

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eighty-First Session
February 15, 2021**

The Committee on Judiciary was called to order by Chairman Steve Yeager at 9:02 a.m. on Monday, February 15, 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 Steve Yeager, Chairman
Assemblywoman Rochelle T. Nguyen, Vice Chairwoman
Assemblywoman Shannon Bilbray-Axelrod
Assemblywoman Lesley E. Cohen
Assemblywoman Cecelia González
Assemblywoman Alexis Hansen
Assemblywoman Melissa Hardy
Assemblywoman Heidi Kasama
Assemblywoman Lisa Krasner
Assemblywoman Elaine Marzola
Assemblyman C.H. Miller
Assemblyman P.K. O'Neill
Assemblyman David Orentlicher
Assemblywoman Shondra Summers-Armstrong
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Diane C. Thornton, Committee Policy Analyst
Bradley A. Wilkinson, Committee Counsel
Ashlee Kalina, Assistant Committee Policy Analyst
Bonnie Borda Hoffecker, Committee Manager
Karyn Werner, Committee Secretary
Melissa Loomis, Committee Assistant

OTHERS PRESENT:

Mindy McKay, Administrator, Records, Communications and Compliance Division,
Department of Public Safety
Erica Souza-Llamas, Records Bureau Chief, Records, Communications and
Compliance Division, Department of Public Safety
Corey A. Solferino, Lieutenant, Special Operations Bureau, Legislative Liaison,
Washoe County Sheriff's Office
Tonja Brown, Private Citizen, Carson City, Nevada
Annemarie Grant, Private Citizen, Quincy, Massachusetts

Chairman Yeager:

[Roll was taken. Committee rules and protocol were explained.] We have a quorum. We have two presentations on the agenda today. I am going to take them in reverse order of how they are listed on the agenda. At this time, I will open the presentation on the Records, Communications and Compliance Division of the Department of Public Safety. This presentation goes into more detail on some of the items we heard in the Department of Public Safety's presentation.

**Mindy McKay, Administrator, Records, Communications and Compliance Division,
Department of Public Safety:**

I have some of my amazing team members with me: Lesa Galloway, Chief Fiscal Officer; Erica Souza-Llamas, Records Bureau Chief; and Julie Ornellas, Nevada Criminal Justice Information Services (NCJIS) Modernization Program Administrator. They are here to answer any questions that I cannot. They have 40-plus years of experience with the Department of Public Safety (DPS) between the three of them. I have been with this Division for 23 years, assigned to different programs throughout the years, working my way up to my current position. I am proud and honored to work for this great state and the Department of Public Safety, with all its esteemed employees and to work with all of you and our many partners statewide and across the nation to meet our important missions. For the record, this will be my last legislative session.

We were asked to provide an overview of the Division focusing on specific programs [[Exhibit C](#)]. On this slide [page 2], our mission says, "Provide complete, timely and accurate criminal justice information while balancing the need for public safety and individuals' rights to privacy." That will be important throughout my presentation.

From the next slide [page 3], our Division is made up of 200 full-time-equivalent positions and 35 contracted staff. We have six locations throughout the state. We have three budget accounts and approximately 20 disparate programs. We are funded by the State General Fund, cost allocations, court assessments, fees, and federal grants. This presentation will focus on detailed information about the Records Bureau, the Communications Bureau, and the NCJIS Modernization Program. I will quickly summarize the other disparate services.

The fiscal unit manages our accounts payable, accounts receivable, budget, contracts, and building tax, and they staff the reception desk at one of our locations. The Information Security and Compliance Unit ensures our department is compliant with the state security policies and laws and ensures the state is compliant with federal security policies and laws through training, audit, and site security checks among other important tasks. For reference, I have provided a link to our website that contains a list of acronyms since we drown in them and seem to often confuse everyone. I will try not to do that today.

The Communications Bureau includes dispatch services for DPS and some allied agencies [page 4]. They coordinate with local public safety agencies on critical incidents. They perform Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) agency tasks, and they perform other tasks for some of our allied agencies. Other disparate positions include one position dedicated as the DPS administrator of the Spillman system used by DPS for dispatch and records management functions; a department information technology (IT) liaison, who assists DPS employees with various IT activities; and a department criminal agency coordinator responsible for providing access, training, and auditing specific to NCJIS. We have a few dedicated fiscal staff in this budget account as well.

The Records Bureau has 14 disparate programs that it manages [page 5]. There are multiple federal and state laws that govern the many programs in the Division, which is a large list that I would be happy to provide upon request. As you can imagine, every legislative session has a large number of bills that impact the division. I will review legislative impact shortly.

I have some statistics on the next two slides that I would like to go over. On this slide [page 6], I will only touch on civil fingerprints. There were over 261,000 civil fingerprints received in 2019, and in 2020, we received just over 221,000. Currently, we have over 2,000 accounts in our civil applicant account. On the next slide [page 7], I want to call out the sex offender registry information. I know there was a presentation recently done by the Division of Parole and Probation division chief where he referenced that I might know a little more about sex offender information, so I wanted to provide this to you today. We have over 7,000 active registered sex offenders in this state, and over 22,000 that are inactive. We are required by law to retain the inactive records in case they come back in the state. Within the active sex offender registry numbers, the number of Tier 1 is over 1,500, the Tier 2 are over 2,300, and Tier 3 has almost 3,500.

Regarding our Brady Point of Contact Firearms Program, in 2019, we conducted 102,096 background checks for firearms transfers. In 2020, we performed over 185,000.

That is an 80-plus percent increase. I want to point out that our firearms program is staffed seven days a week and most holidays, and they work five different shifts among them. We have two supervisors; both are new and being trained. We have four leads who conduct all the research. We have 11 frontline positions to process initial background checks, of which some are always vacant, and some are new hires. We are never fully staffed. When we have new hires, we have tenured staff who are training them, so they are taken away from their program duties.

Regarding Sexual Assault Forensic Evidence (SAFE) kits, the statistics on SAFE kits are from June 2019 and forward. That is when we implemented the new electronic program.

Now to legislative session impacts [page 8, [Exhibit C](#)]. Every legislative session we start out tracking approximately 400-plus bills, and at the end of the session we end up with approximately 100-plus bills, give or take a few that are enacted that impact the Division on the topics provided to you on the slide. Being able to work with the sponsors, the Legislative Counsel Bureau Legal Division, and impacted entities is very helpful for many reasons, so I greatly appreciate our partnerships. If we can better understand the purpose of the legislation from the sponsor's point of view, we can better advise on the best way to ensure that it is implementable as it relates to the impact on our division's programs.

Regarding the budget side of session, we are grateful for what is in the Governor's recommended budget for this biennium, specifically the full appropriation for our system modernization. I want to take this opportunity to remind everyone that we will require additional state general funds for the next few bienniums to continue the modernization implementation effort, and the maintenance and enhancements after it is implemented that is critical to officer and public safety.

The Division has two bills of their own this session. Senate Bill 19 is for fingerprint submission state authority to support the current federal authority for those working with the vulnerable population. We also have Senate Bill 31, which makes various amendments to *Nevada Revised Statutes* (NRS) Chapter 179A, specific to three different things we are doing with it. One of them is to change the definition of a record of criminal history to include city attorneys, so it will include all prosecutors. Another is to remove the requirement for the Division to annually publish a uniform crime reporting publication and posting it on our website. We now have a new system that allows you to go to any system and get statistics when you want and what you want. The last thing we are doing with that bill is repealing some language in our civil, main-check statute. Currently, it authorizes us to provide records of conviction only. We are going to provide the entire record of criminal history. Statute does not allow anyone to share parole and probation information for any reason, so we have to remove that language from the statute.

The next slide [page 9] discusses criminal history records. Arrest fingerprints are transmitted electronically, so we receive them expeditiously. The rest of the information we need for a complete criminal history record, such as prosecution and court data, is transmitted to us manually on paper. We do have two courts in the Las Vegas area that provide electronic

dispositions, but the electronic data only goes into the state record and not the FBI record. It does not include sentencing information. We receive that separately, and manually enter the data into both the state and FBI records. To receive this data electronically, we would need to establish an interface between our system and all the disparate court systems, which would be technologically challenging and costly to establish and maintain. It would be helpful if there were fewer systems used and the proper funding to maintain those systems and connections was available. We have successfully completed processing the 900,000 missing dispositions. I am very proud of that and of my staff. We still have three weeks or less of entering current dispositions despite the recent challenges.

The Chairman wanted to know about the ability to pull data to create reports. Data reports are table-driven. Therefore, reports can be created by data fields as long as we have the data field being requested. We can pull certain types of misdemeanors by creating a list of Nevada offense codes or by the severity of the crime. However, we are unable to provide reports specific to drug offenses by the type of drug since most of the crime statutes do not specify the drug type.

You have asked if in the future there is a consideration to do an automatic sealing, would we be able to run a report based on certain parameters to find those offenders. We currently do not have the capability to run a report for automatic sealing. For automatic sealing, the need for a final disposition would be crucial to efficiently running a report to ensure records are sealed properly. This report type would need to be run by specific Nevada offense codes as well. We have not designed the new system yet, and with NCJIS modernization, we are replacing our criminal history system. When we begin that effort, we will gather the requirements that could include automatic sealing. We will have the ability to "batch seal," which would be to seal a batch of records at once, up to a certain amount of records. If the amount is too large, we would have to work with our IT vendor, which could take time and cost a little extra. The modernization of NCJIS will provide more robust reporting capabilities. The new reporting tool will be user-friendly and will make it easier to create and modify reports by users instead of requiring our IT people to do it. We currently depend on them to do that.

We are going to move on to NCJIS—our biggest acronym here in the Division—which stands for Nevada Criminal Justice Information System [page 10, [Exhibit C](#)]. This system serves thousands of federal, state, and local criminal justice agencies in Nevada. It is the conduit for criminal justice agencies to access Nevada, FBI, other states, and international information related to criminal justice. It is managed by my Division with the assistance of multiple IT vendors. Certain systems utilized are for civil purposes, such as employment, licensing, volunteers, firearms background checks, sex offender registration, et cetera. Nevada files include fingerprint-based criminal history records, warrants, concealed carry weapons (CCW) permits, registered sex offenders, parole and probation, protection orders, Nevada offense codes, and Department of Motor Vehicles (DMV) data. Files accessed directly in other states include the same files as above, as well as Canadian files, Mexican commercial drivers' licenses, corrections information, wildlife violations, et cetera. That system is called NLETS [National Law Enforcement Telecommunications System], and they

have 140-plus files that are accessible by other states. The FBI files that we have access to are listed there and are similar files to the state's. The FBI currently offers 26-plus files that we have access to.

The current NCJIS system interfaces with and connects to many other systems previously mentioned on the last slide: the FBI systems, Nevada DMV, and NLETS. We also interface with the Shared Computer Operations for the Protection and Enforcement (SCOPE) system in Clark County [page 11]. We interface with our own internal Parole and Probation Division for parole and probation information. We have multiple foreign-host connections to other systems such as records management systems, computer-aided dispatch systems, and mobile computer terminals. We also interface internally with some of our own division systems to currently include our criminal history system, our protection orders system, sex offender registry system, and our Nevada Offense Code system.

Next is the very important NCJIS Modernization Program [page 12]. The current NCJIS system is 20-plus years old, so we are having to replace it. The proprietary owner of our current system is retiring soon. The modernization is to meet our mission to provide accurate, timely, and complete criminal justice information for both criminal and civil purposes. It is a multi-biennial, multi-million-dollar implementation effort to replace multiple complex criminal and civil systems and to introduce new systems and functionality as well. It will require ongoing maintenance and future enhancements after implementation. It will improve functionality and customer service. It will be highly configurable for future changes, automate for timeliness and efficiency, and will allow the Division and the state to comply with multiple federal and state mandates. The need for timeliness and efficiency includes fingerprint-based background checks for civil purposes, which are mostly done manually but will become mostly automated after modernization. This means the current time frame of a two-week to two-month response time will drastically be reduced to mere days, allowing employers and licensing entities to conduct their business more expeditiously, resulting in people gaining employment faster.

During the February 4, 2021, presentation by the Cannabis Compliance Board, Director Tyler Klimas mentioned his background investigation process, and that he works closely with DPS. We do work closely with him and his agency, and we look forward to modernization making his and everyone else's processes more automated and timelier. Additionally, there were overviews of various boards throughout the state presented to the Assembly Committee on Commerce and Labor on February 8. A question was asked by an Assembly member regarding response time for fingerprint submissions. The answer from those boards was that it currently takes between four and ten weeks to receive their fingerprint responses. Again, with NCJIS modernization, it will be dramatically reduced to mere days.

Continuing with the NCJIS modernization program, it is organized through the program management office, which is staffed with both contracted and full-time-equivalent positions dedicated and focused solely on NCJIS modernization [page 13]. It is a program approach

and not a project approach, since this is a large program comprised of multiple projects. It is divided into multi-biennial funding to make it more affordable so the cost will be spread out.

The risk of doing nothing has a high risk of failure with catastrophic consequences. Criminal justice agencies will have no means to search the system to obtain information for criminal investigations, intelligence, arrests, prosecutions, sentencing, record seals, parole and probation activity, detention centers, et cetera. It supports tens of thousands of users statewide and nationwide, which will negatively impact public and officer safety. We will lose all ability to process any civil background check requests—which will affect public and officer safety—such as the fingerprint-based background checks for our civil customers for employment, licensing, adoptions, foster care, child care, CCW permits, volunteers, record seals, et cetera, as required by over 118 Nevada statutes. Our Brady Point of Contact Firearms Program will not be able to conduct background checks for the transfer of firearms as required by state and federal laws. Name-based background checks—our civil, name-based background check program that I referenced earlier—would not be able to provide that service as required by NRS 179A.103. Our sex offender registrations could not occur or be placed in the state and FBI systems.

There is no turning back [page 14]. The new solution environment is vastly different from the current environment, and once we start, it is technologically impossible to roll back. Therefore, continued funding and support is essential to ensure public and officer safety, not only statewide and nationwide, but also internationally.

If anyone is interested in meeting with me and my staff to discuss any of our programs in detail, please reach out to me. We can talk for hours about our programs because they are very complex. We are available to provide additional information throughout the session to assist you with your arduous tasks and important decisions to help this session be successful.

Chairman Yeager:

I want to ask some questions regarding the ability to run queries and provide data. If I ask you to run a report of everyone in the state who was convicted of petty larceny in the last ten years, does the current system have the capability to do that? I understand some of those may not have a final disposition if you are waiting for that information from another justice partner. For the ones that you do have a final adjudication or disposition, would the system allow a time-limited query of a certain number of years under its current setup?

Mindy McKay:

Yes. Our system dates to 1986, so anything after that. We would need the statute so we can tie it back to the Nevada Offense Code to ensure we have the correct Nevada Offense Code and the correct time frame for you. As you said, only if there is a disposition appended to their arrest would we be able to give you conviction information.

Chairman Yeager:

I understood your comment about drug offenses. The problem is that you might be able to give me general drug offenses, but when we are talking about low-level drug offenses, the

information that is provided from the criminal justice partners does not typically designate what the actual drug was. You would have a hard time running anyone convicted of possession of cocaine versus methamphetamine versus cannabis. Is it correct that, under the current system, the information is just not there? I want to confirm that this is a limitation of the system. When you are getting dispositions from district attorneys or courts for low-level drug offenses, they do not specify what the actual drug was. For instance, if I were to say, "I would like a report of everyone convicted of low-level possession of cocaine or methamphetamine," you do not have that information in your system; the disposition just shows a drug offense. I want to confirm that that is correct. If not, could you explain why you might have some of that data in some cases and not in others?

Erica Souza-Llamas, Records Bureau Chief, Records, Communications and Compliance Division, Department of Public Safety:

You are correct. It is the way statute is written. I believe statutes for drug offenses group the drugs into Schedules I through V and do not delineate the type of drug. When officers make an arrest, they are booking on anything that is included in a Schedule I through V. That follows through the adjudication process. When we get the arrests and the dispositions from the courts, that is all the specific information we get. There have been a few occasions when we had a misdemeanor possession of marijuana, but those are few and far between. The majority are Schedule I through V.

Chairman Yeager:

You mentioned that, except for a couple of jurisdictions, you get information provided to you in paper form, which is then manually entered into the system. With respect to the entities you are interfacing with electronically, is it interfaced through the NCJIS system? I am thinking about the slide where NCJIS interfaces with different agencies, some internal. Is that the interface with those two agencies?

Mindy McKay:

Yes. They are interfaced with our computerized criminal history system and our warrant system. There are only two entities in Las Vegas that are hooked up to both.

Chairman Yeager:

Do you know off the top of your head which entities those are?

Mindy McKay:

Las Vegas Municipal Court and Las Vegas Justice Court.

Chairman Yeager:

You mentioned that you could potentially have an electronic interface with other justice partners, but work would have to be done, and there is a cost. Is that really the reason you do not have electronic interface with the other entities? I noticed on your presentation that NCJIS has interface with a lot of different entities. Is that the reason, or are there other technological shortcomings from the justice partners that would not allow them to interface, even if they wanted to?

Mindy McKay:

There are many reasons for the lack of interface. There are a ton of disparate systems throughout the state; some of them are antiquated. They may not have the technological capability of interfacing with us or not be able to maintain it once it is connected. There may not be an appetite for connection. We may not be able to connect because there are no standard technical specifications—we call them "tech specs"—to ensure the data they send us is data we can capture. It must be data-driven and standard data to go back and forth. There are also many other reasons like funding.

Chairman Yeager:

You have been talking about NCJIS modernization for a long time. I certainly understand the need for it. We cannot have an outdated system with no support. I am delighted that the Governor has continued to include that money in the budget. When will this new system be up and running with all the bells and whistles? Is that going to happen in the next couple of years, or is it going to be a decade out? Is there any forecast you can give me?

Mindy McKay:

It will be up and running toward the end of 2023 through 2025, as long as we receive continued adequate funding and support for it. With any large technological program—it is a program and not a project—you always run into the unknown or a hiccup that may cause further delay. We have an amazing team and have chosen a worldwide IT vendor, Unisys. We are contracted with them, and they know what they are doing. They do this internationally, specific to criminal justice, so we are not their first agency to work with. We have confidence in them.

Assemblywoman Summers-Armstrong:

One of the issues that has been a hot topic in my community is criminal record sealing. I would like to get feedback from you on how easy or difficult it is to seal records when you receive data from several different sources. I am concerned for those people who have earned the right to have their record sealed and whether there is still data that can be found that might prohibit them from obtaining employment. Would you please speak to the link between your data, federal data, SCOPE data, and everyone else's data? What happens when people have their record sealed? How is that done in a complete and thorough manner?

Mindy McKay:

You are correct; it is very arduous. It is arduous for the subject of the record because it involves a lot of different agencies, and there is a cost to it. The data could be in multiple areas, and the subject may not know who has the record to be sealed on file. It takes a long time to have someone's record sealed because of the process. They must petition multiple agencies and have the petitions granted and go to the courts to get the records they need to accompany their petition. In the end, because of the technological world we live in and the worldwide web, you might be able to google the person and still find their record.

Once we receive the order to seal, it could be a matter of record retention and whether we received the information from the agencies that we need to seal it. If we do have the

information and can seal it, we must ensure that we have received all the necessary data, so we are accurately sealing the right charge or incident. We then notify the subject that we have sealed it and have sent it to the FBI for their records to be sealed as well. We notify the subject that we have done our part, but we cannot guarantee that all the other agencies have done their part—or where the data may additionally be retained. We know we are only one of a few agencies, like private entities, that might have it. We let them know that they may want to reach out to other entities to seal their record, although we have had arguments regarding whether those companies have to seal in accordance with an order. We cannot control anyone outside our agency, but we do the best we can. It is a very involved, arduous process.

Assemblywoman Summers-Armstrong:

You mentioned that you provide background checks for civil reasons, like employment. Is that part of the E-Verify system? Do they come through you, and do most of the larger employers come through you? Do you have a contract with those folks? I am asking because I know we mislead people into believing that a record sealing is going to change their lives. Now we are hearing the dirty details that it may not. A potential employer may come to you and to someone else and the record may not be sealed. Which employers come to you the most?

Mindy McKay:

We conduct two different types of background checks for employment, volunteers, and other civil purposes. One is fingerprint-based that must have statutory authority. If it is going to be submitted to the FBI, the FBI must approve that statutory language before it will accept those fingerprints for processing the FBI record. As stated earlier, from the statistics for civil applicants, we have over 2,000 account holders in the state of Nevada for fingerprint-based civil processes. We have over 118 different NRS statutes that authorize those account holders to have accounts with us. That is for multiple reasons. They could be in the medical field, mostly working with the vulnerable populations like the young, disabled, and elderly; or for employment—not for licensing—and volunteers in multiple areas of employment throughout the state.

We also have our civil name-check program, which offers name-based background checks through our system. That came about in the late 1990s, particularly for the casinos to have a background check option for their non-gaming employees, since the gaming employees need to have a fingerprint-based gaming license. They did not have anything for nongaming. It has grown to other employment organizations and volunteer organizations, as well as third-party screening or background check companies that people might go through. That is name-based, and we have about 20-plus accounts in that. There were some statistics provided for you on the earlier slides if you are interested.

Chairman Yeager:

The record sealing question is one that we have talked about a lot. You bring up a very good point about having our courts here order agencies within our state to seal a record. The Central Repository can communicate with the FBI to seal their record, but what do we do

about websites that are not based in the state of Nevada that continue to carry that information? The best idea I have to make that happen is for there to be a federal solution on record sealing. Unfortunately, our courts' jurisdictions do not reach beyond the borders of the state. It is a problem that we are going to continue to wrestle with in the electronic world we live in. I will stay hopeful that the federal government will come up with something where a state-level sealing will work in the rest of the country, but the way Congress moves, I will not hold my breath.

Assemblywoman Krasner:

Juvenile justice records purportedly are to be confidential; however, I am informed that there is a long list of people who can actually see that juvenile's record. Can you tell me all the people who can see a juvenile's confidential record?

Mindy McKay:

We do not deal in juvenile records unless they were adjudicated as an adult.

Assemblywoman Krasner:

You do not have that information then?

Mindy McKay:

No.

Assemblywoman Krasner:

Do you know why juvenile records are sealed at age 21 and not 18, since 18 is the age of majority and they are considered an adult in the eyes of the law?

Mindy McKay:

Again, because we do not deal with juvenile justice, I would not know that information.

Assemblywoman Krasner:

Can you direct me to whom I should ask for that information?

Mindy McKay:

I can get a contact and do my best to get that to you. Do you want me to send that just to you or to the Committee as a whole?

Assemblywoman Krasner:

To the Committee as a whole. Who is it?

Mindy McKay:

I will have to find that out.

Chairman Yeager:

I would recommend you connect with either Ross Armstrong at the Division of Child and Family Services, Department of Health and Human Services, or Brigid Duffy at the

Clark County District Attorney's Office. Those two would be good people to start with. They may have other folks they can recommend, but they may be able to answer some of those questions for you.

Assemblywoman Kasama:

My question is regarding funding, which you obviously need. With the increase in funding that you were talking about from other agencies, would it be correct that the other agencies have not updated their systems, so the interface still will not work, even with the upgrade to your system?

Mindy McKay:

That has been a topic of conversation for years. The Advisory Commission on the Administration of Justice (ACAJ) has a subcommittee on criminal justice information sharing. We have that discussion as an agenda topic almost every meeting, trying to figure out how we can improve our criminal justice information sharing, what that would look like, how we can get there, who is willing to do what, who has the funding to do it, and are we able to do that across the board. That is being talked about at various levels, in various committees, and has been for years. We are still having that discussion.

Assemblywoman Kasama:

I am glad to hear that. If we invest in these technologies, the goal would be for efficiency, which means they need to speak with each other. In your budget and the funding for the modernization of technologies, going forward, do those efficiencies increase savings in labor costs that would be perfected with an increase in efficiencies in technology?

Mindy McKay:

For my division specifically, yes, it would. It would see a drop in the need for humans to conduct manual labor, since most of that would be automated. We will still have things to be manually processed by human beings, but we do foresee automation switching out their roles and refocusing them on other tasks.

Assemblywoman Nguyen:

For the other Committee members, I am currently the chair of the ACAJ. We talk a lot about having a consolidated electronic system where all the justice systems can communicate on one system, which seems like a no-brainer. If you know, can you inform our members—and I have been told what the potential cost to implement such a system would be—what the costs would be?

Mindy McKay:

To give you an idea, the NCJIS modernization effort is going to cost approximately \$58 million just to implement it. Then there will be the ongoing costs of maintenance and future enhancements whenever something changes or something new comes down the pipeline, not only from the state, but also from the FBI. My division always needs to be cognizant of that. The \$58 million is just for the start of the project. We started this project in the 2018-2019 biennium and are going into the 2022-2023 biennium. We foresee

additional implementation funding through the 2024-2025 biennium, and then we will have to maintain it. I would imagine, if you want to do something similar for an entire state of 70-plus courts, it would take—not only budgetarily, but also the coordination between all the agencies and their systems, and the data migration—a huge involved effort. It would meet the mission to have an integrated justice system that we have been on for quite some time.

Assemblywoman Nguyen:

Would you detail the importance of starting down this modernization road, how it would be very detrimental to stop funding it midway through, and how that would look?

Mindy McKay:

The proprietary owner of our current system is retiring soon. About five years ago, he told us that he was retiring in two to five years. Technically, he could call me now and retire. It is his system, and he takes it with him. We would have nothing and be in the dark with everything shut off, and we would lose everything, both criminally and civilly. This is a very critical effort, and we must move forward. If we were to stop in the middle of it—and we cannot stop in the middle of our new modernization—we would lose everything that we have done. We would have to continue using what we are currently using, which is antiquated and not easily configurable for any enhancements. It is difficult to maintain, and I do not know what we would do if he were to retire. We must go forward; that is the bottom line. We have looked every which way we can to see what this would look like in any scenario you can mention. Would we be able to stop midstream? We have looked at everything, and we just cannot. We must move forward.

Assemblywoman Nguyen:

I appreciate the comments being put on the record. I think it is important for our members to know that. It seems like common sense, but everyone should be on the same page. If you are in one court, you should know what happened in another court. I know the judges would prefer a system like this. I know prosecutors would prefer a system like this. Medical providers within our prisons and jails communicating between jurisdictions would be greatly influenced by this. I know it is a huge undertaking that we will continue to tackle, and I would encourage our members, if you have any interest in this, to look at the numbers and talk to Ms. McKay.

Assemblywoman Hansen:

You mentioned the antiquated system, and I understand how important it is to modernize. You also mentioned that the system is proprietary and that the person is retiring. As we move into modernizing and getting other programs and systems, will we avoid the pitfall of it being proprietary to one individual?

Mindy McKay:

That is why—lesson learned—you go with a large corporation and not with a smaller mom-and-pop company. We chose Unisys because it has been around for decades, and it is international. They have expertise and, because they are large, they will be able to carry this through the future for years to come.

Assemblywoman Kasama:

On the Brady Point of Contact Firearms Program, you had a statistic on the background checks in 2019 and 2020 where you mentioned that, in 2020, there was an 80 percent increase. Do you know, based on those background checks, how many firearm transfers were canceled?

Mindy McKay:

To make sure I am answering correctly, by "canceled" do you mean, I went there to buy it and decided not to, so I told the gun dealer, Never mind?

Assemblywoman Kasama:

No, I mean that the background checks were run, but because of what came up, the firearm transfer could not take place.

Mindy McKay:

We call it "denied" if you have a prohibiting criteria in any of your criminal justice information, whether it is a criminal history record, a warrant, probation, or if you are an illegal immigrant. There are all kinds of things we look at. I can get that statistic for you.

Assemblywoman Kasama:

I was just curious how many were actually denied based on following the process.

Assemblywoman Summers-Armstrong:

I understand what you are going through. In my regular life, we are replacing a 20-year-old system. I would caution any entity replacing a system that depends solely on the vendor, whatever system you are using, that your staff should be able to do updates, clean up data tables, and all of that. In the last five years, we found, when it comes to agenda processing, many of our large entities in southern Nevada were using one vendor, and that vendor was bought by someone else. All the entities had to scramble to find a new vendor to take over. Unisys may be big today, but next week they may be bought by another giant.

Those techy people who are up to date all know how to write and rewrite and put things in tables. There needs to be some investment in your staff as you are pricing all of this. You need to have people on staff who can do this work and take what Unisys gives you, go in the backdoor, and clean data and tables, so you are not always going to the vendor. The vendor will charge you \$300 an hour, but someone in-house can do that work as part of their daily tasks and can be depended on. I think that will be important as you come forward each year for money that you need. If you always use that vendor, the cost will go up, and it will be more difficult to stay relevant and up to date. We have been working on our system for the last several years, and it is not easy; it is a very difficult task.

Mindy McKay:

I might point back to this meeting, so I hope the recording stays out there. As I mentioned earlier, we have a program management office, and it is staffed by contractors that we will eventually not need. One of the sole purposes is, not only to carry it through implementation,

but also to allow for a more user-friendly system where we do not need to depend on IT to make changes. While they may have to make some changes, we are working toward my staff being able to do it and not the IT vendor. It will also be staffed specifically for each of those programs, not only to have our remaining program management office staff continue with this going forward, but also to have program staff who will be trained and able to run reports, make changes, and do the daily cleanup from the back end. I greatly appreciate your putting that on the record, because this will help support my ongoing request for funding for that staff to stick around. I do not want a sunset, although we may sunset some of them. We will discuss how many staff we need to retain when we get closer. If we can let some positions go—I do not want to lay anyone off, of course—we will look at that.

Chairman Yeager:

I thought it was important to hear from our Central Repository because criminal justice reform needs to be more data-driven. It becomes a problem if we do not have readily available and accurate data. We are moving in the right direction, and I am excited about the modernization efforts. One of our neighboring states, Utah, recently enacted automatic record sealing for some low-level misdemeanors; Pennsylvania did the same thing. I would love to be in a position where Nevada could do that at some point. There are some technological limitations and costs that go with it, so it will probably not happen this session and maybe not even next session. Hopefully, as we move forward with modernization, we will consider legislation to streamline the procedures to make it easier for everyone in the criminal justice system.

We will close that agenda item and go to the first item on our agenda, an overview of the Washoe County Sheriff's Office. Mr. Solferino is a lieutenant for the Administrative Bureau of the Washoe County Sheriff's Office. He is no stranger to the legislative process, and we will be seeing him a lot in Committee.

Corey A. Solferino, Lieutenant, Special Operations Bureau, Legislative Liaison, Washoe County Sheriff's Office:

On behalf of Sheriff Darin Balaam and his executive team, I want to thank you for the opportunity to present. Also, in the room is my government affairs director, Mary-Sarah Kinner, who joined our team last session and has continued in that role. I also have Lieutenant Timothy J. Mosley, who is the Detention Bureau watch commander and crisis negotiation commander for our team. We are hoping to bring him into the government affairs arena, so I want to give him an opportunity to see this process come to fruition.

To start with, for those of you from the south, this is what the north looks like [[Exhibit D](#)]. We have a totally beautiful area in northern Nevada: from Gerlach to downtown Reno at Midtown, to our high-desert areas and Lake Tahoe [page 2]. We have about 6,500 square miles in total. We patrol north to the Oregon border, south to the Carson City line, west to California, and east to Wadsworth. We are roughly about one-fifth the size of Las Vegas. Our projections for population increases stalled out a bit last year, probably because of the pandemic. With the Tahoe Reno Industrial Center and big technology moving into the area,

we are seeing exponential growth in northern Nevada. Our master plan indicates that we could see as many as 700,000 people in this area by 2037. We are growing.

The Washoe County Sheriff's Office's mission and vision statements are dedicated to preserving a safe and secure community with professionalism, respect, integrity, and the highest commitment to equality [page 3]. That is something that Sheriff Balaam brought to the forefront when he took over as sheriff of our agency. We drill that into our academy and our in-service training. Our vision statement is that we strive "to ensure public safety by building trust and creating partnerships within the diverse communities in which we serve. We will promote the dignity of all people supported by our words and actions through open communication while fostering an environment of professionalism, integrity, and mutual respect." One of the things Sheriff Balaam tries to empower his people with is community outreach and working within our community. We bolstered our staffing and our budget for community engagement and are really involved with the community that we serve.

We reflect our core values of pride, professionalism, respect, integrity, dedication, and equality [page 4]. Our motto is "Commitment to Community." It is on all our patrol cars. In 2020, due to COVID-19, we adapted a new motto, which was "Adaptable, Compassionate, Resilient." We continued to provide that same level of service when everyone else was forced to stay home to ensure that our public safety demands were met.

More about the Washoe County Sheriff's Office [page 5]: We provide law enforcement services for the unincorporated areas of Washoe County, including the Gerlach playa area. For those of you who do not know where Gerlach is, it is about 107 miles northeast of Reno and is the gateway to the Black Rock Desert and the Burning Man annual festivities.

We are responsible for operating the only adult detention facility for pretrial detainees and sentenced misdemeanants within Washoe County. We have an authorized strength of 428 commissioned staff, 301 civilians, and an additional 60 intermittent hourly employees. Most of them are retired officers and civilians from our agency who enjoy working in a part-time capacity and helping our agency. We also have an additional 422 individuals who donate and volunteer their time—like Search and Rescue—through our Community Emergency Response Team and our Citizen's Homeland Security Council. We could not do without our volunteers who provide countless hours of support to our agency's goals and objectives. Our annual operating budget is \$126 million, which includes about \$5 million of restricted funding such as grants and donations from our Washoe County Sheriff Deputies Association.

Sheriff Darin Balaam is the twenty-seventh person elected to serve as the Sheriff of Washoe County [page 6, [Exhibit D](#)]. He came into service at the beginning of last session and has hit the ground running and has not stopped since. He is committed to enhancing our mental health services. You will hear my counterpart, Chuck Callaway, and me talking about the Clark County Detention Center and the Washoe County Detention Facility being two of the largest mental health facilities in the state. That is so we continue to bring awareness, clinicians, and mental health professionals into our jails towards those efforts to

help recidivism and to ensure our inmates are getting the treatment they need so they can be productive citizens and have success when they leave the confines of our jail.

Sheriff Balaam is also committed to combating human exploitation and trafficking in our community. I want to showcase one of our regional team units. Along with Chief Jason Soto from the Reno Police Department and Chief Chris Crawforth from the Sparks Police Department, we created the Human Exploitation and Trafficking team. They work in conjunction with the Internet Crimes Against Children Task Force and the Sex Offender Notification Unit specifically targeting those people who are promoting human trafficking and sex trafficking. We are looking to add additional pieces to that. Currently, it is a three-detective team: one detective and a sergeant, and I oversee it as the operational lieutenant. We are going to bring in additional detectives from the Washoe County Sheriff's Office. We are also looking to get additional detectives from the University of Nevada, Reno (UNR) Police Department and the Sparks Police Department to end trafficking in our region, something we have been working on the entire interim with Assemblywoman Jill Tolles, Kim Yeager with Truckers Against Trafficking, and Ronda Clifton, former Deputy Attorney General for the state of Nevada.

Our organizational chart starts with our executive team, the Sheriff and Undersheriff Wayne Yarbrough, who serves as the chief financial officer of our organization [page 7]. Then our department is broken into three divisions: Administration, Detention, and Operations. Chief Deputy Greg Herrera chairs our Operations Division, Chief Deputy Jeff Clark is over the Detention Division, and Chief Deputy Tim O'Connor is over the Administration Division. They supervise the captains and respective managers of those given areas.

Our current authorized staffing is 358 deputy sheriffs, 45 sergeants, 15 lieutenants, and 5 captains [page 8]. It is just a brief overview of the commissioned staffing of our agency. The majority of those—over 51 percent—are dedicated to our Detention Bureau. Those numbers may look lofty by patrol standards, and they are, because over half of our population works in the detention facility. We are a bit below the national average of 2 officers per 1,000 residents. Last time I checked, we were at about 1.35 officers. We could use more officers out on the streets.

We are going to talk about something that Sheriff Balaam instituted with our strategic initiatives and stratified policing and using intelligence-led policing to help us in that endeavor. If you look back over the last several years at our authorized commissioned staffing levels, you will see that we finally got back to 428 [page 9]. The reason that number is significant is that that was the number when we were last authorized during the recession of 2008. It has taken us almost 12 years to get back to where we were before the recession. Obviously, everyone is worried about budgetary restraints, what is happening with COVID-19, and what the budget forecast will look like moving forward as the counties and state move toward a guarded position. We do not know what that will do for our future growth. With the anticipated movement from California—as I spoke of earlier and the

Reno Tahoe Industrial Center—we are concerned that it is going to take us several years to maintain, if not enhance, our current level of service, with the growing figure.

Our agency demographics are that we are still a predominantly male profession as almost 79 percent of our agency are males and only 21 percent are females [page 10]. Of those in our agency, 81 percent are white, 11 percent identify as Hispanic, 4 percent are Asian, 2.5 percent are African American, 1 percent are American Indian, and 0.5 percent are Pacific Islander. The Sheriff's Office is no different from other organizations. We go out and solicit talent. I carry business cards with me, and if we receive excellent service, we try to encourage those people to come work for us.

This is the current demographics of Washoe County [page 11]. Just over 50 percent are male, and just under 50 percent are females. Of these, 84.6 percent are Caucasian, 25 percent identify as Hispanic, 5.8 percent are Asian, 2.8 percent are African American, 3.9 percent identify as 2 or more races, 2.2 percent are American Indian, and 0.7 percent are Pacific Islanders. We are always looking toward diversification and adding to the diversity within Washoe County. One of my colleagues who is in the office with me today, Lt. Mosley, is chair of our diversity and inclusion committee. If we have any questions later, I would like to showcase some of the things he is doing with his committee and what we are doing to bring diversity to the Washoe County Sheriff's Office.

Under the Administrative Bureau and Chief Deputy Tim O'Connor, some of the units under his overall command are our Backgrounds Investigation Unit; Civil; Community Engagement Office; Dispatch; the front desk; and the Northern Nevada Law Enforcement Academy—the regional academy housed in our regional training center that provides law enforcement academy services to the three major law enforcement agencies in the north: Reno, Sparks, and Washoe County [page 12]. We also host others occasionally, like the UNR cadets, and some Indian Colony Tribal Police academies. The Administrative Bureau also hosts the Office of Professional Integrity, which is in our Internal Affairs Division; Records; Research and Development; and Training and Compliance.

Some of the Administrative highlights are, first, that we were a huge instrument of support for Senate Bill 176 of the 79th Session, which mandated body-worn cameras for all uniformed personnel who are in routine contact with the public [page 13, [Exhibit D](#)]. As soon as the session was over, Lt. Billings and I were instrumental in getting that rolled out to our entire agency, ensuring that all the timelines were met. At the end of last session, when I was still head of Research and Development, we integrated Axon Fleet 2 video cameras into all marked patrol units. What that does is combine video services that could be merged between body-worn cameras and in-car videos. Prior to that, we were with a different vendor, so you would have two stand-alone videos, one was the body camera and one was the in-car video. It made collecting evidence and using different databases an issue for public defenders and district attorney's offices. Now everything is unified into one database for ease of evidence dissemination.

At the beginning of 2021, we integrated body-worn cameras for all our commissioned detention personnel. You may ask why we decided to do that. Washoe County is unique in the sense that all our correctional officers who start in detention are all category I law enforcement officers; they go through a full law enforcement officer academy. Sheriff Balaam has the ability, in case of emergency, to deploy those personnel out to the field. He can also deploy them for a lot of the special events that we work outside the confines of the jail. The state of Nevada often contracts with us to provide freeway security for different road projects and construction projects that the Nevada Highway Patrol is unable to cover. Our officers can go out and work in that function. Also, in an effort to be more transparent with the public we serve, we do have a robust detention camera system within our facility. This gives a more up-close-and-personal, intimate review of what is happening versus a 30,000-foot view approach from the top of the housing unit. We are excited about that progress.

We are looking toward integrating our detectives' interview rooms in 2023 with the same Axon platform, so we will truly have a robust system that captures everything we are attempting to do through one solicited vendor.

During 2020, the year of COVID-19, our concealed carry weapons (CCW) processing went up exponentially [page 14]. Last year we processed about 1,600 total applications. Currently, we have about 519 pending. We revoked 38 CCWs last year, suspended 1, denied 3, and reinstated 10. Right now, our average daily processing is about 41 days from time of application to time of notification, whether it is denied or approved.

In August 2019, we were able to go fully operational with our National Incident-Based Reporting System (NIBRS) program [page 15]. This system will replace the Unified Carrier Registration (UCR) and give the Nevada State Legislature a lot more information that they need and request. The UCR only tracked Parts 1 and 2 offenses and limited those. The NIBRS system is more robust and has a wider ability to use data analytics to get the numbers we need to see what our crime-growth rate is in Nevada and across the board.

Our agency also partnered with the Reno Police Department, the Tribal Police, and the Sparks Police Department to get the state their certification. We started that process in August. We had to go through three consecutive months of less than 1 percent errors to get the state certified by the Federal Bureau of Investigation (FBI), and we were able to do that.

Over the course of last year, we determined our baseline for reporting data. Unfortunately, comparing UCR to NIBRS is like comparing apples to oranges. It is going to show an interesting, overall way that we report crime. We are now identifying and reporting crime that we were not tracking before for the feds at a national level. In some instances, what we did not track before is going to look like an assault since it rose 100 percent last year. Last year was huge and instrumental in establishing the baseline moving forward, so we can continue operating and building NIBRS. We will be able to see what our crime trends truly are across the state and northern Nevada.

Some of our major community outreach events that we did over the course of last year are ones that our agency absolutely enjoys [page 16]. Our "No-Shave" campaign used to start with just "No-Shave November," but because of community interest and support, the Sheriff has extended it through February of this year. Each month we pick a different nonprofit and/or service to donate the money to. It is for officers and civilians who prefer to relax grooming standards and grow facial hair outside of uniform regulations or to wear jeans to work. It has been welcomed across the board for all the different community endeavors that we have been able to assist with over the course of the last six years since its inception in 2016.

"Christmas in July"—with the help of our Honorary Deputy Sheriff's Association—received donated funds to purchase 600 backpacks and school supplies for children in the Washoe County area. Due to COVID-19, this was not a normal interaction. We socially distanced at our district courthouse parking lot and did a drive-through to ensure everyone was safe and healthy and that we were helping students in need with supplies they would need with the upcoming school session.

Our "Shop with the Sheriff" was drastically different this year due to COVID-19. Our civilian staff and officers had an amazing time going out and identifying underprivileged children in the area to ensure they had a wonderful Christmas by giving them school supplies and clothing they needed for the winter session. This year we adopted 105 disadvantaged families, and each deputy sheriff and civilian shopped for those individuals, individually wrapped the gifts, and then, at an identified time and place, we used our regional training center parking lot for all those people to come take a photo with Santa from their vehicle, exchange their gifts, and drive through. It was a wonderful undertaking, and our community engagement manager, Brooke Howard, did a phenomenal job putting all the stakeholders together and making that process go off without a hitch.

Our Diversity and Inclusion Committee, under Lt. Tim Mosley, was formed under the direction of Sheriff Balaam [page 17, [Exhibit D](#)]. They focus on recruitment, hiring and retention, bringing cultural diversity to the forefront of our agency, being proactive and targeted in community outreach efforts, and reconsidering selection criteria that do not correspond to job-related duties. Several years ago, we wondered why we had so many females fail the physical abilities test. We had an archaic handgrip test and a vertical jump of 16 inches that were not really required to enhance any law enforcement functions. We worked with the Peace Officers' Standards and Training Commission and human resources to reidentify some of those considerations and were able to gain more females in the process. On the front end, we also got rid of the biographical data component on our written test. I am not sure how that affected our overall score, but we removed that component since there were some inherent biases in that test. Moving forward, we have a better, diverse applicant process. We are proud of those efforts.

Under the Detention Bureau, Chief Deputy Jeff Clark controls the alternatives to incarceration programs, our Second Judicial District Court bailiffs, our court transportation,

the new Detention Services Unit, Detention Response Team, our Inmate Management Unit, and the programs we offer to our inmates while housed in our facility [page 18].

Some of our detention highlights since the last interim include the creation of the Detention Services Unit (DSU) [page 19]. That was something that Sheriff Balaam wanted to bring to the forefront. We talked about a wholistic approach to ensure our inmates are given the proper access to programs and treatments that they need to help curb the recidivism rate in Washoe County. The DSU is, for lack of a better term, "one-stop shopping." Within the DSU in the Washoe County Sheriff's Office, we have state social services, discharge planners, local social services, and grant-funded advocates through Join Together Northern Nevada. We offer programs in life skills to give these inmates the ability to rid themselves of the stigma of "inmate" when they leave, so they can be productive and obtain the services they need. During this process, we also became 1 of 12 accredited facilities in the entire United States that delivers our medication-assisted treatment program for those inmates who are suffering from substance abuse. One of two things can happen: Those people who are currently in the program can continue those services while they are incarcerated to ensure there is no letdown, or those people who are screened and want to be part of the program can start while they are in the Washoe County Detention Facility.

COVID-19 did some interesting things to our statistics [page 20]. As I presented to the Committee in years past, we were trending toward an average daily population of about 1,123. During COVID-19, that number went down exponentially. The courts and everyone else, including law enforcement, worked together to ensure only those who needed to go to jail went to jail, which resulted in our population dropping by almost 200 daily. Our average length of stay, again because of COVID-19, went up a couple of days to 17.15. Access to courts and decreased hearings had some collateral consequences, and our average length of stay went up a little bit. Our bookings are down; normally we hover around 20,000 annually. We are down almost 20 percent over the course of last year. Our standard of care is about \$126 per day based on the bare minimum to house, feed, and clothe. For some financial context, some of the services that we provide, like training, medication, and the standard of care, are over \$500 per day.

We increased our video court capabilities due to COVID-19 [page 21]. We now have connections to the Second Judicial District Court, Incline Village Justice Court, Reno Justice Court, Sparks Justice Court, Wadsworth Justice Court, Reno and Sparks Municipal Courts, federal court, and tribal courts. We wanted to enhance those services to ensure the right to a speedy trial, the right to public hearings, and the ability for our inmates to get legal access. Our court transportation team did a phenomenal job. Captain Marc Bello, Chief Deputy Jeff Clark, Lt. Wade Mollen, and Sgt. Joe Durbin did a phenomenal job in standing up the courtrooms within the detention facility using program space and other areas to enhance these capabilities. We also have a "privacy pod" within our visiting lobby—which is new—for out-of-custody sentencing for those people who may not have access to multimedia in their own residences. Now, we also have iPads available for use within the housing units on a trial basis. We are trying to get them into all the housing units.

We currently have them in three units, but we are working on a program to disseminate them agencywide.

Our court transportation statistics: We brought that video-based court system to fruition to help with our inmate population's access to the courts [page 22].

Under the Operations Bureau, Chief Deputy Greg Herrera is in charge of Investigations; Civil Division; Patrol Division; Major Accident Investigation Team; Marine 9; Motors; Explosive Ordinance Disposal; Consolidated Extraditions Unit; Hostage Negotiation Team; K-9 Unit; Northern Nevada Interdiction Task Force; Northern Nevada Regional Intelligence Center; Regional Aviation Enforcement, our helicopter; the Regional Gang Unit; Search and Rescue; Special Weapons and Tactics; and our new Regional Teams initiatives [page 23].

Looking at our calls for service, we have about 106,000 calls for service annually between the police, emergency medical services, and fire [page 24, [Exhibit D](#)]. Of those, about 60,000 are dedicated to law enforcement. Dispatch calls for service are about 17,000, and officer-initiated calls are about 42,000. The Regional Teams Initiative, something that was started in January of last year, is a combined effort between the Washoe County Sheriff's Office, Reno Police Department, and Sparks Police Department to share services rather than having siloed programs doing the same thing that would often cross investigations. We bring everyone into the same room under a unified command and work towards a regional approach to crime reduction strategies. Now the Regional Gang Unit has representatives from all three agencies, as does the Regional Crime Suppression Unit, the Regional Narcotics Unit, the Human Exploitation and Trafficking Unit, the Sex Offender Notification Unit, and Crimes Against Children. They are all under the Northern Nevada Regional Intelligence Center so we can share information, share casework, identify people who are involved in multiple crimes, and ensure officers are equipped with the best information out in the field. We also instituted stratified policing—which we will get to on a new slide—to address some of our operational deficiencies and to do directed, intelligence-led policing patrol.

Due to COVID-19, a lot more people are recreating outside, which resulted in more requests for Search and Rescue services and deployments [page 25]. You can see the statistics, and I will answer any questions about those at the end of the presentation.

Stratified policing is something Sheriff Balaam is very excited about bringing to the Washoe County Sheriff's Office and engraining it in our culture [page 26]. Created by Drs. Roberto and Rachel Santos, it combines several different crime reduction strategies into one usable model. We are incorporating place-based policing, person-focused problem solving, and community-based solutions into one methodology. We are holding people accountable from the line-level officer all the way up to the sheriff regarding crime in our area and expedition of services to ensure cases are not falling through the cracks and people and priorities are handled accordingly. We are using real-time crime analytics. We are using GeoShield and other systems to map crime and give our Patrol Division crime patterns and analysis. When officers have unaccounted-for time—when they are not out doing proactive enforcement or answering calls for service—these are the areas where they are going to spend the majority of

their time: talking to neighbors who may be victims of residential burglaries, advising them of things that are going on, and showing their presence.

From an organizational structure, everyone from the Sheriff on down has a piece that they play [page 27]. There are weekly accountability meetings that hold everyone accountable to ensure that crime is not continuing, that problems are being addressed, and if a new methodology is not working, we use the collaborative, group-think approach to address crime in these different areas. We are now able to do more with less and redirect our resources to where they are needed rather than placing an officer on every beat and waiting for a call for service.

This is what some of our crime analysis bulletins look like when they are pushed out to patrol, so they can concentrate their efforts [page 28]. Again, I will be happy to answer questions later.

Our Washoe County Sheriff's Office's Forensic Science Division provides criminal justice forensic science services for 13 of the 17 counties in Nevada, plus one agency in California [page 30]. It equates to about 80 different user-agencies from the state, federal, city, and Indian colony areas. Some of the services we provide are: toxicology, controlled substances, DNA, firearms, crime scene analysis, latent print processing, latent print comparison, and breath alcohol. We worked with Assemblyman Tom Roberts last year in making the National Integrated Ballistic Information Network (NIBIN) mandatory for northern Nevada, and it came with huge success. We want to thank Assemblyman Roberts for that legislation, the crimes it is able to connect, and the processing we are able to do due to that moving forward.

As you can see on this slide[page 31], our crime lab has done a phenomenal job in getting the turnaround times back to manageable levels for everything from biology, to Combined DNA Index System (CODIS) entries, to controlled substances, to DNA, and to NIBIN processing. All our 2020 data is down exponentially from years past, which is decreasing our backlog.

We are "One Agency, One Team, One Family" [page 32]. Sheriff Balaam has the philosophy, "Work hard, play hard," so we wholeheartedly celebrate each other. One of our accomplishments in the community is working with our regional partners to ensure we have a quality of service second to none.

Some of this year's statistics to date, unfortunately, are looking like an increase in officer fatalities from over a year ago [page 33, [Exhibit D](#)]. We are only a few short weeks into the new year, and we are already up in total fatalities and firearms-related crimes. Hopefully, we can work toward everyone getting vaccinated this year and getting back into the building. One of the things we really enjoy as a law enforcement coalition is bringing the Legislature out to enjoy the Nevada Law Enforcement Officers Memorial, housed just outside the Senate chamber. I have some dates for memorials coming up over the course of our May holiday and would encourage each and every legislator to attend. We love your support and appreciate that you are out there.

Our contact information, in case you have any questions, is on this slide [page 34]. We are available any time to answer questions regarding collaboration. We are happy to answer questions pertaining to crime-reduction strategies, law enforcement services in the north, and how we can incorporate those statewide.

Assemblywoman Summers-Armstrong:

You mentioned the body-worn cameras, and I commend you for transferring to software that would allow you to integrate both your car and body-worn camera footage into one system; that was very wise. I would like to know if the cameras are worn in detention, and if they are turned on as soon as they are deployed, whether they are in the detention center or on the street.

Corey Solferino:

That is something that just came up within the last six weeks. We went operational downstairs because our officers were needed outside the facility for different engagements, and we wanted to give them that operational flexibility. To your point, they do wear them downstairs, they are on, and there are certain criteria. I would be happy to share offline our policy for instances in which they are required to be activated, since I would have to run back to my office to get it. We are also working with one of the technology vendors to have our central control or area control personnel—who are civilians that work in a bubble and have access to multiple housing units—have the ability to activate those cameras in cases of emergency if an officer is not able to tap his chest and get the body-worn camera activated. We are also looking at existing technology to do that in the vehicles. Every time an officer responds Code 3—lights and sirens—to a call, it automatically sends out a Bluetooth beacon that activates that officer's camera, so he does not have to think about it. We are looking at different pieces of technology that we can use to interview and add to our detention setting.

Assemblywoman Summers-Armstrong:

I am sure that will help increase confidence from the community as they see what goes on during those calls. What in the world is a "civilian homeland security"?

Corey Solferino:

It was born out of the fusion centers and the terrorism liaison officers. It is a civilian course that people can go through, similar to a citizen's academy but more terrorism-focused, both domestic and international. It is like the "See Something, Say Something" campaign. It was championed by the Nevada Threat Analysis Center. We work with it annually, adding people to the curriculum and getting more eyes out on the streets. They learn what to look for, so we can be more resilient as a community and be better prepared.

Assemblywoman Summers-Armstrong:

Are you saying they are not deployed to do any police work but are just community liaisons?

Corey Solferino:

Yes. They are there in a civilian capacity to give them a better understanding of what to look for, so they are more educated citizens. There are no enforcement capabilities. In speaking

with volunteers that we employ on a routine basis—like our Search and Rescue—they are highly trained in their different endeavors, whether it is the air squadron or specialized units like the Hasty Team diving and recovery; they have their own skill sets. We have two full-time commissioned Search and Rescue personnel assigned from the Sheriff's Office. The sergeant is the commander of the overall team, and the deputy serves as his deputy director of Search and Rescue operations, coordinating responses with the civilians on the Community Emergency Response Team. We utilize them mostly for disasters, floods, and fires. We give them checkpoints and access to more so we can be more prepared and resilient for community and special events. As people get vaccinated, we will use them in information centers at events such as the Great Reno Balloon Race at Rancho San Rafael Regional Park and the Reno National Championship Air Races. They are educated volunteers as ambassadors to the Sheriff's Office.

Assemblywoman Summers-Armstrong:

I am very impressed that you looked at some of your testing for inherent bias. I heard you speak to the physical tests for women, among other things. Have you looked at your psychological test and whether there is any inherent bias in that test, or any other test, for racial or cultural bias?

Corey Solferino:

I wish I could answer that question, but we can chat offline. Julie Paholke is our human resources consultant. Her office is housed in the Sheriff's Office, but she does work for Washoe County. I would be happy to find out what we are doing. Many years ago—I have been in this profession for almost 22 years—in my fourth year, I was a background investigator, but I have not kept up on the psychological profiles we are administering today. I would have to check with our Backgrounds Division and with Human Resources, but I would be happy to get that information to you.

Assemblywoman Summers-Armstrong:

I appreciate that, and I would appreciate it if you would look into that issue. We have quite a few people in our community who have tried to become police officers. In every instance where someone has not made it, it has been due to the psychological assessment, which I find very curious. I can think of at least five folks that I know who have passed everything else, including the physical, but the psychological test stopped them. I would be interested to see if there is some bias there.

Assemblyman Wheeler:

You were talking about your sworn officers staffing levels. How many do you have on duty now, and how has COVID-19 hit you as far as reducing staffing?

Corey Solferino:

Every day we try to adapt to COVID-19. Our line personnel, our operations folks, who are out on the streets answering calls for service and doing proactive enforcement, and our detention staff, who provide safety and security to our institution, are here daily and did not stop. We practiced social distancing standards as much as we could. Our inmate staff and

our administrative staff have been awesome in ensuring we have the proper cleaning supplies to support those efforts. They have reported day in and day out since the beginning of COVID-19 without question. What we have tried to do with our support services—not knowing how COVID-19 would impact our line officers—was to use them in reserve. We fully anticipated our line staff getting infected and having days off from work, and that we would have to backfill detectives and our administrative staff into line functions. Our primary mission was the safety and security of our citizens. Luckily, that did not happen. We did have people who became infected with COVID-19 but have recovered. We have not had any fatalities in our inmate staff, our commissioned staff, or civilian staff. Everyone who was infected with the disease was able to recover. We did have plans in place for our administrative support people and detectives to work from home to keep them safe and healthy, so we could use them on the back end if we were down to that.

We have slowly reintegrated everyone back to a full-time working capacity out of the Sheriff's Office. We have increased distances between desks, used shields to protect everyone, and continue to march forward. We have been very successful and are fortunate not to have had a huge outbreak with either the employees or the inmate population. Due to the statewide mandate of vaccinating law enforcement and first responders first, most of our officers have already been vaccinated. We are hoping to get back to brighter days.

Assemblyman Wheeler:

My original question was, What is your staffing level now within that 428?

Corey Solferino:

We are still at 428, and we currently have 21 in the academy. Washoe County Human Resources allows us to over hire by 15 to plan for attrition. By the time the 21 who are in the academy come online—that is six or seven months from now—and are done with their field training officer program and count as being in an actual position, we will have had retirements, movements, and transfers. Right now, we are close to fully staffed.

Assemblyman Wheeler:

Metro said they were very understaffed, but this has not hurt your recruiting efforts very much.

Corey Solferino:

Recruiting is always difficult, and we are always trying to rebrand. From 2004 to 2006, when I was in Backgrounds and we had openings, we would have anywhere from 1,000 to 1,500 candidates apply specifically to the Washoe County Sheriff's Office for employment consideration. Now we are lucky to garner 300. Those numbers have gone down exponentially over the years. We are trying to recruit in different venues and different areas, not just the criminal justice field. We go to universities, community colleges, and the military.

Every officer employed with the Sheriff's Office is an ambassador for this agency, and if we see good service, we try to recruit it. Several years ago, I tore my rotator cuff going after

a suspect while I was in the K-9 Division. While I was in rehab, one of the physical therapists and I started talking over the course of my recovery, and she is now a deputy who has been here for four years. Things like that—and getting out of the box—help us to see what kind of different people we can recruit and to become an attractive profession again. It is difficult, since not everyone wants to be a law enforcement officer at this time.

Assemblyman O'Neill:

Can you go into more detail regarding your discharge plan at the jail? The reason I ask is that a constituent recently contacted me concerning a severely mentally ill woman who was discharged from the jail. She was given a bus ticket and that was it. She went missing for two days, but the Reno Police Department finally found her and got her into a women's shelter. There had been no contact with mental health agencies or her social worker prior to discharge. I understand mistakes happen, but I would like you to go over discharges in a little more detail and assure me that it will not occur again.

Corey Solferino:

I am not familiar with that case. My understanding is that, as people are booked into our facility, they are screened for mental health impairment through our clinicians. Those people who need that certain classification but are not able to be routed out of the facility and will be staying for an extended period of time are routed to the appropriate units that have those services 24/7. When people are to be discharged or released, that goes through our Detention Services Unit. Unfortunately, I do not have that information, since it is run by Captain Marc Bello and Sergeant Randy Vawters, but I would be happy to look into that matter for you to ensure it does not happen again.

Assemblyman O'Neill:

Please get the details on those procedures to the Committee. You said you also have a discharging planning procedure, and I would like to know what that is.

Assemblywoman Hansen:

Our son was at the University of Nevada, Reno about six years ago. I was surprised to see that recruiters from cities in southern California were coming to Nevada to recruit young people to consider law enforcement. As the presentation unfolded, I was surprised to learn that one of the stumbling blocks in the recruitment application process was that 85 percent of the applicants could not pass the background check. I do not know if that is the kind of numbers you see, and I would like you to address that. When making contact with young people—male, female, and all races—and talking about recruitment, Explorers, or getting into schools, we know that all kids make stupid decisions and bad choices, especially in their teen years. They need to understand that they can have great opportunities, good pay, and good benefits if they avoid the pitfalls that come against them. Are we trying to help them understand how bad choices can prevent opportunities for certain careers? Are we getting ahead of the game with the young people?

Corey Solferino:

Excellent points, but due to COVID-19, a lot of those efforts have been stifled. Our recruiting budget from the human resources side of the house is very minimal at best. As for being able to travel to get some of that California talent to come over to Nevada—like they have on the industry side—we would like to do it on the services side as well. When I was recruiting, we usually hit the Bay Area circuit and southern California, which was all the time and finances we had to try.

We were doing an aggressive reading campaign in our elementary schools and trying to establish those bonds. We have deputies who are assigned as ambassadors to different area elementary schools to volunteer for reading or just being on campus. However, because of COVID-19, those efforts have been pulled away for the foreseeable future until we can get everyone back into the classroom. Our return on investment is going to be about ten years down the road if we are targeting the right population and developing mentorships and partnerships with our kids in our school system. We will get there, but the benefit will be several years from now.

I am happy to have Lt. Mosley here, and hopefully we can get him to talk so you will see him more as my heir apparent when my legislative duties are done. I am trying to get him motivated to come here. As chair of the Diversity and Inclusion Committee, I think he will move us toward getting things done that we have not gotten done in the past.

Assemblywoman Hansen:

I am glad to hear that. Since you have been doing that, the fruit will bear out eventually.

Chairman Yeager:

Are there any more questions from the Committee members? [There were none.] I will close the presentations, and we will move on to the public comment portion of our meeting. As a reminder, we will reserve up to 30 minutes for public comment. Callers on the public comment line will have two minutes to provide public comment. We do have a couple of people on the line to provide public comment.

Tonja Brown, Private Citizen, Carson City, Nevada:

Regarding sealed records, I have a suggestion. Most people do not have the financial means to get their records completely sealed in the state and federal courts. Perhaps a person—and the Department of Motor Vehicles (DMV) could set it up—could go to the DMV and obtain a card like a driver's license that they could present to a potential employer. The employer would look at the card, and the card would have an identification number. The employer would log on to a website, punch in the identification number, and it would pop up the individual's picture. They would be prompted to punch in the code that would also be on the card. Once they got that far, it would read something like, "According to the DMV, such and such a person has no record of any criminal activity." They could use that to get employment until the day they can afford to go to the federal side to get their record sealed.

I would also like to talk about the Washoe County Sheriff's Office's presentation. We have concerns about the inmates not having access to masks. Last week, Ms. Jennifer Noble talked about some of these inmates awaiting trial for months and even a year because of COVID-19. I would like to know what is going on with the inmates who are awaiting trial. Inmates need to be protected. If they cannot have their day in court and were to pass away because of COVID-19 or any other issue, there is no remedy for them to exonerate their name.

I do not know if you are aware of this, but there are some school districts around the country that are implementing into their criteria a book titled *One Stupid Night* by Mary Elizabeth Morgan. It is geared toward young males ages 16 to 25, and it is a book on actual cases where young men have committed crimes and how it has affected their lives. It is the consequences of doing something stupid and how that one stupid night could affect college, jobs, and their futures. If the state of Nevada implemented a book like that, you would get more people joining law enforcement and other jobs which they had been prevented from getting because of one stupid night.

Annemarie Grant, Private Citizen, Quincy, Massachusetts:

My brother, Thomas Purdy was 38 years old when he was hog-tied by Reno police and was asphyxiated [unintelligible] and died at the Washoe County jail. One of the officers went on to asphyxiate Justin Thompson less than a year after my brother was asphyxiated by deputies. I would like to mention that Lt. Solferino was also involved in the first asphyxiation death of Niko Smith at the jail. He was the first man asphyxiated in Washoe County.

This past summer, my brother, my 12-year-old nephew, and my 19-year-old son arrived at the Sheriff's Office. They flew in from Boston because my brother was a guest in Washoe County when he was murdered by police. They were holding a banner, and we were surrounded by six Washoe County deputies trying to intimidate us to move to the so-called "free speech" area. I would like to mention that one of the deputies, whose last name was Wood—his first name was not Jason, it was the other one—kept his hand on his gun the entire time, and that is just unbelievable. When they first came out, they did not have their body cameras on. They came out three times that day, and it was just the four of us standing there peacefully. It upset me when one came out and said that he did not know who Thomas Purdy was. My feeling is that Sheriff Balaam is not doing his due diligence if he is not talking about the shortcomings that happen at the Washoe County jail and is just sweeping it under the rug. My feeling is that everyone who works at that jail should know Thomas Purdy's, Niko Smith's, and Justin Thompson's names. It should be incorporated into their training that they asphyxiated three men to death.

You talked about the camera system. They brought in a hand-held camera to video record him because my brother was acting strange, but not an ambulance. There was no investigation into the officers. None of the officers were ever spoken to, and none of them made any new statements to the Reno Police Department other than the initial report they wrote for the jail. Families are victimized over and over by Washoe County when your loved one is killed by them. There is still a family that is waiting a year later for the body camera

footage: the family of Abel Lopez-Lopez. Washoe County deputies have not released that video.

You talk about transparency, but I saw on the Washoe County Commissioners' agenda that the Washoe County Sheriff's Office is trying to increase the cost of their body camera footage to an exorbitant fee, but luckily the community members came together, and we got that stopped.

Chairman Yeager:

Is there anyone else on the line? [There were no one.] Before we talk about the rest of the week, is there anything else from our Committee members? I do not see anything else. There are a couple of announcements that are different from what I told you on Friday. We are going to have meetings the rest of the week. However, on Wednesday and Thursday we will be starting at 9 a.m. Tomorrow will be an 8 a.m. start, as is Friday. I will try to remind you when we change the start time, but it is a good idea to check the agenda the night before. If you get here early, I am sure you have plenty of work to do. I do not know if we will be consistent in the start time, but it will be either 8 a.m. or 9 a.m. depending on what is on the agenda. That is it.

Tomorrow we have two bills brought forward by the Office of the Attorney General. We will have an 8 a.m. start. I will see you all tomorrow morning. This meeting is adjourned [at 11:03 a.m.].

RESPECTFULLY SUBMITTED:

Karyn Werner
Committee Secretary

APPROVED BY:

Assemblyman Steve Yeager, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a copy of a PowerPoint presentation titled "Records, Communication and Compliance Division Overview," dated February 15, 2021, presented by Mindy McKay, Administrator, Records, Communications and Compliance Division, Department of Public Safety.

[Exhibit D](#) is a copy of a PowerPoint presentation titled "Washoe County Sheriff's Office," dated February 15, 2021, presented by Corey A. Solferino, Lieutenant, Special Operations Bureau, Legislative Liaison, Washoe County Sheriff's Office.