to reform. As we talk about this, I am not going to tell you that we are perfect, and I am not going to tell you that we cannot improve and do better. Obviously, we certainly can. But going back to November 20, 2011: the *Las Vegas Review-Journal* did a series on Metro's use of force. Quite frankly, it was a bad story for us. It showed that we had a problem with the use of deadly force, and we had too many officer-involved shootings. And many of them—in fact, probably most of them—could have been prevented. We knew that if we did not take action to fix ourselves, the U.S. Department of Justice (DOJ) was going to come in. There was already talk about a possible consent decree on our agency. So Sheriff Gillespie at the time took it upon himself and was proactive about reaching out to the Department of Justice to collaborate with the COPS [Community Oriented Policing Services] office, and we engaged in a collaborative reform model which was the first time this ever occurred in the country. As many of you know, if you pay attention to consent decrees, they are very costly, and 99 percent of the time they do not accomplish what they are trying to accomplish. A collaborative reform model, on the other hand, is us working hand in hand with the

Department of Justice. They sent a team out in 2011, and they completely reviewed shootings that had taken place in our agency, going back to the period when we were founded. They made a total of 75 recommendations on how we could improve as an agency to reduce officer-involved shootings. We worked to complete all of those recommendations.

I am going to talk quickly about some of the things that were done [page 16]. First, we established an Office of Internal Oversight and Constitutional Policing. We completely overhauled our use of force policy at the time with stakeholder input; we had input from the American Civil Liberties Union and a number of other stakeholders. We were one of the first agencies in the country to put the sanctity of life into our policy; we implemented mandatory training for all officers on de-escalation, reality-based training, fair and impartial policing, and dealing with the mentally ill.

We created the Critical Incident Review Team (CIRT) and the Force Investigation Team (FIT). These two teams make a bifurcated process. They work independently of each other. They do not coningle or communicate in their efforts. The CIRT's job is, any time we have a use of deadly force, they look at whether policy was broken. Were there training issues? They look at the incident from an internal perspective to see if officers followed proper procedure and protocol, or if they violated policy, or if there were training issues. The FIT, on the other hand, looks at it from a criminal standpoint. They determine whether the officer's actions violate the law. At the conclusion of their investigations, the FIT will submit their findings to the District Attorney's Office where the District Attorney's Office, based on that investigation, will make a determination whether or not to prosecute the officer if there were laws broken in the officer's actions. The CIRT, on the other hand, will do a robust report that outlines any training deficiencies and any policy issues, and then we work as an agency to address those, either through revising our training, revising policy, discipline for the officer if he violated policy, and doing our best to make sure those same mistakes do not happen again in the future.

One of the things that has come out of this process that, again, is rare across the country, is we do a timely release of information to the public. Within 72 hours, we do a press conference where we release body camera footage that we have, we give an overview of the events, and then we have the media present to ask questions. We have also—through the Office of Community Engagement, through community policing in general, through our area commands and the Sheriff's Multicultural Advisory Committee—we are constantly working to try to strengthen community partnerships. That is an ongoing process that we constantly strive to work on.

As a result of some of these efforts—and again, I am not going to tell you we are perfect; we have a long way to go—since 2010 we have reduced overall officer-involved shootings approximately 36 percent [page 17]. I believe that we have improved community relationships overall. As a result, Las Vegas Metropolitan Police Department has been considered a national model when it comes to the collaborative reform process. We have had other agencies across the country reach out to us. I believe Chicago was one that reached out to us requesting information so that they could try to get involved in a collaborative reform

process in their own agencies. As I said, and will say again, more work needs to be done in these areas, and we are a very progressive agency that is constantly working to improve. The entire report on the collaborative reform model—there are actually three reports: there is the initial report which provides the recommendations; there is the midpoint report which gives the status of where we were; and there is the final report that shows which of the recommendations were completed and the DOJ's review of what we did. All of these reports can be found at the link that is provided here on this page [page 18].

I want to talk about body-worn cameras [page 19]; I know there are a number of bills this session regarding body-worn cameras. We worked very closely with then-Majority Leader Aaron Ford and then-Assemblyman Harvey J. Munford on their bills several sessions ago regarding body-worn cameras. In 2013, Las Vegas Metro Police Department was the first major police department in the country to engage in a body-worn camera pilot program. We had challenges. We had to get union buy-in from our frontline troops. There was a reluctance in the beginning from officers who felt like everything they did throughout the day was going to be scrutinized. They were reluctant to put on body cameras. But the fact of the matter is that the body cameras are a win-win; they are good for the officer and they are good for the public. And now, after we have been engaged in this process for a while, I do not personally know of any police officer who wants to go on the street and put on a uniform and deal with the public who does not want to have his body camera on when they do that.

In 2020, we had 893 officers who were cleared from complaints of wrongdoing by body camera footage. We also had 136 officers who had complaints sustained against them because of body camera footage. What we found is that we will have folks call in and say, This officer did something, treated me unfairly, was unprofessional, was rude, took my property from me and did not return it, threw me on the ground, and I would like to file a report. The detective will say, Okay, please come down; we will have you fill out a statement and we will take a look at the body camera footage from the incident. Quite often the person says, Oh, you have body camera footage of that; hmmm—do not worry about it, I do not want to file a complaint after all. In many cases, we have actually had officers fired as a result of what we found on body camera footage. It is a win-win for the public and the officer.

Other areas of police reform that I want to touch on quickly [page 20]:

- Our use of force policy update never stops. In fact, about a month ago, we updated our use of force policy. We have had for over a year now, prior to Assembly Bill 3 of the 32nd Special Session, a duty to intervene policy.
- We also had a duty to provide medical assistance and to place someone in a recovery position.
- We had an early intervention program. We have what is called Blue Team on Metro which allows a supervisor to monitor complaints of use of force against an officer, and if we start to see a pattern the supervisor can step in and address that situation early on, whether it is a training issue or a disciplinary issue, and we can deal with that through that Blue Team process.

- We have implemented mandatory training on ethics, values, bias-based policing, and discrimination. Just before the Legislature started, I got my mandatory training on bias-based policing and discrimination, and it was a very good training program.
- We also have implemented civil unrest training. I will talk a little bit more about civil unrest in a few minutes, but we completely revised our policy on civil unrest. We have released an after-action report that I will provide you a link to.
- We removed the LVNR [lateral vascular neck restraint] from our policy. Again, we were moving to do that prior to the implementation of Assembly Bill 3 of the 32nd Special Session.
- We made some changes to the Use of Force Board. We allow members of the Use of Force Board who are civilians to respond to the scenes of officer use of force so they can see firsthand what occurred at the scene.
- We have stronger criteria that we have implemented for officers and supervisors.
- We have a body-worn camera policy and compliance report where if an officer falls below in their compliance rating it can be addressed quickly through supervision or discipline.
- We have established a behavioral health unit. [Unintelligible.] I will go in a little bit more detail on that in a later slide.
- We are in the process of constructing a regional training facility. Once completed, this facility will allow state-of-the-art, best-practices training for not only Metro but for other agencies across the state; there about 80 law enforcement agencies in the state that could benefit from this regional training facility, which we are working very hard to get built. It would provide, in addition to de-escalation training, reality-based training on how to prevent officer-involved shootings, how to prevent use of force, and how to deal with different scenarios.

Our Office of Community Engagement [page 21] was established to support the department's commitment to building relationships with the community. As we all know, relationships are very hard to build. It takes a long time to gain trust and to build relationships, and as we saw last year, trust can be instantly lost. All it takes is the actions of one officer across the country to damage trust that we have been building for years. So our community engagement team focuses on outreach. We focus on trying to get community members into our Citizen's Academy. We expand on the traditional community policing model. We have a philosophy in Metro that community policing is the responsibility of every officer, and that when we go out on a daily basis, putting on the uniform, we are not going out to be reactive to crime and respond to calls, but rather we are going out to problem-solve and to help prevent situations from occurring in the future, and to work in partnership with the community on that. They also get actively engaged in the faith-based community. You may be familiar with the program called RECAP [Rebuilding Every Community Around Peace], where—when we have a community shooting like a gang shooting—the RECAP team has faith-based folks as part of it. They will go out into that community, knock on doors, meet with community members, meet with the public, and try to prevent retaliation in those situations. Because what we often see is one shooting leads to one or two more. We believe that program has been very successful over the last several years in reducing shootings in neighborhoods and helping lower violent crime.

Here are some of the community programs that we have [page 22]. I would encourage you in the interim to get engaged in some of these programs. We have our 1st Tuesday events where every first Tuesday of the month, you can go to the area command that is in your district. You will meet with the area commander or the captain of that area command. It is all open to the public; anyone can come in. They can raise concerns about what is going on in their neighborhood or in their community, concerns they have about the police department. They can meet face-to-face the officers that work in their jurisdiction and get to know each other on a first-name basis. When I worked community policing years ago when I was in uniform, I attended every 1st Tuesday event. We had a lot of folks that came every first Tuesday, and we knew them by name, Hi, Mr. Jones, Hi, Mrs. Smith. It was great to know folks in the community by face. If you can get a chance to go to those 1st Tuesday events, please do. I will not go through everything on this slide [page 22], but our Neighborhood Watch program, our Explorer Program, which I will have a slide for in a minute, our Hispanic Citizen's Academy and our regular Citizen's Academy. Chairman Steve Yeager from the Assembly Judiciary Committee participated in a Citizen's Academy; it was an eye-opener for him, and he enjoyed that process. If you get some spare time in the interim, please get engaged in some of those programs to learn about your police department.

I will talk quickly about diversity. It is another area where we can improve. Our numbers do not necessarily match the community as they should, but I think that we have made progress over the years. We currently have, as you can see [page 23], about a 33 percent female work force, 19 percent Hispanic, 10 percent Black. The Asian community is very underrepresented in our department; we are trying desperately to recruit in all these areas, but also specifically in the Asian community. COVID-19 has impacted our ability to recruit. Obviously, the traditional method of recruiting was you go to schools, you go to career days, and maybe travel to some other jurisdictions—you try to recruit folks face-to-face. But with COVID-19, a lot of that came to a screeching halt. So our recruiting section has been working on social media recruiting, webinar-type recruiting, and other methods to try to reach youth in our community and get them engaged and wanting to be a police officer. Unfortunately, right now it is hard. It is hard to recruit people to be police officers. Either (a) people do not want to be police officers for whatever reason, or (b) in some cases they want to be a police officer as a stepping stone; maybe they want to have a decent job for a year or two while they go to school to get a degree and then they want to go on to become an attorney or go on to do something else; being a law enforcement officer is not a career option, it is a stepping stone option. There is nothing wrong with that philosophically, but we want people to make law enforcement a career. We want people to be with us for the long term, 25, 30 years, and dedicate service to the community and not use us as a stepping stone for some other career. More work in this area needs to be done.

When it comes to recruiting and promotions and those types of things, our human resources section (HR) is very engaged in ensuring that all our processes are validated to avoid adverse impacts on minority members of our workforce and the community who are trying to become officers, and we report biennially to the U.S. Equal Employment Opportunity Commission (EEOC) federal guidelines on hiring practices, and making sure that we are top of the tier again when it comes to recruiting and trying to get people on our organization. But it is

tough. So if you know people in your community who want to be police officers, or if any of you are tired of this legislative stuff and you want to be police officers, you know where to find us and we would welcome you.

On juvenile diversion [page 24], we have a policy in place now that for delinquent acts and minor juvenile criminal activity, our officers are to make every effort to divert youth, especially first-time offenders, into The Harbor and Family Justice Center rather than incarceration. We are diverting kids away from the criminal justice system pipeline. The Harbor has been very beneficial when it comes to that, providing resources to help get kids who might be on the verge of going down the wrong path; it is a step in the right direction.

Emergency vehicle operation [page 25] is another area of reform. In 2009, when I was here attending the legislative session, several police officers were killed due to vehicle collisions. We realized that we had a problem in our agency with a culture of not wearing seat belts. Officers had an old-school mindset that if you had a seatbelt on you would not be able to get it off in time and somebody was going to kill you in your car; that you should not wear a seatbelt because it was an officer safety issue. That was obviously a myth; there is no data to support that wearing your seatbelt results in officer death. In fact, wearing your seatbelt saves officer lives because many officer-involved deaths per year are a result of traffic collisions. So we undertook a program that we call 365 Alive. The purpose was every day, during briefing, officers would receive information on safe driving practices: the importance of wearing your seatbelt, the importance of driving slowly. We had a slogan that we put on the wall that said, If you do not arrive, you cannot assist. It is better to get there slow and be able to assist someone than to rush and try to get there fast—and as a result kill yourself or kill someone else, and never get to the call to be able to help. It did a good job in changing the culture in the department. We had a 34 percent decrease in officer-involved traffic collisions [page 26]. In 2013 we were awarded a Safer Way Award after we had a 41 percent reduction in vehicle pursuits. We also overhauled our vehicle pursuit policy to restrict when officers can pursue and how a pursuit would take place if we do pursue, and it would only be in those cases where there is an immediate need to apprehend the suspect because they pose a risk to the public or to safety. The National Institute for Occupational Safety and Health did a study of our policy and so we made progress there, reducing accidents.

As you know, mental illness is an area where we constantly struggle. Unfortunately, law enforcement officers are often the first line when folks get into crisis. We have a program in place where we now train every officer who goes through the police academy to receive crisis intervention training. They are trained how to de-escalate, how to deal with the mentally ill; they are dispatched on all calls where someone in crisis is either potentially threatening suicide or they are off their medication and they need assistance. To put it in perspective, on this slide [page 27] it says we have approximately 30,000 calls a year; actually, we had 45,788 calls in 2020. We had 10,968 Legal 2000s. If you are not familiar with the Legal 2000 process, the Legal 2000 is an involuntary commitment for individuals who pose a threat to themselves or someone else. The goal is to get them in to see a doctor, to be evaluated by a doctor; in some cases, getting them back on their medication will help bring them out of crisis. But if they do not get that treatment or help—the numbers have

been as high as 40 percent of officer-involved shootings and use of force—the person who was involved had some type of mental health issue. So it is a very critical area that we need to address to lower our use of force.

We have been working on the Metro Mental Health Unit [page 28] for a couple of years. It was proposed in 2019 and it is still a work in progress. It is four officers, two corrections officers, a clinician, and a case manager to monitor our Legal 2000s to look for chronic cases. Chronic cases would be those individuals who we have had more than three or four calls on them where they have been Legal 2000—how do we go out and be proactive and preventive? Let us not wait until they are in crisis. We are getting called out because they are armed with a knife threatening to hurt themselves. Let us get engaged with them with the clinician. Let us go out and make contact to see if we can get them in touch with services or in touch with medical professionals who can assist them and prevent future problems that might occur. Again, the goal is to prevent incarceration. We do not want the Clark County Detention Center to be a mental health facility. If we can prevent incarceration and prevent violent encounters with law enforcement, that is a step in the right direction.

Homelessness is another area where we struggle [page 29]. We have a Multi-Agency-Outreach-Resource-Engagement team which we call MORE. It is made up of eight officers. Their job is not to go out and harass the homeless or go out and cite and arrest the homeless. Rather, their job is to go out and make contact with folks who are living on the streets, try to get them into services, and try to provide them help. We have a lot of folks who are, quite frankly, resistant to help. They do not want to get into the system and try to get services. So officers try to build a relationship with them, to build a rapport to where eventually, the officer may contact a person on the street three to six times and they may refuse services or refuse help and then, ultimately, on the seventh or eighth time, they agree to services and help, once the officer has built a rapport. As you can see from the slide [page 30], last year we had 20,462 contacts from our MORE team and we provided services to 6,213 people; ultimately we got 760 people help, which resulted in them getting off the street and getting some type of a roof over their head.

The Clark County Detention Center (CCDC) has an average daily population right now of 2,861; it has dropped a little below what is on this slide [page 30]. If you saw this presentation two years ago in the last legislative session, we were at an average daily population in the 4,000s; we have had a significant decrease in our jail population. Bookings have decreased by 13 percent since 2007. A number of factors are at play here. COVID-19 was a part of that, but the fact is our jail population was decreasing prior to the COVID-19 pandemic. If you look at the bottom of the slide you can see the average. What is important here is about 54 percent of our bookings are felonies and almost 40 percent of our bookings are misdemeanors.

Now, understand that we have a policy for Metro that we do not book individuals, we cite them, for low-level misdemeanor offenses, which are trespassing, traffic violations, those types of things. In some cases, you cannot avoid an arrest. For example, someone is trespassing on your property, they have been given warning, they have been given a ticket,

they leave, five minutes later they are back, you give them a second ticket, they leave, and then they are back. The only way to solve that problem is, unfortunately, to take that person into custody. In some cases, you must make an arrest. Our policy states that a supervisor will approve any misdemeanor arrest that is not a mandatory arrest. Keep in mind, too, that we have domestic violence, we have DUI, and some juvenile situations that are mandatory arrests, where the officer does not have a choice. They have to make an arrest, per statute. That 39.9 percent of misdemeanor arrests [page 30], a lot of those are mandatory arrests. But where this becomes important is when you look at the second section on the right [page 30], the daily population. Even though 40 percent of bookings might be misdemeanor offenses, only a little over 11 percent are staying in jail to be a part of the daily population. That 11 percent would absolutely be, in most cases, your DUI offenders, your domestic violence offenders, or folks who have a court hearing coming and they have been denied release for some reason. The point here is that the vast majority of misdemeanors are, on the front end, either (a) not getting booked into the jail, they are being cited; and (b) if they are booked into the jail they are not staying in the jail for a significant period of time; they are not a significant portion of our daily population.

We are always looking at alternatives to incarceration [page 31]. Right now, we have around 943 offenders on average who are part of the electronic monitoring program. We have been working to beef up that program since COVID-19 came about so that the more people we can get out and get on electronic monitoring, the better. We actively participate in a number of programs. Pastor Jon Ponder's program for prisoners is outstanding. He has received national recognition for that program, and we have been partners with him on that. We have services from the United States Department of Veterans Affairs, Social Security Administration, and then in the 2017 legislative session, then-Senator Tick Segerblom assisted us with carrying Senate Bill 268 of the 79th Session, which allows us to help inmates get ID cards through the DMV before they are released from custody so that once they are released they can get services, they can cash a paycheck, they can do things on the outside, and they are not being released with no identification, which has always been a problem for people trying to get back on their feet. I should mention, too, that we have a contract with a reentry service provider where, prior to someone's release, they are interviewed for any way that the provider could help them with services upon their release, and they are directed and funneled to those services.

We also have a very robust educational program and diversion program in the jail [page 32]. Unfortunately, COVID-19 put a stop to the in-person programs. We were able to continue some programs virtually. On average, about 6,827 inmates participate per year. These programs help individuals get a high school education or adult education, anger management, life skills, or Alcoholics Anonymous. We have religious faith programs, helping with post-traumatic stress disorder (PTSD), anger management, or stress relief. Unfortunately, right now most of those programs are being done via videoconference just as this meeting is.

Our Sheriff's civil section and Constable Bureau [page 33] handle civil actions that come through the department for service. By statute, the Sheriff is responsible for certain civil services. The Constable Bureau one of their main [unintelligible] evictions. Due to

COVID-19 they had an 83 percent drop [unintelligible] there was a moratorium on evictions during the pandemic and I believe it is still in effect. So the Constable Bureau was not going out to do evictions as in past years they normally would be doing, once ordered by the court. But they have other services that they provide, such as writs of execution. They respond to cases where you have that junk car that has been on your street for six months, and you want to get rid of it; you call that in. Those get diverted to the constables who would go out and cite those vehicles and have them towed off the street if they are a danger or if they are abandoned. The Sheriff's civil process are sheriff's deputies who cover all of Clark County; they handle about 9,000 cases a year. They serve protection orders, domestic violence orders, and stalking and harassment orders.

I cannot say enough about our volunteer program [page 34]. We have about 500 volunteers. These men and women are fantastic and selfless people. If you come to our headquarters to visit, you will probably see them in the front office. They will make your name badge and let you in the building and give you a visitor pass, or they will direct you into sections of the department if you need to get a police report. They go to our 1st Tuesday events; they go to our Community Engagement events. They are great men and women who love to serve, and they get absolutely no monetary compensation for all the hard work that they do.

Our Explorer Program has been in effect for a number of years. We try to recruit young men and women in the age range of 16 to 20 into this program, to get them hands-on. They learn what policing is all about. They learn how to do car stops, they learn law, constitutional law, search and seizure, and they actually participate in competitions with other explorer programs. I would consider it a higher-level Boy Scout/Girl Scout-type group that is more focused on law enforcement activity. A lot of these young men and women go on to the police academy and become officers. If you know any young kids who want to get involved in law enforcement, send them towards our Explorer Program.

As I finish off the presentation here, I want to shift gears and talk about challenges that law enforcement is facing. Some of the numbers on this slide [page 35] are national, not local; I will clarify them when I get to those. On the national level, last year, 264 law enforcement officers died in the line of duty; 145 of those deaths were COVID-19-related. We at Metro lost two employees due to COVID-19. Unfortunately, as first responders, law enforcement—as with fire and paramedics and medical personnel in hospitals—did not have the luxury of being able to work from home. We have to be out there handling situations and, in many cases, coming face-to-face with people. Sometimes, those folks had COVID-19 and passed it on to our employees. That was a challenge. As you can see, it caused a 96 percent increase in deaths from 2019. We also saw, nationally, 144 police officers killed. Forty-five of those deaths were by suspects with firearms. The source of this information is listed at the bottom; it is the Law Enforcement Officer Fatality Report 2020. We saw a slight uptick in violent crime, especially in the Strip corridor, late in the year last year. There were a lot of news stories on this. We had not only a fear for the safety of residents who might be visiting from the community, but also folks coming from out of town; how it might impact people's desire to come to Las Vegas in the future, and our economy overall. So we implemented a program called Operation Persistent Pressure where we put a

team of officers on the Strip every night, actively looking for anybody who was out trying to cause problems and engaging in violent behavior. As a result of that program, between September through December, we made approximately 1,200 arrests. We found that about 38 to 39 percent of those folks we arrested were from out of state; many of them from California, coming to our Strip and thinking that they could cause problems and vent things and then they were going to go back to California once they were done. It did not work out for them. They ended up in the Clark County Detention Center. And we got 64 illegal guns off the Strip during that same time period. I think things have settled down a bit on the Strip now; we have reports from citizens that it feels much safer down there; and we will continue to put pressure down there to make sure, as we do in all neighborhoods where we see upticks in violent crime, to stop that and to make our communities safe.

We see social issues, mental health. I have already talked about these, but these are major challenges facing law enforcement. The role of law enforcement officers is not diminishing, it is increasing. As lawmakers, you see bills that have some requirement in the law. Whatever that requirement may be, who is going to enforce it? Who is going to make sure that it takes place? Let us have the cops do it. So, often, we see more responsibility put on law enforcement rather than going the opposite of having law enforcement focused more specifically on crime or criminal behavior.

Also, as I said earlier, our Homeland Security threat is evolving. We are seeing more of your sovereign citizen types; we are seeing more domestic terrorism; but at the same time, the foreign or your traditional stereotypical terrorism from 9/11 has not gone away, either. It is still there, and we have to be cognizant of it.

One of our biggest challenges over this last year as you all know is public trust and negative media. After the unfortunate situation with George Floyd in Minnesota, Sheriff Lombardo immediately came out and denounced that situation. We worked with our community partners throughout that time. But unfortunately, people are angry, and I understand it completely, and we sympathize with their anger—and it impacts law enforcement across the whole country. It is a challenge that we have to work to rebuild trust.

One of the challenges we had over the summer were protests and civil disorder [page 36]. We had not had any violent protests in our communities for a significant amount of time. Most of the protests that our officers had dealt with prior to last summer were culinary-type protests or peaceful protests, not civil unrest-type situations. From May 2020 until the end of 2020, we had 318 protests. The protests that we had in those first days were the ones that primarily had situations turn violent. I will say that the vast majority of protesters who were out there were peaceful. They were law-abiding. They wanted their voices heard. Our officers have to balance the people's First Amendment right to protest and make their voices heard with ensuring that the public and the protestors are safe and that laws are not violated and public safety is maintained. These are all pictures that were taken during the first few nights of protest [page 36]. As you can see, we had a patrol car set on fire. We had individuals who showed up with baseball bats; we had individuals who showed up with frozen water bottles that they threw at officers; we had bricks thrown, rocks thrown; we had

some information that people came out the day before and strategically placed items along the path of the march that could be picked up and thrown so that they would not have to carry those items on them. We had sticks and signs. People showed up with shields, as you can see in the pictures. But, again, the vast majority of the protestors were peaceful. We learned a lot from these early protests, and as a result we updated our policies and procedures.

On LVMPD.com, we released an after-action report that outlines lessons learned from the protests. I would encourage you to go to the website and read it. You can also read our new updated policy inside of it, which is a number of pages long. One of the key elements that we learned was to try to get out in front in communication; meet with the organizers of the protest beforehand; designate who your legal observers are; who are the media; have a better plan for dispersal orders. We updated our policy to require that multiple dispersal orders be given unless there is an immediate threat to life or safety and that an egress route be given. I will let you all take the time to read the policy; I will not extend this presentation too long by going into detail. But we completely revamped our policy, and after those initial protests, throughout the remainder of the year, we saw very little violence or problems at future protests.

I will say this: philosophically, if someone is angry at an employer and they want to protest and go to the street to make their voices heard, the employer is not the one who has to go out and stand in front of them and maintain the peace. If someone is upset because they have to wear a mask and they are mad at the Governor or they are mad at the Legislature or the health district, when they go out to protest and are angry and they make their voices heard, it is not the Governor or the Legislature or the health district that has to go out to maintain the peace. But when people are angry at law enforcement, and they are upset at law enforcement, unfortunately, law enforcement are the ones that have to go out and maintain the peace. That unfortunate situation is a recipe for anger and violence to possibly occur.

Our attempts are that we will stay out of sight and out of mind, unless illegal activity occurs where the protesters are taking over streets or blocking vehicles. Typically, when the crowd takes over a street, things turn ugly and people get injured or killed; we have seen from protests across the county people getting run over. As long as the protesters are not violating the law and they are marching and protesting, we stay out of sight, out of mind, and we only make our presence known once things rise to the level where there is public safety concern. That has been a big help in trying to keep the peace and avoid violence at these protests.

Basic crime statistics [page 37]. Overall, we saw a 13 percent decrease in crime, which is not the national average. Some places in the country saw a 40 percent increase in crime last year, but in our jurisdiction, our men and women did a great job of policing the community and we saw a 13 percent overall decrease. However, we did have a slight uptick in some categories: murder was one; we had 99 murders last year, 12 more than we had in 2019; our aggravated assaults were also up slightly, by almost 5 percent. We have work to do to push those numbers down and try to reduce violent crime moving forward. The Sheriff's number one priority is reducing violent crime in our communities.

I will close out my presentation with this [page 38]. I know I have thrown a lot of information at you. I know people say this and say that, but they do not really do it. Here is what I would say to you: do not take my word for it. Come out and see firsthand what we do: go on ride-alongs; get in a car with our men and women; go handle calls for service with them; see how they handle domestic violence cases. During the civil unrest I know of at least one county commissioner who came out and stood on the line with the officers. I know a number of lawmakers who went out, in many cases, and marched with protesters. That is great, but do the same thing with our officers; come out and stand with officers and see what they are seeing from their side of things. Visit our fusion center. Visit the Clark County Detention Center; I will give you a tour. I know that you are busy now and you cannot do it; but in the interim, reach out to me. We have an open door and I will answer your questions and show you anything that you want to see—anything that you want to know about our agency; it is your police department. Reach out to me, and we will make it happen.

With that, Mr. Chair, I know I have thrown a lot of stuff at you, but I would be happy to try to answer any questions that you may have.

Chair Flores:

Members, I know that was a lengthy presentation, but I do not know whether we can have a conversation without getting that broad overview. Thank you, Mr. Callaway, for all the work that you do. I think all of us share the sentiment that while we may think that there is more work that needs to be done, we are grateful and appreciative of the work that is being done by our women and men in law enforcement. You are out there, well-intentioned, trying to take care of our streets. Thank you for that.

Assemblywoman Brown-May:

First, I would like to say thank you, Director Callaway, for your 32 years of service to our community and to the Las Vegas Metropolitan Police Department. That is truly exceptional. I appreciate much of what you do; I have had the opportunity to interact with many of the volunteers and officers who are just learning how to become involved in the community. I have two questions.

I want to talk specifically about body cameras—the importance of body cameras, to both protect the officers from false complaints and to uphold private citizens from valid complaints. Can you talk to me about who wears body cameras? What is the current policy? We have often noted that not every officer has a body camera; not every plainclothes officer has body cameras. We are seeing the importance of that. Jorge Gomez is one of our most recent examples around the value behind body cameras. So that would be my first question to you, sir.

Secondly, if I am a private citizen who wants to file a complaint that I think is valid, and I take the time to go down, as you have talked about, to file a complaint, to get footage from a body camera, to get the video—how long does that process take for me to do and have access to that?

I will give you a third: you talked a lot about the training of your officers, which is exceptional. I have been a participant at some of that. Can you talk to us about the types of training? Is it in person? Is it training done through a PowerPoint? You talked a lot about mental illness, but I did not hear a lot about folks with developmental disabilities or autism—how is that addressed in the department?

Chuck Callaway:

Those are great questions. I am going to start with the first one—who wears body cameras? That is probably the easiest one. We worked closely with then-Majority Leader Aaron Ford on his bill, which in statute requires that officers who are in uniform and who routinely interact with the public as part of their day-to-day duties must wear a body camera. Obviously, our entire patrol force would have a body camera. That is number one. When we first implemented body cameras, the union felt that it was a contractually negotiable thing. So we had a period of time when we made a stipulation that if you are hired by a certain date, you are going to wear a body camera—no ifs, ands, or buts about it. And now, I am happy to say, all of our uniformed officers who work the streets and deal on a day-to-day basis with the public wear a camera. They are issued a camera when they go through the police academy.

Other sections of our agency also wear cameras. For example, the gang unit. They may not always be in uniform, or they may be in a khaki type uniform; they may be doing undercover operations; but if they are going to interact with the public, the Sheriff has made it clear that he wants them to have a body camera. The same with SWAT; if SWAT is going to a barricade situation or a hostage call, SWAT is equipped with body cameras. Even though they may not be on a routine basis interacting with the public, they are specific for a tactical situation; they will have a body camera on.

You mentioned the Jorge Gomez case. I do not want to get into the specifics of a certain case, but as a broad example, sometimes—October 1 is a perfect example—you have an active shooter on the Strip who is killing people. An officer may jump out of bed, throw a uniform on that has been in their closet and they have not put on for two years, and they run to the scene to try to help. Or they go to the headquarters or command post where they can be assigned to positions. On a day-to-day basis that officer does not wear a body camera; maybe he is a detective who sits in an office. Maybe he is like me, who is appearing before you. On October 1, I threw a uniform on and I went to the command post, and I was at the command post by 11:30 p.m. in a uniform. I was also out in a uniform the night of civil unrest after the George Floyd incident, around May 28. I do not have a body camera. I put on a uniform three times a year: Police Memorial, September 11, and October 1 are the three times I have put on a uniform. So I do not personally have a body camera. Is it possible that during that night I responded on October 1 that I could have encountered a citizen, maybe had to make an arrest and the citizen resisted, and something occurred, and I did not have a body camera? Yes. But in a vast majority of cases, our officers who are in a uniform who day-to-day deal with the public are wearing a body camera.

To your second question about filing a complaint: if I understand the question correctly, the process that we have in Metro is that all complaints are looked at to determine if there is a need for an in-depth investigation, and complainants are contacted. If you were to call in and say that the officer did something on a car stop: took your property without your permission, or was rude to you, or made you get out of the car, or whatever, and you file a complaint against the officer, the internal affairs investigator will take your complaint and they will log it. Then they will determine if it warrants the supervisor investigating it, or if it warrants the internal affairs section investigating it. If something is a higher-level complaint such as a criminal allegation, then the internal affairs section will handle that; if it is what would be called a lower-level allegation like the officer was rude, or the officer had a bad attitude, or the officer put his hand on his gun when he walked up to the car, those things may be investigated by the supervisor at the line level. We try to keep the complainant involved in the process of the complaint, but sometimes, if we find that there is no violation of policy or the officer's actions were not necessarily wrong, people are upset for whatever reason; they got a ticket and they did not like the officer's attitude and people may not be happy with the answer they get from the internal affairs investigator, and they feel that they were treated wrongly. In those cases, they have the option of taking their complaint to the Citizen's Review Board. And outside of our agency, law enforcement officers get sued for everything; people who do not get the answer they want through the complaint process have the ability to bring civil litigation against our agency or officer. So there are a number of processes there.

As to the body camera footage, the time varies on a number of factors. There was a public records bill that went through your Committee last session. The bill put stipulations in the law on how much time an agency has to provide a public record. So we put together a public records unit, and that unit takes all those requests. There are two processes in place. For body camera footage, the statute allows for you to come down to our body camera section and sit in a chair at a monitor and view the camera footage. If you want to get an actual copy of the camera footage, then there is redaction that may need to take place. You may be put in a queue below other people who are ahead of you with similar requests. I cannot give you a specific time like it is going to be 24 hours, or 48 hours, or a week. But we do our best effort to get whatever records have been requested to the person requesting it in a timely manner.

On your third question as to training—that is a huge area. In the academy, officers undergo 18 to 19 weeks of very in-depth training at the academy level. That includes both classroom instruction and in-the-field, practical-problem instruction where they are doing scenarios with role players and they are being graded, and they are learning in those scenarios. Training covers the gamut; I can provide you the curriculum if you would like. It covers everything from constitutional policing, search and seizure law, bias-based policing, how to do a car stop, firearms training at the range, defensive tactics, firearms retention—if someone is trying to take your firearm away, safe driving; the list could go on and on. Criminal law, what is a misdemeanor, what is gross misdemeanor, how to write a citation—again, it could go on and on.

After an officer graduates the academy, they go to the field training program. The field training program time frame changes depending on how much training is involved. It is

18 or 19 weeks and may be longer now. The field training person goes with a field training officer and they actually respond to real calls for service. In the beginning stages, the field training officer is doing most of the work and the trainee is observing and learning; as they progress through field training, the roles reverse to where the trainee is doing most of the work and the field training officer is observing and rating the trainee on how they are doing. A lot of training takes place during that part of the program. They actually get a field training manual that has areas that they are required to learn in field training. It is one thing to do a car stop in the academy with a role player, and it is a totally different thing to go out on the freeway and actually stop a real citizen on a car stop. Being able to do it in a classroom environment does not always equate to being able to do it for real. Often, we have people that do great in the academy—they are at the top of the class at the academy—then they get out in field training on the street, and they say, Oh my god, this is not for me; I do not want to do this. I do not want to be a cop. It is too dangerous, or whatever. And they quit after they get in the field training program.

Assemblywoman Brown-May:

Let me interrupt you for a minute. I sincerely appreciate your answer. I have been in my position in a private nonprofit for 20 years, and I go through mandatory training every year. So, I am curious to know, for long-time officers, what does that training look like for them?

Chuck Callaway:

I was getting there, sorry. I was laying the groundwork. After field training, officers throughout their career have mandatory annual training that they must do. That includes Commission on Peace Officers Standards and Training (POST) training, which is a number of hours that they have to do per year. Speaker Jason Frierson had a bill last legislative session that implemented mandatory training in certain areas such as de-escalation, bias-based policing, use of force, and officer wellness. So we have two types of programs. We have an in-person training in a classroom that officers can sign up for. Some of it mandatory [signal lost]. In addition, we have virtual training that can be done through our University of Nevada, Las Vegas program, where an officer can sign in and take the class online. They have to meet the time requirement for the class as well. The time that they are in the class is tracked to ensure that they are actually doing the class and not just logging in and saying they did it and logging out.

To round up my answer to Assemblywoman Brown-May, I would be happy to go into more depth and get you a breakdown of all the training. It is a lot—officers go through a ton of training, and a lot of it is mandatory. For me, I have not worked the street in 13 years, but I have to go through defensive tactics training, firearms training, and a lot of these trainings that are POST-required; I have to go through them every year even though I am not working the street. I would be happy to get you a breakdown of all that training. It is quite in-depth.

Assemblywoman Brown-May:

Thank you, Director Callaway. I look forward to following up with you offline.

Assemblywoman Considine:

I have a separate question, but before I get to that, I wanted to follow up on Assemblywoman Brown-May's question. You talked about the body-worn camera footage. I am glad to hear that someone can come in and view the camera footage for free, but my question is when is that available and is it raw footage that someone can watch, or has it already been redacted? And how soon would somebody be able to watch that?

Chuck Callaway:

I have to verify this, but my belief is the footage is redacted, because we have to protect the privacy of individuals who may inadvertently be caught on video. For example, say I was on a car stop with you where you had done some minor infraction and I was in the process of writing a ticket. While that is occurring, something happens over here that I have to take action on, and my body camera is activated. The incident that I had to take action on is the incident that a person wants to come in and look at. But you are also on the camera; maybe your driver's license is in my hand; maybe we can see inside the car; your purse is on the seat alongside personal property; and we want to ensure your privacy. We need to redact information of a personal nature to protect people's privacy; we need to redact, in some cases, juvenile information. My belief is, and I will verify, even if you come in to watch the video in person, our video team has taken efforts to redact it to ensure privacy.

Assemblywoman Considine:

How long does the process take for someone to come in just to watch it?

Chuck Callaway:

Based on my conversations with our unit, I believe it is fairly quickly. Probably, if you made the request today, I think within 48 hours they could get you in to see the video, as long as they have the time. Again, there are a number of factors that come into play. How many people have made requests ahead of you? Is it a busy time period? But I will say this: when a lot of these bills pass, we do not know the unintended consequences down the road. One of the top body camera requests that we get now is from insurance companies or lawyers, regarding traffic accidents. On a daily basis we may get numerous requests because an insurance company wants to see body camera footage at a traffic accident. You may want to see body camera footage from a criminal incident or for a complaint against an officer, but you may have 15 insurance companies ahead of you to see body camera footage, and we treat requests on a first-come first-served basis. I cannot give you a specific time like 24 hours; I will say it will depend on a number of factors, based on how difficult it is to redact the video and also who may be ahead of you in the queue to view video.

Assemblywoman Considine:

If that is the process, then what is the difference between that process and time line and when someone who is requesting the video who has to pay for it; is there additional redaction? Are there additional requirements that have to be done that add additional costs for somebody to buy it?

Chuck Callaway:

After this meeting, I would be happy to put you in touch with the unit that actually does this on a daily basis, so they can give you a clearer answer. My understanding, from having had discussion with them on this issue, is that every case is different as there may be tons and tons of body camera footage about one incident, or there may be very little body camera footage. October 1, for example. We had literally thousands of hours of body camera footage from different angles because we had hundreds of officers down there, all of them wearing cameras, and different things were being filmed. If the information you were trying to receive is simple, a ten-minute stop with one officer, it should not be very hard for the officer who works in that unit to pull that video and redact it. If it is in the system and you are just coming in and sitting at a table to look at it on the screen, it is my understanding that it is relatively easy to pull it up to do the redaction. However, if you want an actual copy of it and we have to send it to another file, we have to burn it or put it on a drive, my understanding is it is a little more time-consuming to actually burn it or put it on some type of drive to give you an actual physical copy versus having you just come in and sit down and look at it on screen. I am not sure how they give you the actual physical copy now, I can certainly find that out. Then again, like I said, it depends on how much footage there is. If there are six officers on the call and there is footage from six body cameras and the incident lasted five hours, there could be a tremendous amount of footage that the officer has to go through to ensure it is redacted properly.

Assemblywoman Considine:

The reason why I was asking was, last week, we had a presentation from the Washoe County Sheriff's Office and they brought this up. They had a specific cost for the thumb drive and a specific cost for the editing. That is why I was wondering if this is consistent across the board or if it is just one flat rate.

Chuck Callaway:

We also charge a fee based on the statute that was passed last session; it designates what fees can be charged. The fee is based on the time to produce that record, I believe. I could certainly find out what the fee is. Again, I think it is based on the record and the time it takes to redact it, and all those factors.

Assemblywoman Considine:

Thank you. I am happy to follow up with you on those. My other question is on the slide where you talk about inmate education and diversion programs. You said adult education is by virtual learning right now. Do you have enough information about adult education to let me know whether, when you say adult education—is that only for the folks in prison, who do not have one, to get a high school diploma, or is there additional training or education to help them get job-ready? If so, who pays those costs?

Chuck Callaway:

It is both higher education for folks who may need a GED [General Educational Development Test] or may need some college education for a higher level. There also is job-related education. From my conversations with Jon Ponder, the program Hope for Prisoners

specifically tries to plug inmates into job skills. If you have always wanted to be a carpenter, for example, there may be a program that you can get in to that would help you learn some of those skills. There are job-based programs. I will follow up as far as cost; I do not want to say there is no cost or that most of these programs are done on behalf of nonprofit groups. There may be some costs; I will find that out and I will let you know.

Assemblywoman Considine:

Thank you so much. I appreciate both of those answers, and I look forward to following up with you in the future.

Assemblywoman Anderson:

I have a few questions that are directly related to the PowerPoint, and then I have questions that are related to some other areas. First, on the PowerPoint slide 18 there was an assessment of the collaboration work between CRI and TAC. That link [page 18] simply took us to the main page, it does not actually have the report on there. If you could get us an updated link, that would be great, where we could actually read the report that is being referred to in the PowerPoint.

Chuck Callaway:

Absolutely. When I made this PowerPoint, that link took you to the report; they must have updated the link. I will verify and get that link to the Committee.

Assemblywoman Anderson:

Thank you. The other question has to do with slides 31 and 32 [pages 31-32]. Assemblywoman Considine already brought up one thing, but I have another. The Hope for Prisoners program sounds very positive, as do the other programs that are being offered. Are there any classes being offered for parenting programs? As an educator, that is something that some of my students experience—their parents being in prison and ways to do outreach between the two. Are there any programs being offered that you know of?

Chuck Callaway:

Assemblywoman, I will be blunt and honest—I do not know. I will find out if there are parenting programs. I can get a breakdown of the actual classes that they teach, and I will provide that to the Committee.

Assemblywoman Anderson:

Thank you. Based upon your slide show, I hope you have a glass of water near you, because wow, that was a long one. I do not think any of us is expecting you to have every single answer at this time, but that follow-up would be wonderful.

My last question is about the building itself. When it comes to relationships with other agencies, whether with The Harbor, which in Washoe County is more like Child Behavioral Services, or others such as U.S. Immigration and Customs Enforcement (ICE), what is that relationship like? Is there a desk actually in those police offices? What is the processing?

How do those two agencies or other agencies work with Metro in getting the necessary services?

Chuck Callaway:

I will talk about ICE in a second—it is a very broad question, but I will try to answer as distinctly as I can. On the other entities like The Harbor: in some cases, we have memoranda of understanding (MOUs) with other agencies or other entities. We may have an MOU with The Harbor on what Metro's role will be. We have these MOUs or agreements with these entities on what role Metro plays, and what we agreed to do, and what they agreed to do. We are going to bring juveniles that have committed a very minor offense or are first-time offenders and we are going to take them to The Harbor, and we are going to agree that we are not going to do this or that, and that we will do these things. Those MOUs usually outline specifically what every agency's role is in the agreement.

And we have those agreements, for example, with the U.S. Bureau of Land Management on incidents that may occur out on public lands. Who handles search-and-rescue type stuff, is this the Sheriff's responsibility or is this federal law enforcement's responsibility? In most cases—I will not say in all cases—in many cases we have MOUs with those agencies. All our MOUs are done through our general counsel; they are the ones that sit down and draft and complete them and they outline what role we all play. So, to the first part of your question, yes, we have agreements with many entities. Some of them we do not. If we do not deal with them a lot, for example with an agency like Trauma Intervention Program of Southern Nevada, Inc. (TIP) or a language translation hotline, we may just have verbal agreements to use their services or we may have a contract with them, but we would not have an actual MOU.

U.S. Immigration and Customs Enforcement (ICE) is a different animal in and of itself. If you saw my presentation last legislative session, I had a lot of questions about ICE and about our Section 287(g) program. The Las Vegas Metropolitan Police Department had used the 287(g) program for years. We felt that the program was a good balance between protecting the public, ensuring public safety, and also not having our officers be immigration enforcement. We have a strict policy at Metro that our officers do not do immigration enforcement in the field; we do not ask people their immigration status in the field; and we do not call ICE out in the field on anything. The 287(g) program, when we used it, was a jail-based program only. When someone was booked in, and they were accused of a crime, and they were in our facility, we had a database that we used to query ICE's system to see if ICE wanted that person for deportation; and then we would communicate with ICE. In those days, we would put a detainer on them.

What happened was—to give you the *Reader's Digest* history—there were some court challenges to the detainer process. Going back to 2013 and for a period of time under Sheriff Gillespie, we suspended the detainer program where we were no longer detaining people for ICE. But what we would do is we would tell ICE—we were still using the 287(g) program at the time—we have this person in our custody; they are going to be released; you have X number of hours to come get them; and then ICE would decide if they wanted them or not.

As time went on, some of the court cases worked their way through the Supreme Court and based on that, a decision was made that we were going to go back to the detainer process. So for a period of time, we went back to honoring detainers. In 2019, after the last legislative session, a lot of questions were raised about unfortunate situations where someone has been in the country, maybe they are in the country illegally, but they are a law-abiding citizen, they have not done anything wrong, they are trying to provide for their family, they get a traffic ticket that they do not pay, then they end up getting arrested for a traffic warrant, and now they are subject to the 287(g) program, and ICE comes in and deports them for this very minor offense.

Obviously, we had administrations change on the federal level, and ICE protocols changed while all this was going on. So Sheriff Lombardo in 2019 decided that we would update our MOU with ICE to ensure that only violent offenders or people who had committed felony serious offenses, people who were a priority for ICE, would be subject to ICE detainers, and that somebody who just had a minor traffic ticket would not. We had dialogue with ICE; we worked on an MOU with ICE; there was some disagreement; ICE did not like parts of the MOU. And in the meantime, there was a court case in California—I cannot remember the name of the case, I apologize—but based on that court case in California and based on our disagreement with ICE on the MOU, the Sheriff made a decision in October of 2019 to suspend the 287(g) program and to not use it. So we stopped doing all detainers in October 2019; we no longer honor any detainers and we no longer use the 287(g) program.

Under the 287(g) program, we had an office where our officers who were assigned to the 287(g) program could use the database, but it was not an ICE desk where ICE came in and sat at the desk. It was our officers using it who were implementing 287(g). I believe that office has been cleared out, and we no longer use that system. The 287(g) program has been suspended. We do no detainers.

Now with that being said, we communicate with all our law enforcement partners, whether it is the Federal Bureau of Investigations (FBI) or the Drug Enforcement Administration (DEA); whether it is ICE; whoever it is. If ICE tells us, Hey you have somebody in your custody that is a priority for us and we want that person, we will not do a detainer. But we will tell ICE when that person is about to get released: Well, you know the guy is getting out Monday at 4 o'clock. You want him? Be outside and grab him when he goes out the door. Those communications may take place, but we no longer do the 287(g) program. I hope I have answered your question. I did not mean to go off on a complete history lesson of 287(g), but I think those questions were going to come up anyway and I thought it was important to clarify.

Assemblywoman Anderson:

I come from a family where if you ask somebody where the bridge is, first you get to find out where the brick was made. So I get that. I just want to make sure that I understood your answer correctly. Number one, only individuals who are wanted for serious criminal or violent crimes are the only ones that are detained—is that yes or no?

Chuck Callaway:

No. When we used the 287(g) program the Sheriff wanted the MOU to reflect that—that we would only honor an ICE detainer for somebody who was, I hate to use the term, but the worst of the worst—the guy that had committed a felony crime or the guy that had significant criminal history or the person that was a priority for ICE. ICE has their priority levels. We would not put a detainer on someone based solely on the fact that ICE wants them and all they did was a traffic offense. We could not come up with an agreement in the MOU and then we had this court case, and so currently we do no detainers for ICE. We are not doing any detainers for ICE right now. No detainers at all. If ICE calls us and says, Hey you have Chuck Callaway in custody and he is a bad guy and we want him; put a detainer on him for us, we are going to say, No, sorry, but we will tell you when he is getting out and you can grab him as he goes out the front door. But we are not doing any detainers.

Assemblywoman Anderson:

I realize the memorandum of understanding was never actually signed, from what it sounds like. Can we get a copy of that MOU so we can get that background knowledge? Is there a way to be able to get that?

Chuck Callaway:

Yes, Assemblywoman Anderson, I can get you a copy of the MOU agreement we had with ICE. We had discussions about them, about revising the MOU agreement to reflect the changes the Sheriff wanted, but those revisions never happened because we were having those discussions when the court case occurred, and then we decided just to suspend the program. I can get the Committee a copy of the original MOU with ICE.

Assemblywoman Anderson:

Just to verify, there is no written agreement at this time. The prior MOU had an end date and/or there has been an agreement, whether it is in writing or a handshake, that it is no longer in force. Am I understanding your answer correctly?

Chuck Callaway:

Yes. The MOU, as most MOUs, I believe, have a clause that allows, because it is an agreement, either party to decide they no longer want to be part of the agreement. And that is exactly what happened here. We suspended the program. The MOU is null and void as far as we are concerned. We are no longer doing any detainers; we are no longer participating in the 287(g) program; it is suspended.

Assemblywoman Anderson:

I have so many other questions. I know that there are many others on the Committee that do as well. I might be contacting you to do a little bit more background. Thank you so much.

Assemblywoman Thomas:

I would like to divert back to a couple of slides that piqued my interest. Metro's diversity with your officers; you are showing [page 23] 33 percent female, but what are the breakdowns? I see that you have 19 percent Hispanic, 10 percent Black, and 6 percent

Asian. What percentage of those groups are female? That is question one. And within the ranks, what is the promotion like? You were saying that Metro is a stepping stone to go on to finish school, become an attorney or a doctor, or whatever. What is the incentive to keep your officers there? What is the promotion rate? How long does it take a female to get promoted, a female of color to get promoted? How many females of color do you have over at Metro in higher ranks where they are leaders?

Chuck Callaway:

You are correct. The breakdown on the slide [page 23] is just a basic overview from our annual report regarding general diversity. I had a long conversation with our human resources section regarding the promotion piece when I talked about the hiring. As you know, people look for some type of a decent job where they can have good benefits and some income coming in. And then people who want to become a police officer have a genuine desire to make a difference in their community or to help others. And so [unintelligible] the Sheriff has an African-American Recruitment Council that is actively engaged in recruiting; we have an LGBTQI recruitment council; we have an organization called Women of Metro that goes out and actively recruits females; we have our Hispanic Recruitment Council; and the Black Police Officers Association. So on a front end, we are desperately trying to recruit those folks. I have those numbers; I can get you a breakdown. I do not have them here in front of me right now, as far as, for example, Hispanic women versus non-Hispanic women; I do not have it broken down to that level yet, but I can get those numbers for you.

When we get into promotion, it is definitely something that we are cognizant of and are looking at. We make every effort to ensure that our promotional exams are fair and have no adverse impact on any section of demographics. But promotion is also voluntary. Like myself—in addition to being a director, I am a sergeant. I waited a long time in my career before I tested for sergeant, and then I took the lieutenant's test, and I failed it. As you go up, the tests become harder and harder. I do not know that we have a distinct breakdown of how those after-promotion numbers look, but I will check with our HR section to see if I do have that, and if I do I will definitely provide it to you and to the Committee. But I think the important note there is that we follow all the EEOC guidelines, the federal guidelines, and we use a validated process for ensuring that all of our promotional exams and promotional processes do not have a disproportionate impact on any segment. If we see any indication that it is difficult for a certain segment to pass these exams and get promoted, then we take every action to fix that problem, whether it means eliminating that part of the exam or whether it is revising the exam so that that part does not have a negative impact. Our folks in HR use all the federal guidelines, and we submit a report to the federal government every other year on that. I will call them to see if I can get a breakdown of the numbers in the weeds as far as how many women of each demographic and promotional as well, but I just do not have it with me today.

Assemblywoman Thomas:

I appreciate that. You mention there is mandatory POST training; there is virtual training. Something has always perplexed me. I am a retired veteran. Until the day I retired, we had to do physical fitness qualifications every year. And if you failed, then you went into a

course of mandatory fitness every day until you passed the fitness qualification. For your officers, is physical fitness mandatory just like POST training is mandatory? And with that, when you are going through the process of recruitment of your officers, when they make it that far, they have to have a mental health assessment. Is the assessment just that one time? If you are an officer for 20 years; do you only take a mental health assessment one time? Is it like mandatory POST training that you have to take yearly? Are your officers required to have mandatory health assessment and physical fitness assessment yearly?

Chuck Callaway:

Thank you, first of all, for your service; I really appreciate that. On the fitness side, obviously there are fitness requirements to get into the academy. But after field training in the academy there are no requirements such as you have to run a mile every year or you have to make so many push-ups every year; but we do have an annual physical. That physical involves going into University Medical Center of Southern Nevada, seeing a doctor, being evaluated, doing a treadmill exam, doing a chest X-ray, and a number of things. I have actually had a doctor tell me this before—Hey Mr. Callaway, you are a little overweight this year for your age and for your height; you should be 180 pounds and you are 190, so I am going to write this out that you have to fix this. If the doctor says that and you do not fix it, and something happens where you get injured on the job or you have a heart attack tomorrow, it is noted in your file that you were told you have a health issue that you did not fix. There is that component where you are seen by a doctor and you have to comply with the department's health standards via your physical annually. However, there is no running a mile or that stuff.

Before I go further, I do not know if that would be something that would be subject to collective bargaining. For example, let us say tomorrow the department said, We are going to implement an obstacle course and push-ups and sit-ups. The union might come and say, Well that is subject to collective bargaining. I do not know if the department could just implement that on its own—but that would be a further discussion.

Secondly, as far as the mental health examination, you are absolutely correct. You get a mental health examination when you are hired, both an in-person interview with a clinician and also a written mental exam. But then later in your career you do not. I have had conversations with other lawmakers. In fact, Assemblywoman Danielle Monroe-Moreno has a bill that would implement that. We do, however, have a robust officer wellness program. We have peer counselors. We have a program called PEAP, Police Employee Assistance Program. It is peer counselors and folks who have training in recognizing somebody with symptoms of PTSD or may be suffering issues on the job. Supervisors are responsible, if they see behavior. For example, I am a supervisor and I have an employee on my squad who maybe all of a sudden starts calling in sick a lot, and his work performance decreases, and he just seems to have a bad attitude. I have the ability as a supervisor to refer that person to the PEAP where a counselor can sit down with him and talk to him, and see if there are any issues going on in his personal life that might be impacting job performance. Then if something is identified, to direct that employee to programs to assist him. We did a lot of this type of training after October 1 because we had a lot of officers who saw some pretty

gruesome stuff out there that night. We had a mandatory program where officers had to sit down and go through a training program with some clinicians who came to our agency. I am answering your question in a roundabout way. We have some methods in place to address officer wellness that include mental health issues, but we do not require an annual mental health evaluation.

Assemblywoman Thomas:

I am happy to know Assemblywoman Monroe-Moreno has a bill that she is working on to get that assessment for officers. The only reason why is you want—at least I do—the overall wellness of your officers to be out there when they are dealing with the public. Because a few slides later, you were saying that your officers are trained to assess the public—without a degree—when they themselves may be having mental health issues. I think our officers should be under at least an assessment requirement, like you have mandatory POST training when you have a weapon. Sometimes, our officers see some horrific things happening, and some of our officers have alcoholism problems. Life happens. To have a mental health assessment would be a good thing.

Assemblywoman Martinez:

Do you currently ask anyone in your custody where they are from, and is that information provided to the public?

Chuck Callaway:

When you say, "in custody," are you referring to when they are booked in the jail, or are you referring to when an officer stops someone in the field?

Assemblywoman Martinez:

When they are going to the jail.

Chuck Callaway:

Number one, when someone is booked into the jail we have an obligation to confirm their identity. That is done through a number of methods such as fingerprinting and looking at their criminal history. Do they have tattoos? Do they have marks or scars? Some people will obviously lie to us about their identity. So on the front end, it may be a question that is asked. Where are you from? Because if the computer says that Chuck Callaway is from Indiana, and I am being booked in and I say, Oh yeah I am Chuck Callaway, and they ask, So where are you from? and I say, Baltimore, they would say, The computer says you are from Indiana. It would give us an indication that somebody might be lying about who they are. So that question could be asked as part of an investigation.

Number two, the other side of that is when someone is booked into the jail we have an obligation through the State Department [United States Department of State] to notify some countries that require consulate notification if their citizens are arrested. China is one example of that. In cases where we may arrest someone who potentially is a Chinese citizen, we may in the course of questioning ask them where they are from to determine if the consulate needs to be notified.

To the last part of your question of it being a public record: a person's booking sheet—we call it a TCR, a temporary custody report—is filled out; it may have a box in there saying where they are from. I do not remember whether it has where they are from, but it may. But that document is criminal history, so it is not a public record. There are some, like the media, who can request it in certain cases. The media can get it, or attorneys if there is a case pending. But no, the general public would not have access to that TCR.

Assemblywoman Martinez:

If they are foreigners, would they be subjected to a different booking process or detention process in the jail?

Chuck Callaway:

No, the booking process would be identical. As I said, potentially I could be asked where I am from too. If I am being booked in and the jail person has reason to believe during the course of interviewing me that I might not be telling the truth about who I am or that I might be lying, they might ask me a question of where are you from, where were you born? The actual question would probably be, Are you a United States citizen? If I am booked in and I am speaking French because I am from Canada, and I do not speak a lot of English, they might say are you a U.S. citizen, because they want to confirm whether they need to contact the consulate. In many of those cases we are required by federal agreements to contact the consulate. They would not undergo any kind of different booking process than anyone else would undergo.

Assemblywoman Duran:

How do you know that a person is wanted by ICE? Is there a list or something that they send you?

Chuck Callaway:

When we had the 287(g) program we could access that database to see if they are wanted. Now we no longer use the 287(g) program; it is suspended. So unless they have a criminal ICE warrant that is entered into the National Crime Information Center (NCIC) or some other database that we access, I think there is one called Offender, there are a number of databases that we use that are federal databases like in NCIC. Unless they have entered a criminal warrant we would not know; we would not know if ICE wants them.

Assemblywoman Duran:

In the past five years how many individuals were held due to ICE warrants? And is it not a civil liability to hold these people? Regarding payouts, has Metro been sued before, and have those been settled? For how much money?

Chuck Callaway:

To your last question first, are you talking about detainers and ICE payouts? Not all payouts but just detainers for ICE payouts?

Assemblywoman Duran:

Yes, for a person who has sued Metro for being detained.

Chuck Callaway:

I will find that out for you. I do not have that in front of me today. I will also find out five-year data for detainers because as I said, as of October 2019, I believe was the date, we no longer honor detainers. We suspended the 287(g) program. Since October 2019 we have not detained anyone for ICE. Prior to that there were periods of time where we were honoring detainers and then there were periods of time where we did not honor detainers. I will get the five-year numbers for those years of who was detained for ICE, what those numbers were. I believe I can get that for you. I am trying to remember the other part of your question.

Assemblywoman Duran:

If Metro was sued and how much it cost to settle.

Chuck Callaway:

I do not have the numbers on settlement payouts today. I will get the payouts for you and the five-year detainers. Like I said, we have not held a detainer since 2019, so I will get you the numbers prior to that. I am sorry, it seems like there was something else you asked.

Oh, I remember what it was: whether they are not civil in nature. That is one of the reasons why we stopped doing detainers under Sheriff Gillespie; it was because the courts had ruled that the detainers were civil in nature and that it was a violation of the person's constitutional rights to hold them on a civil violation. I believe ICE, in the years following—that was around 2013, I believe—took efforts to change their detainer process and put language in their detainers that the courts believed constituted probable cause. Then there was agreement that if the detainer had probable cause in it then an agency could hold a person. The courts determined, Okay, there is probable cause—you can hold the person. So, at that period of time, I want to say 2014 to 2015, I do not remember the exact dates, we started honoring detainers again for a period of time, until 2019 when we said, Program suspended—no more detainers. And I should say this, too: Las Vegas Metropolitan Police Department is the primary state agency in Nevada that utilized the 287(g) program. Jails—the North Las Vegas jail, the City of Las Vegas jail—did not participate in a 287(g) program. They were not using a specific program with regulations and rules outlining how it operated when it came to situations dealing with detainers. I am not pointing a finger or saying they did things wrong or anything like that, I am just saying they were not operating under the 287(g) program, which we believed set very strict parameters on how somebody could become subject to that program and could potentially get a detainer placed on them.

Assemblywoman Duran:

Nevada adopted 287(g) as well, or you just followed California?

Chuck Callaway:

The Las Vegas Metropolitan Police Department participated in the 287(g) program. There were a number of agencies around the country that participated in the program. We did not

adopt the program from California. There were some other programs out there, like Secure Communities under the Obama Administration, but we did not participate in those programs. We strictly used the 287(g) program, and in October 2019 we suspended it. I am sorry I am sounding like a broken record.

Assemblywoman Duran:

I appreciate that, and I look forward to getting that data.

Assemblywoman Torres:

I want to begin by prefacing and saying thank you for the work the Las Vegas Metro Police Department has been doing throughout COVID-19. Specifically, in my district, officers have played an important role, helping with the food programs in our community, ensuring that traffic is controlled. One of those sites is very close to my residence and so I know that sometimes the lines get out of hand, but Metro Police Department has really stepped up, specifically the Bolden command, to make sure that we are able to keep everybody safe during this time, so I really do appreciate that. I have two separate questions. One is going to focus specifically on the discussion earlier, and I have one that is a little bit different.

I know, Mr. Callaway, that you have spoken a lot about how the detainer program has ended with the suspension of the 287(g) program, but I want to echo some confusion. *The Nevada Independent (Indy)* article that was posted on January 10, 2021—I can send the article to the committee secretary for the purpose of the minutes—talks a little bit about the different detainer programs. Obviously, there are some districts or counties here in Nevada that continue to use the 287(g) program. My understanding is that Metro does not use the 287(g) program. Nonetheless, I am also understanding from immigration attorneys on the ground and from immigration advocates that there are still types of detainers, and there are ICE detainers, and that those detainers are not just for individuals who are violent criminals but rather that the detainer program has been applied kind of judiciously. Could you talk a little bit about that? I am just not understanding. If we know that there have been ICE detainers in the last three months, could you talk a little bit about that agreement? Are we just operating off good faith? I do not understand why we would have some type of a detainer program between Metro and ICE without having anything in writing. That would not make sense to me as a lawmaker. When I am making an agreement with an insurance company, I make sure that I have it in writing. It seems to me that this agreement, then, is one without anything written.

Chuck Callaway:

As I said earlier, I reached out to our jail's booking area and to the director of personnel at our jail, and I was told that we no longer, since October 2019, honor ICE detainers. We are not detaining anyone for ICE. As I said earlier, if ICE becomes aware—through whatever ICE does, obviously they are their own entity and they have their own methods of investigation—that we have somebody in our custody that they want and they know when that person is going to be released, yes, they could potentially show up at CCDC when Chuck Callaway is getting ready to be released and walk out the door, and they can say, All right, Chuck Callaway, now you are coming with us because we are going to try to deport you.

I do not know the terms—whether ICE is considering that a detainer or if the immigration attorneys are considering that a detainer. Whether that process—if ICE shows up and grabs me as I am coming out the door—whether that is considered by whoever wrote the *Indy* article as a detainer, may be getting us into debate over the term.

From our standpoint, the term "detainer" is an official detainer document that has been given to us by ICE requesting that we hold someone for them—meaning that when they would normally be released to walk out the door, they are not being released, and they are not walking out the door; they are being held for maybe an hour, two hours, 72 hours, or 48 hours, so that ICE can show up and get them. We no longer do that. We no longer hold and detain anyone for ICE. If they walk out the door and ICE shows up and gets them—if someone is interpreting that as a detainer, that may be part of the confusion there.

Assemblywoman Torres:

Can you explain how ICE becomes aware? You mentioned earlier that sometimes there are phone calls and things like that. I am wondering what that agreement is if they are being notified when someone is released.

Chuck Callaway:

Vice Chair, you are absolutely correct when you said you should have MOUs and you should have outlined agreements. That is the reason why we embraced the 287(g) program in the past. We were under a lot of scrutiny. It seemed like we were constantly getting bombarded as an agency regarding the 287(g) program, when that is the point I was trying to make here earlier: when we were the only agency in southern Nevada that actually had agreements and had things on paper outlining how the process worked. And obviously that program is now suspended. I cannot speak for ICE. I do not know how their people do investigations; I do not know how they determine if somebody in the jail is somebody they want; I know that there are a number of methods that someone could figure out who is in the jail; even citizens who have a name could potentially go on the website to find out if somebody is in the Clark County Detention Center. I cannot speak for ICE and what methods they use to try to find out who somebody is who is in custody that might be on their priority list. All I can speak for is what we do, and I know that we are no longer honoring official detainers. We are not holding anyone for ICE. If they get them when they go out the door, that is ICE's protocol. I hope I am making that clear.

Assemblywoman Torres:

Thank you, Mr. Callaway, for your response. I have a question regarding slide 35 [page 35] titled Major Challenges Facing Law Enforcement. I am looking specifically for clarification on the numbers that say the leading cause was COVID-19 and attacks on police officers; my understanding based off of that report is that would be national data, correct?

Chuck Callaway:

You are correct, Vice Chair, that is national data. The 264 officers who died in the line of duty was national data from the Law Enforcement Officer Fatality Report. The leading cause

of death for those officers was COVID-19; 145 of those were from COVID-19. That is from the national report. I apologize for any confusion there.

Assemblywoman Torres:

If you could get us the numbers for Nevada, that would be helpful as well.

Chuck Callaway:

On that note, as I said, we had two employees on our agency, one civilian and one officer, who died from COVID-19. I do not know about other agencies in the state; I could look into that for you. I am assuming that data is somewhere in the state; I will see if I can find it. Do you just want COVID-19 deaths, or all officer deaths?

Assemblywoman Torres:

Both of those numbers that are indicated on the Law Enforcement Officer Fatality Report, for Nevada—or for Metro is completely acceptable as well.

Chuck Callaway:

For Metro we had no line-of-duty deaths. Last year Officer Shay Mikalonis was critically wounded. Let me backtrack. Our lieutenant who passed away from COVID-19—that was listed as a line-of-duty death. So we had one COVID-19-related death of an officer, and that is counted as a line-of-duty death. But I will make sure I get the official numbers for you.

Assemblyman Matthews:

I want to make sure I understood correctly something you said a moment ago. It sounded like you were saying that the prior participation in the 287(g) program was helpful in terms of getting official practices codified on the record and facilitating transparency, because you were able to make official some of what the department was doing. Is that a correct characterization?

Chuck Callaway:

Yes, sir, that is exactly what I was saying. Under the 287(g) program, we had an MOU that outlined how each agency interacted. The Sheriff was in the process of trying to update that MOU to reflect concerns that were raised in the community; that it was strictly a jail-based system.

I think we all share the same goal that if we had a predator or somebody that is a violent offender in our neighborhoods—regardless of where they came from—and there is an opportunity to get them out of our neighborhoods, I think we would all think that is a good thing. Certainly, our agency does not want to break up families or see people deported for minor things. The Sheriff was actively working to ensure that did not happen. But under the 287(g) program—yes, we had strict parameters in place through that MOU, and we had very clear details of what each agency's function was, in regards to that program, whereas other jails had no program.

The Vice Chair mentioned that ICE could potentially walk in and say, We want this guy or we want that guy, and there are no parameters. The 287(g) program was under scrutiny a lot and it was under the magnifying glass, and rightfully so. We want to be transparent; we want to have a program that maintains public safety but does not injure community trust and partnerships. I am being long-winded but, yes, you are right.

Assemblyman Matthews:

I can certainly see where that kind of accuracy and accountability would be very valuable.

Chair Flores:

Mr. Callaway, I appreciate all your answers and I appreciate your indulging all the members in such a wide array of topics. We went into some things that I know you have to go back to check on with your folks; I appreciate that as well.

Mr. Callaway, I do not want to get too far into the conversation on the 287(g) program, the detainer. You have been more than clear about the fact that you are no longer operating under a 287(g) agreement and that you are not enforcing detainers. I appreciate your thoroughly going through that. But, am I correct in my assessment that—because we no longer have a 287(g) program and MOU, and because we no longer honor detainers—there is now free range per se on how to procedurally interact with ICE, how to procedurally interact with the federal government, with other entities? My understanding is we are simply saying, We are no longer going to do the 287(g) program; we are no longer honoring detainers. In other words, because we are no longer giving them strict guidance on how we are going to act—maybe, between five officers who operate in five different shifts, there may be a different code of conduct and/or procedure and/or interaction with ICE because we are not giving them specific instructions on what they are supposed to do and not do, in terms of that interaction. Is that correct?

Chuck Callaway:

To preface the answer to your question, we communicate with all of our law enforcement partners whether it is the Department of Homeland Security, whether it is the Bureau of Land Management, whether it is the DEA or the FBI—any law enforcement entity that comes to us and says, Hey Metro, we are the DEA and we think there is a drug dealer operating over here, or we are the U.S. Marshals, we think this is going on and we need your help, we are looking into human trafficking and we need Metro's assistance. With that being said, if ICE came to us and said we think that you have this person in your custody that we want, as I said earlier, we will not detain that person for ICE, but we will tell ICE when we are letting them go. Okay, they are getting out tomorrow at noon. If you want them, be here.

In that regard, your comments are correct in the fact that we no longer have the guidelines of the MOU with ICE through the 287(g) program to have us on a very structured process. So theoretically, on a graveyard shift, an ICE officer can come in and say, Hey I am looking for this guy, I think you have him in your custody, and theoretically the officer who is working that night may be very cooperative and may help determine if we do have that person in our custody; and then by contrast, the ICE guy could come in at noon the following day, and it

may be super busy and the booking area is full, and the booking guy may say, I do not have time to deal with you right now ICE. So yes, in that regard, you are correct. I cannot speak for what ICE is doing on their side; all I can say is what our protocols are, and our protocols are: no detainees.

Chair Flores:

Under the same hypothetical that you just provided where in the evening there might be a different type of interaction versus the day, is it also possible that in the evening versus in the morning, the Metro officer and/or the facility, jail, whoever it may be, would preemptively take it upon themselves to reach out to ICE? I understand ICE saying, Listen, I am looking for Edgar and we think we want him. And then you will share information saying, He is going to be released tomorrow at so and so time. In that hypothetical, ICE would then take it upon themselves to wait for Edgar to come out. But is there a scenario—because we do not have any protocols, we do not have an MOU, we are not giving direction, we are not necessarily telling folks how to operate—where maybe I, a person who works there, may preemptively say, I think this individual needs to be somebody that ICE needs to look at; and I preemptively send information—even without ICE taking it upon themselves to ask for it.

Chuck Callaway:

That scenario is possible. I am not going to sit here and say it could never happen. We have 900-and-some corrections officers in the jail. Would it be impossible that one of them might believe that someone in our custody should be looked at by ICE and reach out to ICE preemptively? It is possible. I am not going to say it is not possible.

Chair Flores:

Understood, Mr. Callaway, thank you for that. Again, I appreciate your indulging all these questions. Even when you were doing your previous presentation at the other committee, there was a limitation of time and folks had a difficult time getting to these questions. So I appreciate your indulging us.

I am going to open it up to questions one more time. Members, I know we have gone into 40 different topics, so if I accidentally skipped you and you wanted to ask a question, feel free to unmute yourself; state your name for the record.

Assemblywoman Anderson:

I have a question that is based upon the question from Assemblyman Matthews. Earlier in the presentation, there was discussion about how Metro was created; that it is both the county, the city, and another region. What is the governing body over when agreements are being made or not being made, or other decision-making processes? Is there a public governing body that is elected by others that oversees this, or is there a hearing, or is it simply the decision of the Sheriff as was mentioned earlier in the presentation?

Chuck Callaway:

The Sheriff is an elected official, elected by the people of Clark County. He oversees the department and oversees the Clark County Detention Center. I think he got over 70 percent

of the vote in the last election. He is accountable to the constituents of our county, and the vast majority of decisions regarding our agency are made by him. He has an executive staff team that he talks with and assists with those decisions. He does not operate in a silo; he works very closely with the Clark County Commission, the City Council, the Mayor, and the Chairman of the Commission, former Speaker Marilyn Kirkpatrick; he has a very good relationship with all of them. He has a very good relationship with the Governor. On day-to-day discussions about Metro protocol and Metro procedures and policy, yes, he is the ultimate decision-maker, but he does not make those decisions in a silo, and he is held accountable by the voters of Clark County.

In regard to our budget, as I said earlier, we have a fiscal affairs committee that is outlined in statute, and that committee oversees all parts of our budget in regard to spending, donations, and allocation for revenue. That is all reviewed and approved through the fiscal affairs committee, which is two county commissioners, two council members, and a citizen at-large.

Assemblywoman Anderson:

I am an open-meeting type of person, so I was trying to figure out if people ever had that opportunity, and it sounds like they are able to do so with their city council members, as well as their county commissioners, as well as the Sheriff himself. Thank you.

Chair Flores:

Members, thank you for the dialogue. I will take this personal point of privilege to thank you, Mr. Callaway, and to thank our women and men in law enforcement. During this pandemic I had the opportunity on multiple occasions to work with some of your officers on getting food, getting toys, dropping off bikes. I remember one occasion: we were getting clothing for kids and your officers were out there every single time. Folks asked for their help; they were, out of their own pockets, purchasing things and using different charity networks to help folks. I know you did not necessarily get too heavily into that because you were trying to cover everything else. But I do appreciate all the work that you all have been doing during this pandemic. Obviously, it has been incredibly difficult on everybody, but especially on your folk. So I want to say thank you to them.

Collectively, I think we agree that we want to make some changes and we want to see some things improve. We understand that men and women put on those uniforms every day and are hoping to protect our city and state. We are appreciative of that. And we look forward to continuing this dialogue, Mr. Callaway, working alongside you, ensuring that we are pushing for transparency and at the same exact time pushing for protection for law enforcement. It is not a line in the sand. I think it is both sides—we push for transparency and accountability and at the same time we want to protect our men and women. Thank you again, Mr. Callaway, we will continue this dialogue and I will close out the presentation from the Las Vegas Metro Police Department.

Next, we will open up the line for public comment. [There were no callers.] We will close public comment.

Members, tomorrow we will be meeting at 9 a.m. We will be hearing two bill presentations. Give yourself an opportunity to become familiar with those; review them; ask questions ahead of time; we will be reviewing Assembly Bill 87 and Assembly Bill 147. Again, members, I appreciate the dialogue today. This meeting is adjourned [at 11:34 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 a copy of a PowerPoint presentation titled "A Brief Overview of The Las Vegas Metropolitan Police Department," presented by Chuck Callaway, Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department.