

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

**Eighty-first Session
March 9, 2021**

The joint meeting of the Subcommittees on Public Safety, Natural Resources, and Transportation of the Senate Committee on Finance and the Assembly Committee on Ways and Means was called to order by Chair Moises Denis at 8:03 a.m. on Tuesday, March 9, 2021, Online. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

SENATE SUBCOMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Chris Brooks
Senator Pete Goicoechea

ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:

Assemblywoman Brittney Miller, Chair
Assemblywoman Daniele Monroe-Moreno, Vice Chair
Assemblywoman Sarah Peters
Assemblywoman Robin L. Titus
Assemblywoman Jill Tolles
Assemblyman Howard Watts

STAFF MEMBERS PRESENT:

Alex Haartz, Principal Deputy Fiscal Analyst
Brody Leiser, Principal Deputy Fiscal Analyst
Karen Hoppe, Senior Program Analyst
James Malone, Program Analyst
Colby Nichols, Program Analyst
Joko Cailles, Committee Secretary
Melodie Swanson, Committee Secretary

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OTHERS PRESENT:

Anne Carpenter, Colonel, Chief, Nevada Highway Patrol, Department of Public Safety
James Simpson, Major, Deputy Chief, Nevada Highway Patrol, Department of Public Safety
Kristi Defer, Administrative Services Officer III, Nevada Highway Patrol, Department of Public Safety
Pat Conmay, Lieutenant Colonel, Chief, Investigation Division, Department of Public Safety
Martin Mleczo, Captain, Nevada Highway Patrol, Department of Public Safety
Mindy McKay, Division 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
Lesa Galloway, Administrative Services Officer III, Records, Communications and Compliance Division, Department of Public Safety
Mike Dzyak, Chief, State Fire Marshal Division, Department of Public Safety
Amy Davey, Administrator, Office of Traffic Safety, Department of Public Safety
Sherri Brueggemann, Deputy Director, Department of Public Safety
Tammy Trio, Administrative Services Officer, Office of Traffic Safety, Department of Public Safety
David Fogerson, Chief, Division of Emergency Management, Office of Homeland Security, Department of Public Safety
Justin Luna, Administrative Services Officer, Division of Emergency Management, Office of Homeland Security, Department of Public Safety
Darlene Anderson
Edward Ableser (Nevada Police Union)

CHAIR DENIS:

We will start with the Department of Public Safety (DPS), Nevada Highway Patrol Division (NHP), budget account (B/A) 201-4713.

PUBLIC SAFETY

PUBLIC SAFETY

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DPS - Nevada Highway Patrol Division — Budget Page PUBLIC SAFETY-44
(Volume III)
Budget Account 201-4713

ANNE CARPENTER, COLONEL (Chief, Nevada Highway Patrol, Department of Public Safety):

The NHP receives its authority, services and mandates under *Nevada Revised Statutes* (NRS) 480.300 through 480.370, shown on page 2 of our presentation today titled "Department of Public Safety, Nevada Highway Patrol, Fiscal Year 2022-2023 Budget Presentation" ([Exhibit B](#)). The NHP is comprised of 596 employees throughout 30 different job classifications located in all 17 counties Statewide. These dedicated men and women are tasked with protecting Nevada, its citizens and visitors.

The NHP enforces the traffic laws of the State, investigates traffic crashes, assists motorists, and enforces and regulates commercial vehicles transporting cargo and hazardous materials. We are committed to being the State's trusted law enforcement leader focused on public safety through traffic enforcement, education and engagement.

We are the roadway to a safer Nevada, and we stand together to serve and protect. We honor our history with great pride and commitment. We are the Nevada Highway Patrol.

The NHP has three budget accounts supporting 596 full-time equivalent (FTE) positions. Budget account 201-4713 is the NHP's primary budget account and is funded through the Highway Fund. Budget account 201-4721 provides grant funding for commercial vehicle enforcement. Budget account 101-4705 provides support for the Division's K-9 program.

DPS - Highway Safety Grants Account — Budget Page PUBLIC SAFETY-57
(Volume III)
Budget Account 201-4721

DPS - NHP K-9 Program — Budget Page PUBLIC SAFETY-54 (Volume III)
Budget Account 101-4705

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The NHP's core activities include traffic operations, commercial enforcement operations and administrative support services. Special operations include fatal or high-profile investigations, criminal interdiction and task forces. The NHP's officers work alongside their State, local and federal partners which contributes to our overall objectives.

We take a proactive leadership approach in educating the public through the use of social media platforms and messaging campaigns with our various partners. The NHP is committed to increasing public awareness of its five priority focus areas.

The NHP's four primary goals are: to invest in its people by focusing on employee health and wellness, identifying future leaders through succession planning and retaining its current workforce; to mitigate loss of life, injuries and property damage by reevaluating current resource allocation, improving data collection and transparency and identifying best practices; to enhance public trust by improving availability of services, education and awareness, and accountability to the public; and to improve divisional efficiencies by using the requested budget enhancements to provide employees with the required tools to do their jobs and to more efficiently use available resources.

JAMES SIMPSON, MAJOR (Deputy Chief, Nevada Highway Patrol, Department of Public Safety):

Over the years, the NHP has listened, and we have learned. We have modified our efforts to focus on three critical emphasis areas which directly impact traffic safety—education, enforcement and engineering.

The Below 100 educational campaign and training course focuses on law enforcement officer safety with the goal of reducing the number of law enforcement-related deaths to below 100 annually. This number has not been reached since 1943.

The D.R.I.V.E. safety course for young drivers was designed by the NHP to reinforce the dangers of driving. State troopers help teens develop a new perspective of roadway safety through educational videos, pictures and real life stories.

The Driver's Edge program teaches real-life emergency avoidance and overall driver safety. Driver's Edge is a free, half-day program available to anyone 21 years old or younger and getting a license or permit.

The Advanced Roadside Impaired Driving Enforcement course trains law enforcement officers to observe, identify and articulate signs of impaired driving related to drugs, alcohol or a combination of both, in order to reduce the number of impaired drivers and impaired driving-related traffic collisions.

Motor vehicle crashes are one of the leading causes of death in the U.S. Many assume enforcement is centered on writing citations or making arrests when necessary. Whether a verbal or written warning is given or a citation is written, enforcement and education are both vital to modifying driver and pedestrian behavior.

Our educational and enforcement programs include Joining Forces and Badge on Board. Joining Forces is a multijurisdictional law enforcement program which promotes Statewide enforcement in the areas of impaired or distracted driving, pedestrian safety, speeding and seat belt use. The Badge on Board program is a high-visibility media campaign and enforcement program designed to educate motorists on how to share the road safely with commercial motor vehicles.

The NHP's five focus areas are the most dangerous collision-causing behaviors likely to result in death or serious bodily injury. These behaviors include impaired driving, hazardous driving, speeding, distracted driving and unrestrained occupants. These are the main causes of fatal and serious bodily injury crashes which claim far too many lives every year and leave behind a path of destruction. The ripple effect these crashes have on family, friends, first responders and our highway patrol family is unmeasurable.

Vehicle technology and roadway infrastructure have improved. That is not a replacement for driver behavior and poor decision-making which ultimately contribute to negatively affecting the five most dangerous collision-causing behaviors. Together with its stakeholders and partners, the NHP is working to educate communities on its mission and programs and improving compliance with the top primary collision factors.

The NHP is a key partner in planning and implementation of the Nevada Strategic Highway Safety Plan. The NHP encourages and supports innovation to develop new and effective ways of keeping roadways safe, lessening the chance of another tragic incident. Through roadway safety audits, NHP is better able to assist roadway safety engineers and developers so existing roadways can be improved. Lives will be saved as more people know, share and live by the NHP's three critical areas of emphasis—education, enforcement and engineering.

The NHP's primary enforcement measurement in traffic operations is the mileage death rate (MDR). The MDR compares fatalities and serious bodily injury crashes per 100 million vehicle miles traveled. This measurement is the national standard to measure highway safety set by the National Highway Traffic Safety Administration.

The chart on page 9 of [Exhibit B](#) shows comparative fatality rates for the Nation, Nevada and NHP's jurisdiction. Nevada's MDR decreased from 1.26 in 2015 to 1.06 in 2019. The NHP's MDR decreased from 0.59 to 0.52 during that same time period.

Based upon unofficial predictions from the Nevada Department of Transportation (NDOT), MDR predictions for 2020 are expected to increase. Annual miles traveled are predicted to drop. Vehicle miles traveled decreased up to 25 percent while fatalities increased in 2020. Official MDR numbers will be available in December 2021.

According to the Federal Motor Carrier Safety Administration (FMCSA), U.S. Department of Transportation, Nevada's commercial crashes as a percent of total crashes is low and has remained very consistent. When taking into consideration fatal crashes involving large trucks, Nevada was the third lowest nationwide in 2018. However, large trucks still pose a huge problem. In 2018, FMCSA reported large truck crashes resulted in carnage to motorists nationwide.

While crashes involving commercial motor vehicles are relatively low, these crashes tend to be more severe, interrupt normal traffic flow and interfere with interstate commerce. The impact of these crashes is more prevalent in rural

areas where there are no alternative routes if a motor vehicle accident were to take place. When crashes occur in rural areas, roadways can be shut down for up to 8 hours or more.

Nevada's troopers each drive approximately 24,000 miles annually. Therefore, safety starts with the NHP. Reliable, efficient and effective police service fleets are the foundation for a well operated and safe community. Professional technicians keep fleet units running at optimum efficiency. Our stringent preventive maintenance and fleet management programs are designed for these challenges.

Communities should expect a safe, reliable and available fleet for everyday use. In 2015, the NHP implemented a new performance measure to track on time vehicle maintenance relative to the manufacturer's maintenance schedule. The NHP has continued to exceed its goal of 85 percent of on time scheduled maintenance since 2015.

KRISTI DEFER (Administrative Services Officer III, Nevada Highway Patrol, Department of Public Safety):

Enhancement unit E-225 in B/A 201-4713 requests to move uniform allowances from NHP's personnel category to the uniform category to support Agency uniform replacement.

E-225 Efficiency & Innovation — Page PUBLIC SAFETY-48

Enhancement unit E-805 in B/A 201-4713 requests the reclassification of a DPS officer II position to a DPS rank of major based at headquarters to oversee all administrative services and functions Statewide.

E-805 Classified Position Changes — Page PUBLIC SAFETY-49

Enhancement unit E-901 requests funds to transfer one management analyst position from the Office of Traffic Safety, B/A 101-4688, to the NHP for oversight of the Ignition Interlock Program.

E-901 Transfers — Page PUBLIC SAFETY-50

E-500 Adjustments To Transfers — Page PUBLIC SAFETY-48

DPS - Highway Safety Plan & Admin — Budget Page PUBLIC SAFETY-139
(Volume III)
Budget Account 101-4688

Enhancement unit E-226 in B/A 201-4713 requests funds for a temporary contracted position to assist with fleet services in Reno. It will be a cost savings to the NHP to employ a temporary part-time contracted position, rather than creating a permanent full-time position. Savings will also be realized with quick repair and service turnaround of the fleet units.

E-226 Efficiency & Innovation — Page PUBLIC SAFETY-48

Enhancement unit E-712 in B/A 201-4713 requests funds for the replacement of 130 desktop computers and 10 lap top computers.

E-712 Equipment Replacement — Page PUBLIC SAFETY-49

The following are NHP's one-shot appropriation requests in B/A 201-4713.

FY 2021 One-Shot: This request funds Oral Fluid Mobile Analyzers and cartridges to be used for alcohol related offenses.
(BUDGET OVERVIEW-23)

FY 2021 One-Shot: This request funds equipment items for NHP's multidisciplinary investigation and reconstruction teams.
(BUDGET OVERVIEW-23)

FY 2021 One-Shot: This request funds the replacement of Panasonic touchpad Mobile Data Computer tablets. (BUDGET OVERVIEW-23)

FY 2021 One-Shot: This request funds replacement fleet vehicles and associated special equipment. (BUDGET OVERVIEW-23)

FY 2021 One-Shot: This request funds replacement of fleet motorcycles and associated special equipment. (BUDGET OVERVIEW-23)

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FY 2021 One-Shot: This request funds the replacement of printers and associated mobile adapters. (BUDGET OVERVIEW-24)

FY 2021 One-Shot: This request funds the replacement of computer hardware and software equipment. (BUDGET OVERVIEW-24)

SENATOR BROOKS:

How would the recommended new DPS major position in decision unit E-805 relieve current DPS majors from performing administrative oversight of their respective commands?

COLONEL CARPENTER:

The proposed rank of major is one of the most important positions we need. The major would oversee legislative functions, union issues, grievances and personnel issues. Although the proposed position would have a smaller span of control, it is important to remember the major would be supervising not only staff but would be overseeing all administrative functions throughout the State from NHP headquarters in Carson City.

In regards to fleet, the major would make sure the deployment of resources and equipment is on schedule. The major would look at internal affairs making sure deadlines are met.

SENATOR BROOKS:

That helps us understand what the proposed new DPS major position would be doing and how the recommended position would free up the other three majors so they can better do their jobs.

COLONEL CARPENTER:

The operational majors in northern and southern Nevada have 24 hours a day, 7 days a week oversight of their respective commands, whereas the proposed new major position would have oversight of all administrative functions for the entire State from headquarters. There are administrative functions within each command, but the main point of contact or hub would be headquarters.

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SENATOR BROOKS:

Why was a DPS major position selected as the reclassification level to oversee the administrative function of the State's northern and southern commands as well as headquarters? Did the NHP consider alternative positions classifications to serve this role?

COLONEL CARPENTER:

We already have a lieutenant and captain at headquarters. The position needs to be reclassified as a major because of rank structure. We need another counterpart to the operational majors in the north and in the south especially when it comes to legislative and union issues.

SENATOR GOICOECHEA:

I am interested in hearing how the Oral Fluid Mobile Analyzer systems for roadside impaired driver testing are going to work.

CHAIR DENIS:

We will now hear the presentation on the NHP's K-9 program, B/A 101-4705.

MS. DEFER:

Enhancement unit E-350 in B/A 101-4705 requests funding to expand the K-9 program from 6 K-9 units to 11 K-9 units.

E-350 Promoting Healthy, Vibrant Communities — Page PUBLIC SAFETY-55

ASSEMBLYWOMAN PETERS:

Would the addition of five drug detection canines provide the NHP with enough canine coverage to effectively conduct a drug seizure test per traffic stop within the time allowable pursuant to the U.S. Supreme Court decision on *Rodriguez v. United States*, 135 S. Ct. 1609 (2015).

PAT CONMAY, LIEUTENANT COLONEL (Chief, Investigation Division, Department of Public Safety):

The intent is not to run the canines on every traffic stop. We only use canines when we have reasonable suspicion of criminal activity. We do not want a misunderstanding that we want to run canines on every stop.

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ASSEMBLYWOMAN PETERS:

The question was related to the time it takes per stop if a K-9 unit is used and ensuring that we are meeting those time limits allowable pursuant to the U.S. Supreme Court decision on *Rodriguez v. United States*.

LIEUTENANT COLONEL CONMAY:

Time limits are not extended. In fact, the NHP cannot even use the canine as an excuse to extend the time limit of the stop out to the hour. During the time an officer is conducting the routine business involved with a traffic stop, the officer might use the canine if there is reasonable suspicion of criminal activity to determine whether or not criminal activity is going on. This has to be done in the time it reasonably takes to conduct the routine business of a stop.

ASSEMBLYWOMAN PETERS:

Would adding the additional drug detection canines increase your ability to meet time limits in the stops in which you would like to mobilize them?

LIEUTENANT COLONEL CONMAY:

It would certainly enable us to have more resources for vehicular stops. We do not want to overstep or violate any rights with respects to those stops. We are not asking for the canines exclusively for that purpose. We want to be able to cover wider areas. The intent is not to impede or to infringe on the time limits of the stops.

ASSEMBLYWOMAN PETERS:

I would like to see data showing how these additional K-9 units would impact those time limits. How did the NHP determine five additional canines are needed in its recommendation? What benefits are expected in the drug, bomb and arson detection efforts with those additional five K-9 units?

LIEUTENANT COLONEL CONMAY:

We want to be realistic in our approach to this. It takes time to train and develop canines and their handlers. The NHP felt five additional canines was realistic over the 2021-2023 biennium.

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With respect to narcotics enforcement, we intend for the additional K-9 units to improve the NHP's ability to intervene in narcotics transportation on the highways.

With respect to explosive detection canines, additional canines will improve our ability to screen and will improve safety and security especially around State facilities. As we have seen this past year, we are confronted with events where it is safer to screen locations, especially State facilities, for problems. We have one canine who can do that now Statewide. Our K-9 unit resources will be available to help other partners upon request.

With respect to accelerant detection canines, the NHP expects those canines to improve our capability in identifying whether accelerants are used. Through the use of canines, we can reduce investigative time both at the scene and in the labs if we narrow down where we are looking for the signs of accelerants. If we are more certain about what we are submitting because of the work of these canines, we will be submitting fewer samples for testing.

ASSEMBLYWOMAN PETERS:

Can you confirm the NHP will be able to get the additional canines donated through third party private entities and other law enforcement agencies?

LIEUTENANT COLONEL CONMAY:

Yes. We have several sources to help us get the canines. Enhancement unit E-350 of B/A 101-4705 is intended to support the K-9 units once we bring them on.

SENATOR GOICOECHEA:

Will there be any of the drug enforcement K-9 units placed in rural Nevada? U.S. Route 93 and U.S. Route 95 are drug pipelines running through central and eastern parts of the State.

LIEUTENANT COLONEL CONMAY:

Yes. The reason for the expansion of the program is partly to be able to place K-9 units in various locations and expand our abilities in those locations. We plan where we can do interdictions and target what might be problem areas.

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ASSEMBLYWOMAN TITUS:

I am supportive of the K-9 units but am curious about duplication of services as I know there are other agencies in the State who have K-9 units. Do you ever call in K-9 units from other counties to assist with some of your needs?

LIEUTENANT COLONEL CONMAY:

Yes. If there is a need, requests are made, and we support each other with our K-9 units. Canines have their abilities and also have their needs. Overuse is a significant concern.

We do not see a lot of duplication of efforts. There are different agencies across the State which have K-9 units, and those agencies focus on their individual problem areas. We have lots of highways and lots of ground to cover in Nevada. The requested additional canines will help us do our work better.

MARTIN MLECZKO (Captain, Nevada Highway Patrol, Department of Public Safety):

There are many challenges impacting the NHP's ability to address its five focus areas and the importance of education, enforcement and engineering. More specifically, how we can help keep Nevada's roadways safe.

Demands increase year after year, and the NHP's vacancy rate continues to worsen. Vacancies contribute to reduced service levels, increased response times and decreased visibility. While the NHP is committed to making Nevada stronger, these vacancies coupled with projected separations only intensify these challenges making it more difficult to meet our performance measures.

The NHP has 85 vacancies Statewide. Moreover, 132 employees are eligible to retire by 2025, an additional 222 employees are eligible to retire by 2030 and another 518 employees are eligible to retire by 2035. This is nearly an 87 percent turnover from retirements alone. These figures do not include employees who have or are planning on purchasing service credit. More employees will be eligible to retire sooner further accelerating our employee turnover and consequent service reduction to the citizens of the State.

The financial impact of early separations comes at a high premium. The State pays for training, wages and benefits only to have these newly trained law

enforcement officers leave and go to other law enforcement agencies for better pay and benefits. Our high cost is also due to the Nevada Public Employees' Retirement System contribution rates which State employees must pay.

Training cadets from the academy through field training conservatively can cost the State from \$60,000 to \$100,000 per cadet. Early separations are costing the State approximately \$2.2 million annually, with little to no return on our investment. Turnover of cadets from the first year of entering the academy through the first year of service once off probation can exceed 85 percent. Our team has prepared a number of reports on this. We can provide them to the Subcommittees upon request.

Not all police agencies experience the same challenges with recruiting and retaining officers. Some agencies reported struggling with recruitment, but not retention. Other agencies have the opposite experience, facing the greater challenge of holding on to new officers for more than a few years. Since 2016, the NHP has seen 392 employee separations. The most common reason for leaving is compensation which includes better pay, insurance and benefits.

Based on our analysis, 51 percent of first year troopers are leaving to another agency for better pay. We want to briefly cover some strategies to combat these challenges based on self-reported exit interviews.

There are potential personnel solutions which can not only help recruit but also retain officers while focusing on community safety and protecting Nevada's infrastructure. Some enhanced benefits may include longevity pay, flexible retirement options, professional development, college degree incentive pay, merit increases and rural duty station incentives.

The stressors of policing can take a significant toll on the physical and mental health of officers. By giving officers resources to help them build their resiliency, agencies may retain officers who otherwise might leave. Some agencies provide incentives for passing an annual physical fitness exam, paid gym memberships, regularly paid visits to psychologists and a mandatory visit to the psychologist within five days of a critical incident.

If the crisis went no further than the need to attract more applicants, there might be a relatively simple, albeit, expensive solution. That is to increase officers' pay and benefits to the point where the supply of new recruits meets the demand.

There is a deeper, more important shift occurring which complicates the situation. Today's police agencies must hire officers with a much wider array of skills, talents, knowledge and experience than was required in the past. The old ways of recruiting and hiring are being replaced by innovative, streamlined approaches. Although compensation is important, money alone is no longer a strong enough motivator. Young people want a higher quality of life to match the job.

The job itself is changing. Being a crime fighter is still important, but it is not enough. We need cadets who see the importance of their new role as guardians confronting the social ills of drug addiction, mental illness and homelessness. We need to redouble our efforts and find new ways to encourage cadets with the right stuff and hold on to those that we have.

We would be remiss if we did not talk about NHP's community partnerships and how vital they are to the NHP's innovation, creativity and overall success. Community partners are essential to widespread change, and we would not be where we are today without them. The NHP would like to thank its many community partners and acknowledge the legislative assistance we receive supporting those partnerships.

We would like to highlight our partnership with the Nevada Donor Network (NDN). December 2020 marked the fifth anniversary of the Department of Public Safety's Statewide partnership with the NDN. Together, we have shared this remarkable opportunity to make life-changing positive impacts through organ, eye and tissue donation on behalf of heroic donors, their generous families and those who wait for these much needed gifts.

Since the beginning of our partnership with the NDN in December 2015, the DPS has made 321 referrals to the NDN. Through our efforts, the DPS has helped thousands from the waiting list with tissue transplants and fifty-eight others with the gift of sight. Several divisions throughout the DPS have joined

forces with the NDN to sponsor individual donor registrations and community service events resulting in over 4,000 donor registrations Statewide. This innovative and model partnership has not only been recognized Statewide, but also nationally for our significant contribution and the impact it has had on organ, eye and tissue donation.

The DPS remains fully committed to maintaining these partnerships. We are working on a new partnership opportunity with William Sousa, Ph.D., the director of the Center for Crime and Justice Policy at the University of Nevada, Las Vegas. The goal is to develop new solutions to ensure the DPS and the NHP remain progressive despite the many challenges described in the presentation today.

Page 23 of [Exhibit B](#) is a photo of five Nevada troopers standing in front of the Ghost Bike which memorializes five cyclists tragically taken from us on December 10, 2020, in Boulder City, Nevada. Starting on the left hand side of the photo, trooper Adam Welsh is the primary investigator of the crash. He is working with his team to map out the unfortunate events that led to this horrific crash. Trooper Jeff Freeman was responsible for the commercial motor vehicle inspection of the heavy machinery that claimed five lives. Sergeant Jeremy George was one of the first responders and supervisors on scene. He had to navigate the chaos while trying to manage resources and response efforts. Trooper Ashlee Wellman personifies the leadership and fortitude that the NHP represents in times of tragedy and need. Trooper Travis Smaka is the NHP's public information officer who not only responded to the event, but had to try to make sense of this unimaginable tragedy while being revictimized countless times over and over as he provided timely interviews to news outlets.

We did not want to leave you with just another data point, another line item and another mission statement. We wanted to leave you with a sentiment which I know is shared by everyone who puts on the badge every single day in the NHP.

I have had the privilege of working for the NHP for nearly 16 years. In that time, we have lost over 5,032 lives on roadways across our State. Since that number was captured a few weeks ago, an additional 20 lives have been taken from us

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including one of our very own. Trooper Derek Otero lost his 26-year-old wife and mother of two in a tragic crash early Saturday morning, March 6, 2021.

We cannot allow ourselves to see this number as just another set of data points. These were lives lost and families forever broken. We owe it to them to have a sense of urgency in our tone when discussing our mission, as lives are on the line. The potential and the greatness of these lives lost are simply unknown. The loss of life we witness as troopers stays with us well beyond the end of our careers. Your troopers, fatal team investigators, commercial troopers, public information officers and command staff members all understand what it is like to be there when someone takes their last breath or to console a grieving parent, family member or friend.

We remember, we reflect, and we understand. We also know we can do better. To do more and be more effective, we need resources. The five troopers pictured on page 23 of [Exhibit B](#) would also hesitantly say—we can try, but we simply are not enough. It is not just us who suffer, but all Nevadans. We are purpose driven but people powered, and we need your help to move forward.

ASSEMBLYWOMAN TOLLES:

We recognize this is an extremely challenging job. Most of us cannot imagine the things you see and what you face. We appreciate you going out there every day to keep our citizens safe.

CHAIR DENIS:

We will now hear a presentation from the Department of Public Safety, Records, Communications and Compliance Division (RCCD), B/A 101-4709.

DPS-Central Rep for NV Records of Criminal History — Budget Page PUBLIC SAFETY-91 (Volume III)
Budget Account 101-4709

MINDY MCKAY (Division Administrator, Records, Communications and Compliance Division, Department of Public Safety):

The Records, Communications and Compliance Division's mission is to provide complete, timely and accurate criminal justice information while balancing the need for public safety and an individual's right to privacy.

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Page 3 of our presentation today titled "Department of Public Safety, Records, Communications and Compliance Division, Budget Accounts 4702, 4709, 2022-2023" ([Exhibit C](#)), shows the RCCD's organizational structure.

The RCCD's Records Bureau has 137 FTEs, and its Communications Bureau has 63 FTEs. We have 35 contracted staff employees. Page 4 of [Exhibit C](#) shows the proposed organizational structure with the added positions the RCCD is requesting.

We have 6 locations throughout the State, 3 budget accounts and approximately 20 disparate programs. The RCCD is funded with General Fund dollars, cost allocation programs, court assessments, fees and federal grants.

The RCCD Fiscal Unit manages accounts payable, accounts receivable, budget, contracts, building tasks and staffs the reception desk at one of our locations. The Information Security and Compliance Unit ensures the RCCD is compliant with State security policies and laws, and ensures the State is compliant with federal security and laws through training, audit and site security checks.

Page 6 of [Exhibit C](#) lists the 14 programs the Records Bureau manages under B/A 101-4709. Multiple federal and State laws govern the programs in the RCCD. We can provide a comprehensive list of those laws to the Subcommittees for review, upon request.

Some of these programs are fee-based. Other programs come to the RCCD as programmatic requirements which are underfunded, as court assessments or as unfunded programs maintained by the utilization of reserves. We also use reserves to cover any funding shortfalls due to dwindling court assessments which have historically been inadequate. The RCCD receives General Fund dollars for its sexual assault forensic evidence kit tracking and reporting program.

Page 7 of [Exhibit C](#) shows civil fingerprints received. In 2019, RCCD received over 261,000 civil fingerprints. In 2020, RCCD received just over 221,000. In the State, we have over 2,000 civil applicant accounts that submit fingerprints for review.

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Page 8 of [Exhibit C](#) shows the Nevada Sex Offender Registry. The RCCD has over 7,300 active registered sex offenders and over 22,000 inactive registered sex offenders.

Page 8 of [Exhibit C](#) details the Brady Point of Contact Firearms Program, known as the Brady Unit, which conducts the FBI's National Instant Criminal Background Check System's (NICS) background checks. We conducted over 102,000 NICS background checks in fiscal year (FY) 2018-2019. In FY 2019-2020, we conducted over 185,000 NICS background checks which represents an increase of 80 percent or more.

The Brady Unit is staffed in five shifts, seven days a week and most holidays. The Unit has 2 supervisors who are both new and in training, 4 lead positions who conduct research and 11 frontline positions to process initial background checks among other program tasks. Some of the frontline positions are vacant, and some are new hires. We are never fully staffed in the Brady Unit. There are always new staff in training taking away tenured staff from other program tasks.

Page 9 of [Exhibit C](#) highlights Legislative session impacts on the RCCD. Each Legislative session, RCCD tracks approximately 100 bills which have an effect on the Division. Being able to work with bill sponsors, impacted entities and the Legislative Counsel Bureau's Legal Division is helpful for many reasons. We greatly appreciate those partnerships.

If RCCD can better understand the purpose of legislation from the sponsor's point of view, then we can better advise on the best way to ensure it is implementable as it relates to our Division and programs impacted.

The RCCD is grateful for what is in the Governor's recommended Executive Budget for the 2021-2023 biennium. Specifically, the full appropriation for our system modernization. The RCCD will require additional General Fund appropriations for the next few biennia to continue the modernization implementation effort and the associated maintenance and enhancement units critical to officer and public safety.

The RCCD has two bills moving through the Eighty-first Legislative Session, Senate Bill 19 and Senate Bill 31.

SENATE BILL 19: Establishes provisions authorizing certain entities to obtain information relating to the records of criminal history of certain persons responsible for the safety and well-being of children, elderly persons or persons with disabilities. (BDR 14-336)

SENATE BILL 31: Makes various changes relating to public safety; revising the definition of a record of criminal history; revising the requirements for publication of certain statistical data; revising provisions relating to the information provided to an authorized participant of a service to conduct a name-based search of records of criminal history; and providing other matters properly relating thereto. (BDR 14-337)

The RCCD's Records Bureau is commonly referred to as the Criminal History Repository. The Criminal History Repository administers the Nevada Criminal Justice Information System (NCJIS) which serves as the State's clearinghouse for criminal history record information and crime statistics.

Enhancement unit E-225 in B/A 101-4709 adds one program officer I position to the Brady Unit. The program officer I will redirect the tasks of training staff and monitoring the Concealed Carry Weapon (CCW) permit program away from current supervisors. This will allow those supervisors to focus on tracking laws, legislative changes, personnel and program matters. The program officer I is not meant to assist full-time with the volume of phone calls received by the Brady Unit or with any other program tasks. Once the incumbent is trained, they can help out where needed as long as it does not negatively impact their primary duties.

E-225 Efficiency & Innovation — Page PUBLIC SAFETY-94

Enhancement unit E-227 requests two administrative assistant II positions to keep workloads current in the Criminal Records Unit (CRU). The CRU performs disposition data entry, maintains fingerprint cards, assists courts with protection order data entry, maintains and scans records and seals criminal history records.

E-227 Efficiency & Innovation — Page PUBLIC SAFETY-95

The NCJIS modernization project will help automate some of the RCCD's processes and reduce workload. However, the program will not eliminate all manual tasks. Implementation and establishing connections in NCJIS will take time to automate through interfaces. Information cleanup and system replacements will require data migration. Having full-time permanent State positions allows the RCCD to attract and retain applicants, reduces turnover and gives us the opportunity to conduct more comprehensive preemployment background investigations which we cannot do with contracted temporary employees. Reducing turnover creates efficiency in the RCCD by lessening recruiting and training time.

Enhancement unit E-228 adds a management analyst III position to the Fiscal Unit. Despite the RCCD's growth and additional personnel, programs and locations, the size and classification of the Fiscal Unit has remained the same. This is incongruent with the responsibilities and oversight the Unit has gained. The RCCD does not have an adequate succession plan or backup for the administrative services officer III who currently assumes chief financial officer responsibilities for the RCCD.

E-228 Efficiency & Innovation — Page PUBLIC SAFETY-95

Enhancement unit E-355 of B/A 101-4709 requests 3,090 additional programmer development hours for the Division of Enterprise Information Technology Services (EITS). The RCCD is the Department of Public Safety's biggest IT customer in regards to EITS as we house the Criminal History Repository. The RCCD's IT needs continue to grow exponentially as the number of records expand. We are requesting additional hours to cover the RCCD's changing programs and IT needs which include keeping systems current and compliant with security requirements.

E-355 Promoting Healthy, Vibrant Communities — Page PUBLIC SAFETY-96

Page 11 of [Exhibit C](#) describes RCCD's one-shot appropriations request for the ongoing NCJIS project. Monies approved in the 2019-2021 biennium are only

part of the funding required during the three-biennium implementation of the NCJIS project and the ongoing operational costs thereafter.

FY 2021 One-Shot: This request continues funding for the Nevada Criminal Justice Information System modernization project.
(BUDGET OVERVIEW-24)

The NCJIS project's overall costs and subsequent biennium requests were identified by the RCCD in the 2019-2021 biennium budget hearings for the DPS. During the 2019-2021 Legislative Session, the NCJIS was approved to begin phased replacement of the criminal justice information system and subsystems maintained by the DPS which are part of the NCJIS environment or provide access to that environment. The NCJIS modernization project includes 8 FTE positions and approximately 11 contracted positions. There are also three extensive facilitator contracts to expedite the transition from the existing NCJIS system to the modernized one.

The NCJIS modernization implementation effort is slated to run from July 2020 through June 2025. Unisys Corporation, the solution's vendor, is scheduled to deploy all modernized systems and functions by October 2023 as shown in the schedule on page 18 of [Exhibit C](#). Once all systems are deployed and functioning, the State will be performing operations and proof of functions from October 2023 through June 2025 to ensure everything is working as required.

After June 2025, the system will go into maintenance mode and future enhancements will require adequate funding. The RCCD provides the Interim Finance Committee with a quarterly letter of intent which contains the status of this effort.

Page 12 of [Exhibit C](#) describes Budget Amendment No. A214404709 to B/A 101-4709. The amendment requests revenue and expenditure adjustments to change a currently classified position to an unclassified position. This request aligns the position to like positions throughout the State.

During the 2019-2021 Legislative Session, based on meetings with the Administrator of the Division of Human Resource Management,

Department of Administration, the Director of the Department of Motor Vehicles (DMV), the Director of the Silver State Modernization Approach for Resources and Technology in the 21st Century and the Director of the Office of the Governor, Office of Finance, it was determined the administrator of the NCJIS modernization project should be an unclassified position.

Discussions to align these positions took place after the Governor's 2019-2021 Executive Budget was submitted and budget closings had occurred. Therefore, no technical adjustments were able to be made. The classified criminal justice records manager placeholder position took effect upon legislative approval at the close of the 2019-2021 budget. This change was submitted as part of the budget process, but was not included in the Governor's recommended 2019-2021 Executive Budget.

Budget Amendment No. A214404709 has been submitted to the Budget Division, Office of the Governor, Office of Finance, requesting to rectify this in the FY 2022-2023 budget cycle.

The NCJIS 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 and other states' criminal justice information. The NCJIS system is managed by the RCCD with the assistance of multiple IT vendors. Certain systems in the NCJIS are used for civil purposes such as employment, licensing, volunteers, firearms background checks and sex offender registration.

Nevada files in the NCJIS include fingerprint based criminal history records, warrants, CCW permits, registered sex offenders, parole and probation, protection orders, Nevada Offense Codes and DMV data.

Files accessed directly in other states through the International Justice and Public Safety Network (NLETS) include the same Nevada files listed above as well as Canadian files, Mexican commercial drivers licenses, corrections and wildlife violations. There are over 140 files accessible in the NCJIS.

The FBI files include gang, terrorist, foreign fugitive, immigration violators, missing persons, unidentified persons, protective interest, identification theft and NICS background checks. The FBI has access to over 26 files in NCJIS.

The NCJIS system interfaces and connects with multiple other systems: FBI files previously listed; Nevada DMV; NLETS for access to other states; the Shared Computer Operations for Protection and Enforcement database in Clark County; the Nevada DPS Parole and Probation Division, as well as foreign host connections including record management systems, computer aided dispatch systems and multiple computer terminals. The NCJIS system connects with the RCCD's internal systems including our computerized criminal history system, protection order program, sex offender registry and Nevada Offense Codes.

The current NCJIS system is a 20-year-old system with a proprietary owner who is retiring soon. The NCJIS modernization project will help the RCCD meet our mission to provide accurate, timely and complete criminal justice information for both criminal and civil purposes. The modernization effort is a multibiennial, multimillion dollar implementation to replace multiple complex criminal and civil systems. The modernization will introduce new systems and functionality.

The NCJIS system will also have ongoing maintenance and future enhancements after implementation. The system will improve functionality and customer service, will be highly configurable for future changes and will automate for timeliness and efficiency. The updated NCJIS system will allow the RCCD and the State to comply with multiple federal and State mandates.

An example of timeliness and efficiency needs include fingerprint based background checks for civil purposes which are currently manual. The checks will become mostly automated with modernization which means the current two-week to two-month time frame will be drastically reduced to mere days. That will allow employers and licensing entities to conduct their business more expeditiously resulting in people gaining employment faster.

We planned for the NCJIS modernization implementation by staffing for success. We assigned a dedicated program management office staffed with both contracted and FTE State positions. We used a program approach and not a project approach since this is a large program comprised of multiple projects. We also divided the project into multibiennial funding to make it affordable.

There is a risk of failure with catastrophic consequences if we do nothing. The current vendor will retire and will take the current system with him as it is his property. The current system will no longer be accessible at that point. The remaining systems which do belong to the RCCD and will not be modernized will become unsupported which creates security risks and increased system downtime. State users could become noncompliant with federal and State mandates. Functionality will diminish.

In the worst-case scenario, public and officer safety will be at risk with severe consequences. Criminal justice agencies would have no means to search the system to obtain information for criminal investigations, intelligence, arrests, prosecution, sentencing, records, etc. The current system supports users not only Statewide but nationwide, and this will negatively affect public and officer safety.

On the civil side, the State would lose all ability to process any civil background check requests which will affect public safety for the following: fingerprint based background checks for civil customers for employment, licensing, adoption, foster care, childcare, CCW permits and volunteers as required by over 118 NRS statutes, in addition to other civil purposes such as record seals.

The Brady Unit background checks would no longer be conducted. Civil name based background checks for employment and volunteers would no longer be conducted. We would no longer be able to register sex offenders for State and national public awareness.

The NCJIS modernization project's new solution environment is vastly different than the current environment. Once the program is implemented, it is technologically impossible to rollback. Continued funding and support is essential to ensure public and officer safety Statewide, nationwide and internationally.

Page 18 of [Exhibit C](#) illustrates the timeline for implementation of the NCJIS modernization project. The implementation is slated to run from July 1, 2020, through June 30, 2025. The RCCD will have ongoing system maintenance and enhancements after implementation. Enhancements come from State and federal mandates. Along with the mandates are system changes

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implemented by the FBI, NLETS and any other systems the RCCD interfaces with.

ASSEMBLYWOMAN MONROE-MORENO:

The RCCD had almost an 82 percent increase in firearm background checks in calendar year 2020 administered by the Brady Unit. In decision unit E-225 of B/A 101-4709, the RCCD is requesting a new program officer I position. Do you anticipate the firearm background check volume to remain at the same level as experienced in calendar year 2020, or will it differ?

Ms. McKAY:

Last year, not only did the RCCD experience the onset of the coronavirus pandemic, we also had civil unrest in an election year. We are hoping we see a decrease in the background check numbers, but we are actively seeking mitigation for the current workload associated with those checks. We received a grant and have the ability to pay for two temporary employees to help with some of the other program tasks which will help alleviate the workload.

ASSEMBLYWOMAN MONROE-MORENO:

What backlog of work currently exists or is developing from supervisory staff being out of the office to provide outreach and training? If the new program officer I position is approved, how would that impact the service levels in the Brady Unit?

Ms. McKAY:

There is no backlog in the actual background checks for firearm transfers, but we have many other tasks in the unit which are performed outside of firearm background checks which have been postponed. We enter information into the FBI NICS database so it is visible nationwide; we enter statistics into a federal database so the federal government can see the State's view of statistics, and we generate correspondence whenever there is a request from a customer as to their status regarding background checks.

There is a backlog in those other areas, but it is not in violation of the actual background check process. We are hoping temporary employee hires will help reduce these other backlogs.

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The program officer I position will help alleviate the duties currently covered by two program officers II. This position will help those supervisors focus more on higher-level managerial tasks such as reviewing bills and providing impact statements for legislative sessions, creating policies and procedures for the program, as well as overseeing staff.

ASSEMBLYWOMAN MONROE-MORENO:

Would the two new administrative assistant II positions requested in decision unit E-227 of B/A 101-4709 help with the processing of fingerprint cards for occupational fields such as doctors and teachers, rather than just the processing of cards for gun ownership? What benefits does the RCCD expect from the two new positions in regards to its management and oversight of the original fingerprint card records?

Ms. MCKAY:

The two administrative assistant II positions reside in the CRU. The CRU is responsible for maintaining the State's criminal history records. The processing of fingerprints for employment takes place in the Civil Unit. These two new positions will not have any responsibilities over the processing of civil applicant fingerprint cards.

ASSEMBLYWOMAN MONROE-MORENO:

When the Civil Unit is processing the civil applicant fingerprint cards, they are checking those fingerprint cards for criminal background history as well, correct?

Ms. MCKAY:

Yes. The Civil Unit gains access to the State's criminal history records maintained in the CRU system.

ASSEMBLYWOMAN TITUS:

You mentioned there is no backlog in these background checks, but there can be a two-week to two-month delay in processing. What unit are these delays in?

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Ms. MCKAY:

Decision unit E-225 of B/A 101-4709 is specifically for the Brady Point of Contact Firearms Program, known as the Brady Unit. The two-week to two-month time frame is in our Civil Fingerprint Unit.

ASSEMBLYWOMAN TITUS:

On page 8 of [Exhibit C](#), you mentioned the number of background checks and commented about delays in CCW background checks. My constituents' complaints are about delays they are experiencing with firearm dealers when doing private party transfers. Have these delays been shortened? Will the requested two new administrative assistant II positions in decision unit E-227 of B/A 101-4709 help with backlogs and delays?

Ms. MCKAY:

There are two ways that a firearm dealer can contact the RCCD to conduct a background check. They can call on the phone, and if they get through, the background check request will be processed that day. If their request is put into a delayed status, the RCCD has three business days to reach back out to the dealer with a final status on their request. Dealers can also fax us their documents for background checks.

ERICA SOUZA-LLAMAS (Records Bureau Chief, Records, Communications and Compliance Division, Department of Public Safety):

We are two to three days behind on the faxed forms for firearm background checks.

ASSEMBLYWOMAN TITUS:

Will the new NCJIS system help improve turnaround times?

Ms. MCKAY:

The NCJIS project is going to help improve our program time frames including the Brady Unit background checks. The modernization effort is going to provide a portal option. The portal can be accessed by the federally licensed firearm gun dealers. They will be able to enter their own background check requests through the portal. That will save time for them and save time for us by creating more efficiency through electronic transfer of information.

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The NCJIS project is going to automate civil fingerprint checks. We have over 2,000 civil applicant accounts. Every one of those accounts will have an account through the portal, so they can receive and retrieve responses through the portal electronically along with their billing.

ASSEMBLYWOMAN TITUS:

In the need to migrate to the NCJIS system, you mentioned the current system is privately owned, and the owner is retiring. Is the RCCD making sure we are not in this situation again?

Ms. MCKAY:

Yes. The RCCD has contracted with Unisys Corporation, a large, historically well-known company.

CHAIR DENIS:

The programmer that developed the current NCJIS system owns the program, but the RCCD owns the data, correct?

Ms. MCKAY:

Yes.

CHAIR DENIS:

What benefits does the RCCD expect from the two new administrative assistant II positions in decision unit E-227 of B/A 101-4709 in regards to management and oversight of its fingerprint card records? Will these positions help address the backlog of dispositions which need to be entered into the system?

Ms. SOUZA-LLAMAS:

In addition to assisting with disposition data entry, the two new administrative assistant II positions are going to assist the program in its entirety in balancing the workload so we do not fall into a backlog situation. The RCCD program is responsible for criminal record maintenance, fingerprint card maintenance, court ordered record seals and temporary protection orders.

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CHAIR DENIS:

How would the NCJIS modernization effort improve the efficiencies of disposition receipt and entry in the CRU?

Ms. SOUZA-LLAMAS:

We anticipate some efficiencies with the NCJIS modernization effort for the CRU. At some point, the RCCD is looking to automate dispositions we receive and now enter manually. The modernization effort is a few years away. We are going to need time to develop interfaces between the RCCD and local agencies to transmit data to the RCCD. It is going to take time to realize the benefits within the disposition workloads.

CHAIR DENIS:

Once the NCJIS modernization effort is fully operational, will the additional administrative assistant positions be necessary?

Ms. SOUZA-LLAMAS:

The RCCD anticipates still needing two administrative assistant II positions. The RCCD has additional workloads which will not be automated with the NCJIS system such as court ordered criminal history record seals. We do manual data entry into the protection order system on behalf of courts and maintain a large vault of criminal fingerprint cards. Fingerprint cards are accessed daily. We need to maintain those cards in an orderly fashion.

CHAIR DENIS:

Who is currently doing those tasks?

Ms. SOUZA-LLAMAS:

The RCCD does not have a staff member dedicated to monitoring the vault. The vault can get very disorderly. We have noticed some of the criminal fingerprint cards are getting damaged due to the amount of filing and refiling done. We have staff who work on the court ordered protection seals and the protection orders.

CHAIR DENIS:

Are there any duties not being addressed due to the lack of resources in the RCCD's Fiscal Unit?

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Ms. MCKAY:

Lesa Galloway, administrative services officer III, is the only budget analyst within the RCCD and oversees its \$45 million budget. To have strong succession planning, the RCCD needs the requested management analyst III position requested in decision unit E-228.

It is important to have a backup for Ms. Galloway to help carry the workload of the Fiscal Unit, particularly during the heavy budget cycles when we are building budgets and getting ready for legislative sessions.

The RCCD has three different budgets. Budget account 101-4702, in particular, is complex because it is our cost allocation budget for the Communications Bureau within the RCCD. Ms. Galloway needs assistance and the Fiscal Unit needs help with oversight, policy building, implementation and responding to budget requests and requirements.

DPS - Records Communications and Compliance — Budget Page PUBLIC
SAFETY-100 (Volume III)
Budget Account 101-4702

LESA GALLOWAY (Administrative Services Officer III, Records, Communications and Compliance Division, Department of Public Safety):

The position below mine is a management analyst II position which is a contract manager. The accountant technicians in the RCCD help out with fiscal response, but there is not a lot of support on the budget side.

CHAIR DENIS:

We will now hear a presentation from the Department of Public Safety, Records, Communications and Compliance Division (RCCD), B/A 101-4702.

Ms. MCKAY:

The RCCD Communications Bureau's B/A 101-4702 shown on page 19 of [Exhibit C](#), includes dispatch services for the DPS sworn divisions and several allied law enforcement agencies. The Communications Bureau coordinates with local public safety agencies on critical incidents, performs FBI system agency tasks and warrant tasks for allied agencies.

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Other disparate positions in the Communications Bureau include one position dedicated as the DPS administrator of the Spillman Records Management System. The Spillman System is used by the DPS for dispatch and records management functions.

The Communications Bureau has an IT liaison who assists the DPS employees with various IT activities and is responsible for providing Agency coordinator access, training and auditing specific to the NCJIS. There are a few dedicated fiscal staff to assist with the budget.

At the Legislative Commission's Budget Subcommittee hearing held on February 11, 2021, Assemblywoman Peters and Sherri Brueggemann, Deputy Director, Department of Public Safety, discussed how the DPS historically has had challenges recruiting and retaining dispatchers due to pay disparity.

Due to the inability to hire and retain employees, the Communications Bureau's overtime runs approximately \$500,000 annually because we staff operations 24 hours a day, 7 days a week and 365 days of the year. The Subcommittees heard the same challenges in NHP's presentation earlier today.

Page 20 of [Exhibit C](#) has a chart which depicts 69 percent of the dispatch services cost allocation and 31 percent of the RCCD cost allocation.

Enhancement unit E-225 in B/A 101-4702 requests funds for a program officer I position to provide administration of the Spillman Records Management System. The position would provide administrative coverage and services to over 2,000 users and 40 agencies Statewide who access the system. In addition to the support the position would provide, it would create an avenue of succession training for the Spillman System. Agencies outside the DPS which use the Spillman System pay their own maintenance fees. The DPS cost allocates to its internal users.

E-225 Efficiency & Innovation — Page PUBLIC SAFETY-102

As described on page 21 of [Exhibit C](#), decision units E-710, E-711, E-712 and E-714 are all standard equipment replacement requests.

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E-710 Equipment Replacement — Page PUBLIC SAFETY-102

E-711 Equipment Replacement — Page PUBLIC SAFETY-103

E-712 Equipment Replacement — Page PUBLIC SAFETY-103

E-714 Equipment Replacement — Page PUBLIC SAFETY-103

ASSEMBLYWOMAN MILLER:

Who participates in the cost sharing for the ongoing maintenance and staff salary costs to administer the Spillman System?

Ms. GALLOWAY:

The Spillman System maintenance costs are paid by the DPS sworn entities which include the Division of Parole and Probation, Investigation Division, Training Division, State Fire Marshal, the NHP, Capitol Police Division and Dignitary Protection.

ASSEMBLYWOMAN MILLER:

What issues does the Communications Bureau experience with having only one dedicated staff for administration of the Spillman System? How would the new position help address those issues?

Ms. MCKAY:

There is one administrator for the Spillman System at the DPS which has a total of about 1,400 staff. The RCCD uses the Spillman System not only for records management but also for its computerized dispatch system. There is not only a large amount of staff who use the Spillman System, there are many modules used within the System.

The incumbent administrator in the position works overtime to address all of the users' needs and the system's maintenance which include training, follow-up and refresher training, onboarding new staff, troubleshooting system issues, working with the vendor to upgrade the system and fix issues. The incumbent often works nights and weekends to keep up with the workload associated with the Spillman System.

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CHAIR DENIS:

We will now hear a presentation from the Department of Public Safety, State Fire Marshal Division (SFMD), B/A 101-3816.

DPS - Fire Marshal — Budget Page PUBLIC SAFETY-117 (Volume III)
Budget Account 101-3816

MIKE DZYAK (Chief, State Fire Marshal Division, Department of Public Safety):
I will be presenting the SFMD's 2021-2023 biennium budget. The SFMD's vision and mission statements are found on page 2 of our presentation today titled "Nevada State Fire Marshal 2021-2023 Biennium Budget Presentation" ([Exhibit D](#)).

Page 3 of [Exhibit D](#) lists the majority of the mandates in the NRS that the SFMD is responsible for. Specifically, NRS 477 gives the SFMD its authority and general responsibilities. There are many other statutory mandates that affect the SFMD.

Page 4 of [Exhibit D](#) shows the SFMD's organizational chart, responsibilities and bureaus.

The Fire Protection Engineering Bureau is responsible for plan reviews and inspections for a variety of building types which includes the annual inspection of certain facilities. The plans examiner in this Bureau not only reviews plans but reviews various requests which are a component of the code adoption process.

The Fire Licensing, Permitting, Prevention and Data Bureau handles all facets of Nevada's fire protection industry from the testing of individuals in the varying fields of fire protection such as blast proofing, pyrotechnic operators and fire performers to the companies that employ those individuals. This Bureau is also responsible for issuing Statewide hazardous material storage certificates for companies storing hazardous materials throughout the State without regard to population size. This information is available to fire departments Statewide so they may develop prefire plans which include the types and amounts of hazardous chemicals stored in the facilities that they may be called to respond to.

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The Licensing Bureau also manages the Fire Safe Cigarette compliance program used for fire prevention and education throughout the State.

The Nevada Fire Service Training Bureau is responsible for providing varying types of training to Nevada's first responders. In conjunction with the Nevada Board of Fire Services, the Fire Training Bureau adopts standards and training requirements, and plans and delivers training to both volunteer and paid personnel. The Bureau applies for and maintains certifications for Nevada's firefighters through the International Fire Service Accreditation Congress which allows reciprocal certification in 48 states.

The Investigations/Enforcement Bureau is the law enforcement arm of the SFMD. This Bureau handles fire, arson, insurance fraud, explosion, burn injury and regulatory investigations throughout the State. While most of the Bureau's responsibilities are in the State's more rural counties, the Bureau is frequently requested to assist larger counties. The investigators in this Bureau are trained and certified in inspections and are qualified to assist the Fire Protection Engineering Bureau. These investigators are an extremely versatile asset to the SFMD.

Page 8 of [Exhibit D](#) shows the SFMD's accomplishments broken out by each bureau. I will highlight some of the bureaus' accomplishments in regards to the importance of their respective duties.

The Fire Protection Engineering Bureau has the ability to accept and review plans submitted through Bluebeam Software, Inc. technology. Many contractors have the ability to develop construction plans digitally. However, the Fire Protection Bureau lacks the ability to review those plans digitally, spending money on shipping documents back and forth.

The Licensing Bureau has acquired a vendor for a new database system which will now not only allow the SFMD to manage all of Nevada's fire protection companies and technicians, but will also allow the issuance of certificates of registration with the individual's photograph which the industry requires. This will allow fire inspectors Statewide to see that the individual certified to do the work on these systems is the same person who is standing in front of them.

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The Licensing Bureau is also using Fire Safe Cigarette compliance program funds to develop and implement a joint fire prevention and education campaign which will reach the entire State.

The coronavirus pandemic has presented numerous obstacles to traditional techniques used for safety and education outreach. I am proud of the cooperative efforts by the SFMD to develop and use various social media platforms to get important messages out to its citizens and visitors.

The Fire Service Training Bureau has put itself at the forefront of fire investigation training and mobile technology. Page 9 of [Exhibit D](#) shows a photograph of Nevada's newest, and we believe the U.S.'s only, mobile fire investigation training trailer.

The trailer is outfitted with everything a normal room in a residential home would have including furniture, drapes and pictures on the walls. The room is set on fire using a method known only to the instructors. Thermal couples installed in the walls in the room allow instructors to monitor the fire's progress from the outside, and fire resistance cameras capture the fire behavior and progression. The room is then extinguished by fire crews.

Students must determine the origin cause of the fire using the information they have learned regarding fire behavior. They can watch the video and determine whether or not their hypotheses are correct. The most valuable part of this training lies in our ability to deliver the mobile fire investigation training trailer anywhere in the State rather than have a fixed facility.

The Investigations/Enforcement Bureau is multifaceted. Its expertise is employed throughout the State without regard to population size. This Bureau led the Argenta Hall explosion investigation team at the University of Nevada, Reno, under extremely hazardous conditions.

When multiple buildings in downtown Lovelock caught fire, the Investigations/Enforcement Bureau determined the cause to be arson and located the exact point of origin for the fire. The investigators confronted the suspect and obtained a confession with the arsonist giving them the location for the start of the fire. The investigative team from the Investigations/Enforcement

Bureau had already determined the same location using the evidence and their training.

During the initial civil unrest in Reno in the fall of 2020, SFMD investigators were deployed to assist the NHP in closing off interstate highway ramp exits and to protect commercial buildings. The Investigations/Enforcement Bureau also assisted Capitol Police during protest events on State Capitol grounds.

Page 11 of [Exhibit D](#) shows details of the SFMD budget and its diversified, complex revenue streams. The volunteer fire fighter funding stream is not SFMD revenue, but represents a collection point for all funds distributed to the Nevada Fire Fighter Association.

Enhancement unit E-380 of B/A 101-3816 requests the addition of a new plans examiner II. The position is extremely important to the SFMD's Fire Protection Engineering Bureau plan review process. We have struggled with having one full-time plan reviewer in order to meet reasonable review turnaround times. The one full-time plan reviewer is supported only by a contract plan reviewer.

The industry standard is approximately ten days which can only be met with additional full-time staff. Our ability to quickly review and return plans has a direct effect on the construction industry and the economy as it relates to local governments. The Investigations/Enforcement Bureau currently averages 34 days of turnaround time.

E-380 Safe and Livable Communities — Page PUBLIC SAFETY-120

Enhancement unit E-382 of B/A 101-3816 requests funds for the EITS database maintenance administrator hours.

E-382 Safe and Livable Communities — Page PUBLIC SAFETY-121

Enhancement unit E-710 requests funds for computer replacements.

E-710 Equipment Replacement — Page PUBLIC SAFETY-121

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Enhancement unit E-711 requests funds for a vehicle replacement for the Fire Protection Bureau.

E-711 Equipment Replacement — Page PUBLIC SAFETY-122

Enhancement unit E-712 requests funds for general equipment and tool replacement mostly for the Investigations/Enforcement Bureau.

E-712 Equipment Replacement — Page PUBLIC SAFETY-122

ASSEMBLYMAN WATTS:

What consequences has the State Fire Marshal experienced from delayed plan review turnaround times?

CHIEF DZYAK:

Plans are submitted to the SFMD for fire life safety review when something needs to be built in rural counties or, for instance, in the Clark County School District which is the largest school district west of the Mississippi River. Construction cannot start until the SFMD has reviewed plans and approved them. We check for everything from fire flow to affected systems.

I have been with the SFMD for over 20 years. Formerly there were five full-time plan examiners, and now there is one full-time plan examiner. We are doing more with a lot less. The contract plan reviewers, while helpful, are not getting us where we need to be. The SFMD needs to be more responsive.

ASSEMBLYMAN WATTS:

What impact will the new plans examiner II position have on reducing the SFMD's turnaround times for plan review? How close will it get us from 30 plus days turnaround to the 10-day goal?

CHIEF DZYAK:

Plan reviews vary greatly. However, I would anticipate a significant drop in turnaround time. Albert Ruiz, the SFMD bureau chief, could send some of the smaller plans to the contractors. The two full-time plan examiner positions would be able to handle the larger plans. Additional staffing is critical at this point. Plans are fee based. If we are able to process the plan reviews more

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quickly, it would result in more revenue rather than worrying about cost savings.

SENATOR GOICOECHEA:

How many interlocal agreements do you have in place in rural cities like Wells and Wendover, so they can also do some of the plan reviews?

CHIEF DZYAK:

We do have significant interlocal agreements throughout the more rural counties in Nevada. I do not know the exact number. A lot of rural counties have elected to go to outside private entities to do plan reviews.

Regardless of those interlocal agreements, we are responsible statutorily for auditing those plan reviews. Nevada is unique in that you do not just have to follow the building and fire codes, you also have to follow the Nevada Administrative Code. If there is a variance request, only the State Fire Marshal can approve those requests.

SENATOR GOICOECHEA:

Ultimately, does the State Fire Marshal have to sign off on the plan review requests?

CHIEF DZYAK:

YES.

ASSEMBLYWOMAN TOLLES:

Thank you for your work on the Pinehaven fire as that was in my district. We have had 63 homes in that particular area destroyed since 2011 because the area is bordered by the U.S. Department of the Interior, Bureau of Land Management land. Can you describe how you work together with the Wildland Fire Protection program through the State Department of Conservation and Natural Resources, Division of Forestry? What role does the SFMD play in wildfire protection and response?

CHIEF DZYAK:

The State Forester Firewarden has receded in its duties as far as an all-risk fire department. The SFMD adopted the International Fire Code as a minimum

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standard so we are now going to be adopting wildland urban interface in a more official capacity. We can be more stringent and add defensible space requirements and fire sprinkler requirements, but we have to apply those International Fire Code minimum standards.

The general consensus is local entities are best suited for monitoring these types of events. For example, heavy fuel in Lyon County is different than heavy fuel in Douglas County. The SFMD assists by providing minimum standard codes.

ASSEMBLYWOMAN TOLLES:

This is helpful in terms of building and structure codes. My question was more in terms of fire detection. A wildfire just a few miles away can quickly turn into a real threat to an entire community. What methods are used to detect wildfires and more quickly determine a threat is imminent before even one home is destroyed?

CHIEF DZYAK:

That is a fire suppression entity and would be addressed by the responding units. The SFMD has no fire trucks. The SFMD's focus is on fire resistive instruction and the finding and punishment of arson.

CHAIR DENIS:

We will now hear a presentation from the Department of Public Safety, Office of Traffic Safety, Nevada Rider Highway Safety Plan and Administration Division, B/A 101-4688.

DPS - Highway Safety Plan & Admin — Budget Page PUBLIC SAFETY-139
(Volume III)

Budget Account 101-4688

AMY DAVEY (Administrator, Office of Traffic Safety, Department of Public Safety):

Page 10 of our presentation today titled "Office of Traffic Safety Budget Presentation Budget Accounts 4688/4691" ([Exhibit E](#)) highlights our budget requests.

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Enhancement unit E-710 of B/A 101-4688 requests funds for scheduled EITS equipment replacement.

E-710 Equipment Replacement — Page PUBLIC SAFETY-142

Enhancement unit E-800 requests funds for internal cost allocation.

E-800 Cost Allocation — Page PUBLIC SAFETY-143

Enhancement unit E-815 requests funds for an unclassified salary increase for the administrator of the Office of Traffic Safety.

E-815 Unclassified Position Changes — Page PUBLIC SAFETY-143

Enhancement unit E-901 requests a transfer of a management analyst position who oversees the Ignition Interlock program from B/A 101-4688 to the NHP Division, B/A 201-4713.

E-901 Transfers — Page PUBLIC SAFETY-143

E-901 Transfers — Page PUBLIC SAFETY-50

SENATOR BROOKS:

How did the DPS determine the recommended salary level for the administrator of the Office of Traffic Safety? How are the administrator position's duties comparable to that of the administrator of the DPS, Office of Cyber Defense Coordination?

SHERRI BRUEGGEMANN (Deputy Director, Department of Public Safety):

We made the recommendation to upgrade the salary for the administrator of the Office of Traffic Safety. The reason for making the salary comparable to the administrator of the DPS, Office of Cyber Defense Coordination is the duties seemed commensurate with that position. The administrator in the Office of Traffic Safety has been lacking a good salary for the duties done including handling three of the major budget accounts and being the funnel for a lot of DPS's federal funding and grants.

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The DPS works closely with NDOT management as well as with a number of State-level employees and their federal partners. We feel strongly that this position needs to be classified along with all other positions of its like. The administrator position in the Office of Traffic Safety was the lowest paid. We still have not been able to fill our administrative services officer (ASO) position because there are no fiscal people available. The ASO position is also not classified properly, as it is close to the administrator's classification level which is too low.

CHAIR DENIS:

We will now hear a presentation from the Department of Public Safety, Motorcycle Safety Program (MSP), B/A 101-4691.

DPS - Motorcycle Safety Program — Budget Page PUBLIC SAFETY-149
(Volume III)
Budget Account 101-4691

Ms. DAVEY:

Budget account 101-4691 is the Statewide Motorcycle Safety Program. This budget account is fee funded. The decision units are described on page 14 of [Exhibit E](#).

Enhancement unit E-225 requests funds for a contracted outreach coordinator and safety media campaign.

E-225 Efficiency & Innovation — Page PUBLIC SAFETY-151

Enhancement unit E-226 requests funds for training costs for contracted motorcycle instructors.

E-226 Efficiency & Innovation — Page PUBLIC SAFETY-152

Enhancement units E-227 and E-228 have been eliminated and are no longer in the MSP's 2021-2023 budget.

E-227 Efficiency & Innovation — Page PUBLIC SAFETY-152

E-228 Efficiency & Innovation — Page PUBLIC SAFETY-152

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Enhancement unit E-229 requests funds in-State travel.

E-229 Efficiency & Innovation — Page PUBLIC SAFETY-153

Enhancement unit E-230 requests funds for deferred vehicle maintenance.

E-230 Efficiency & Innovation — Page PUBLIC SAFETY-153

Enhancement unit E-710 requests funds to replace training and certification motorcycles which are replaced on a ten-year cycle.

E-710 Equipment Replacement — Page PUBLIC SAFETY-154

Enhancement unit E-800 requests funds for the MSP's cost allocation.

E-800 Cost Allocation — Page PUBLIC SAFETY-154

ASSEMBLYWOMAN MONROE-MORENO:

Are you eliminating the MSP's request for the \$85,000 annually in enhancement unit E-225 for the media campaign?

Ms. DAVEY:

Yes. We reduced the budget by \$85,000 in order to maintain proper reserves. A small funding request remains in decision unit E-225 for outreach opportunities primarily in southern Nevada.

ASSEMBLYWOMAN MONROE-MORENO:

What benefits would be achieved for MSP by funding a contracted outreach coordinator in southern Nevada?

Ms. DAVEY:

The MSP has two FTE staff. The balance of work is done through contract training and services. The MSP currently does not have a representative in southern Nevada. We work quite extensively with training programs in southern Nevada and with motorcycle dealerships located there.

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Our largest motorcycle events are in southern Nevada. It is important for us to have a presence there and reach out to that community to discuss safety. We have been bringing our northern Nevada staff down to attend those events. A part-time contracted staff member based in Las Vegas will better be able to engage with the motorcycling community there.

ASSEMBLYWOMAN MONROE-MORENO:

In regards to enhancement unit E-226, what is the distinction between the 15-day rider coach training course and the annual instructor certification? How would this benefit the MSP?

TAMMY TRIO (Administrative Services Officer, Office of Traffic Safety, Department of Public Safety):

We requested a reduction in enhancement unit E-226 to \$14,469 in FY 2021-2022 and to \$4,471 in FY 2022-2023.

The MSP needs to have two new people trained in the 15-day rider certification program so they can instruct the course. We have one contracted certified instructor who is a coach trainer and is retiring. We also have one other permanent employee who received a promotion.

The 15-day certification course for instructors to become rider coach trainers is not a required or mandatory course, as the annual certification course is. Annual instructor certification is not in our requested enhancements.

ASSEMBLYWOMAN MONROE-MORENO:

Thank you for confirming the reduction in enhancement unit E-226. In regards to the community college tuition subsidies in enhancement unit E-227, why is the Truckee Meadows Community College (TMCC) program the only one receiving a subsidy?

Ms. DAVEY:

We survey all of our community college partners annually to determine if their programs are maintaining adequate support for their institutions and if they are going to require subsidies. We request back-up documentation to review costs and revenues collected in order to determine if subsidies are needed. The TMCC

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is the only college that has requested a subsidy and has provided the necessary back-up documentation to demonstrate need of the support.

ASSEMBLYWOMAN MONROE-MORENO:

Is the base budget funding of \$5,460 sufficient to provide the tuition subsidy to TMCC? Can enhancement unit E-227 be eliminated because the base budget is sufficient to provide a tuition subsidy to TMCC?

Ms. DAVEY:

Yes, the MSP requested enhancement unit E-227 will be eliminated.

ASSEMBLYMAN WATTS:

Can you confirm enhancement unit E-228 has been requested for elimination?

Ms. DAVEY:

Yes, the MSP requested enhancement unit E-228 be eliminated. The Motorcycle Safety Foundation is in the process of reviewing its curriculum for the course and is not offering it at this time.

CHAIR DENIS:

We will now hear a presentation from the Department of Public Safety, Division of Emergency Management (DEM), B/A 101-3673.

DPS - Division of Emergency Management — Budget Page MILITARY-19
(Volume III)

Budget Account 101-3673

DAVID FOGERSON (Chief, Division of Emergency Management, Office of Homeland Security, Department of Public Safety):

Our presentation today is titled "Nevada Department of Public Safety, Nevada Division of Emergency Management, Office of Homeland Security, Governor Recommended Budget for the 2021-2023 Biennium" ([Exhibit F](#)). As shown on page 3 of [Exhibit F](#), the DEM is Nevada's essential emergency and disaster coordinating partner.

The coronavirus pandemic response highlights what the DEM does by pulling all of our partners together. We are not field responders; we are not first

responders; we are not the first line of defense; we are not involved in all emergencies, and we do not have grant money without strings.

Page 7 of [Exhibit F](#) details who we are. The DEM staff are the ones who come after the incident happens or during the incident to support our local governments. Our process involves preventing, protecting, mitigating, responding and recovering from each disaster which the DEM views as a cyclic event.

We try to prevent the event from ever reoccurring due to ongoing efforts in education and prevention mechanisms to reduce the threat. We protect communities by helping with funding, ideas and coordinating resources to lower risks. We hope to minimize risks by making communities safer through various programs such as hazardous materials mitigation plans.

The DEM responds to incidents but not as field responders. When local governments need assistance, they reach out to the DEM. In terms of recovery after disasters, we look at how we can get businesses and communities back to a resilient state better than what they were before the event occurred. We work on disasters and emergencies which are locally executed, State directed and federally supported.

The DEM's many partners are listed on page 10 of [Exhibit F](#). Our NRS legal authorities are highlighted on page 11 of [Exhibit F](#). Our primary jurisdiction is in NRS 414.

JUSTIN LUNA (Administrative Services Officer, Division of Emergency Management, Office of Homeland Security, Department of Public Safety):
The DEM base budget is largely the same from previous biennia. The DEM is funded primarily through federal grants which we use to implement national-level strategies for reducing risk and increasing resiliency here in Nevada.

The DEM has 40 FTE State positions. Four positions are in the Department of Public Safety, Office of Homeland Security, B/A 101-3675. Thirty positions are in the Department of Public Safety, Division of Emergency Management, B/A 101-3673.

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DPS - Homeland Security — Budget Page MILITARY-28 (Volume III)
Budget Account 101-3675

Enhancement unit E-373 of B/A 101-3673 requests six additional positions. These new positions are 100 percent federally funded. The positions were requested to help the grants, recovery and mitigation units with increased workloads due to the coronavirus pandemic disaster. We have three of the six positions filled. Two other candidates have job offers pending background checks and the final position is in the recruitment process.

E-373 Promoting Healthy, Vibrant Communities — Page MILITARY-22

Enhancement units E-710 and E-711 request funds for regular equipment replacement and one vehicle replacement.

E-710 Equipment Replacement — Page MILITARY-23

E-711 Equipment Replacement — Page MILITARY-23

The total amount of federal grants managed by the DEM has doubled over the past two years primarily due the pandemic disaster relief which will take many years to completely close out.

The DEM's organizational chart is on page 14 of [Exhibit F](#). The five sections include grants, recovery and mitigation; preparedness; finance and administration; interoperability and the Office of Homeland Security. The Office of Homeland Security is integrated seamlessly within our operations.

The Governor recommends the Division of Emergency Management and the Office of Homeland Security be transferred from the Department of Public Safety to the Office of the Military. The DEM's current organizational structure as it exists will simply be moved intact from the DEM to the Office of the Military.

Chief Fogerson will report directly to The Adjutant General of Nevada who serves as the director of the Office of the Military. This would continue the alignment of civil and military crisis leadership and resource management established during the coronavirus pandemic response.

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The DEM manages three executive budget accounts. The DEM's operating budget is B/A 101-3673. The Office of Homeland Security's operating budget is B/A 101-3675.

The federal grants pass-through budget account for emergency management assistance is B/A 101-3674. We coordinate over \$200 million in grant funds through our partners and sub applicants.

DPS - Emergency Management Assistance Grants — Budget Page MILITARY-26
(Volume III)
Budget Account 101-3674

Page 16 of [Exhibit F](#) summarizes our annual operating funds alongside the grants we pass through the DPS entities, as well as those we pass through local and tribal governments throughout the State to build a more resilient Nevada.

CHIEF FOGERSON:

I will highlight our partnerships particularly in light of the DEM's response to the coronavirus pandemic. We have assisted with response logistics, testing, vaccinations, personnel, equipment and coordination of resources. I was in southern Nevada yesterday and met with the Clark County Office of Emergency Management, the health district, other local government partners and Immunize Nevada to see how we can continue to move things along, get people vaccinated and open our economy back up.

We maintain two warehouses in the State to provide protective equipment to our State local partners and our nonprofits. It has been rewarding for the DEM to see how well we can quickly come up with new ideas.

When we do have a disaster, the DEM brings in people from all the State agencies to sit in the emergency operations center to assist us with helping our communities. Outside of disaster response, we have a lot of federally funded grant programs to help mitigate the risk and the hazards communities face every day. When we do experience a disaster, we employ resilient strategies so we can better bounce back from anything that happens.

The Governor's recommended FY 2021-2023 Executive Budget recommends the DEM and the Office of Homeland Security be transferred from the DPS to the Office of the Military. This came as a result of aligning State resources during the coronavirus pandemic response.

The DPS is the premier law enforcement agency within the State. In terms of disaster management, the DEM works closely with its military partners and the Nevada National Guard which you have seen at every testing and vaccination site. The DEM office is located on the military base for the Nevada National Guard in Carson City. The DEM shares its building with the National Guard's domestic operations section.

The transfer will put DEM close to the Office of the Military who we work with on a regular basis and will streamline communication between the two department directors. The transition adds the strategic advantage of an all-hazards, whole community approach to plan, protect, mitigate, respond and recover from emergency and disasters throughout Nevada to the Office of the Military.

The transfer aligns career trained crisis leadership and planning between the civil and military capabilities in our State. When the coronavirus pandemic began, with only 40 FTE in the DEM, we found ourselves lacking long-term planners. The National Guard is able to provide us with long-term planners to work side by side with civilian employees.

We worked together to build plans to open warehouses so we could get personal protective equipment (PPE) out, determined how to purchase PPE and how to open testing sites and vaccination centers. When the National Guard is not needed any more, Guard members will return to their regular duties.

We would like to continue this relationship on a full-time basis and move the DEM from the DPS to the Office of the Military. Currently, the DEM chief directly reports to the director of the Department of Public Safety. With the move, the DEM chief will report to The Adjutant General of Nevada who is the director of the Office of the Military. There will be no real change in organizational structure.

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Nevadans and their families should have a plan and a kit to survive for 72 hours. Our risks in Nevada include earthquakes, wildland fires, floods, severe storms, extreme heat, drought and the pandemic. I want to make sure everyone in our community is safe and prepared to take care of themselves when that next disaster strikes.

ASSEMBLYWOMAN MILLER:

How did the State benefit from the collaboration of the DEM and the Office of Homeland Security working with the Office of the Military during the pandemic? How does the integration of the agencies provide a benefit going forward?

CHIEF FOGERSON:

The coronavirus pandemic highlighted the benefit of the DEM and the Office of Homeland Security working with the Office of the Military. We have outstanding National Guard members who have been working and assisting us for a year throughout the pandemic.

Our office is shared with their Domestic Operations Unit, so we have been able to go to them to ask for assistance. As the DEM identifies more local community needs, we have been able to ask their Domestic Operations Unit for assistance throughout the entire process. They have helped us with staffing and long-range planners.

The military is excellent at planning and logistics. In a disaster, the response is only one part. Making certain we have recovery efforts in place to take care of those at risk is equally important. National Guard members helped us determine how to get testing supplies to rural Nevada and how to get testing supplies from northern Nevada to southern Nevada.

I can see this partnership building even more after we transition to the Office of the Military. They will be able to further assist us with smaller event response which will make our communities more resilient.

ASSEMBLYWOMAN MILLER:

Can you explain how the recommended transfer will improve the DEM's administrative and operational performance compared to its current organizational structure under the DPS?

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CHIEF FOGERSON:

Operationally, it is going to be a much better fit because the DEM normally works with the Nevada National Guard and does not interact as much with law enforcement officers in the DPS. Administratively, we will be working through processes to streamline operations to make things better for the future.

ASSEMBLYWOMAN TITUS:

Do other states have the Office of Emergency Management under their military?

CHIEF FOGERSON:

Yes. In 1967, Nevada's Department of Emergency Management started out as the Office of Civil Defense under the Office of Military. I know there are at least 13 other states that house emergency management within the office of the military. Arizona uses this same model.

ASSEMBLYWOMAN TITUS:

Are you duplicating efforts in maintaining two warehouses associated with pandemic relief efforts? The Office of the Military also has warehouses.

CHIEF FOGERSON:

No. We are not duplicating any efforts between the DEM and the Office of the Military. We are seamlessly connected in our pandemic response efforts making certain first we have PPE to provide for our hospitals, local governments and State facilities that require it.

ASSEMBLYWOMAN TITUS:

When the Office of the Military was receiving money and supplies, it was also for hospitals. Do you complement each other or are you indeed duplicating some services?

CHIEF FOGERSON:

No. It is a matter of semantics. The Office of the Military is staffing the warehouses for us and the DEM manages the operations of those warehouses.

ASSEMBLYWOMAN TITUS:

By moving to the Office of Military, will the DEM offices physically change location?

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CHIEF FOGERSON:
No.

CHAIR DENIS:
We will now hear public comment.

DARLENE ANDERSON:
I am a resident of Clark County and a former resident of California. I am interested in the accountability portion of funding for kindergarten through Grade 12 as it is affecting so many here in Clark County. There is no follow through for the federal dollars that come into the State to help kids in poverty. It is the requirement of the Senate and the Assembly to ensure accountability happens for federal dollars for public education in the State of Nevada.

EDWARD ABLESER (Nevada Police Union):
I want to advocate on behalf of active members of the Nevada Police Union. The recommended budget should include significant attention to either pay or benefits for our members. Officers with the DPS are paid 30 percent to 40 percent less than neighboring jurisdictions at the county or city level. We are struggling with retention issues. We are training officers and sending them straight to a city or a county law enforcement agency. We spend a lot of money per officer each year.

Some budget items could be postponed such as new vehicle purchases. The DPS should change their policy. Other states, like California, use vehicles and repair them until repairs are significantly more expensive than replacing the vehicles. This would be a cost savings opportunity which could be moved into the field of pay or benefits to support our officers in the upcoming 2021-2023 biennium.

We ask the Subcommittees to request amendments to this budget item and include significant support for our officers as they are underpaid.

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CHAIR DENIS:

As there is no more business, the meeting is adjourned at 10:41 a.m.

RESPECTFULLY SUBMITTED:

Melodie Swanson,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

Assemblywoman Brittney Miller, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
	B	2	Anne Carpenter, Colonel, Department of Public Safety	BA 4713 and BA 4705, Department of Public Safety Presentation
	C	3	Mindy McKay, Department of Public Safety	BA 4709 and BA 4702, Department of Public Safety Presentation
	D	2	Mike Dzyak, Department of Public Safety	BA 3816, Department of Public Safety Presentation
	E	10	Amy Davey, Department of Public Safety	BA 4688 and BA 4691 Department of Public Safety Presentation
	F	3	David Fogerson, Department of Public Safety	BA 3673, Department of Public Safety Presentation
	F	14	Justin Luna, Department of Public Safety	BA 3673, Department of Public Safety Presentation